

Policy: 3205
Section: 3000 - Students

Sex Discrimination and Sex-Based Harassment of Students Prohibited

The district is committed to a positive and productive education free from discrimination. The district does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Federal and State laws. This commitment extends to all students involved in academic, educational, extracurricular, athletic, and other programs or activities of the school, whether that program or activity is in a school facility, on school transportation, or at a class or school training held elsewhere.

The district has jurisdiction over complaints of sex discrimination, including sex-based harassment, pursuant to the Federal law Title IX of the Education Amendments of 1972 (Title IX) and Washington State laws, including Chapter 28A.640 RCW and Chapter 392-190 WAC.

This policy is developed to meet the district's obligations under Title IX and aligned with Washington State laws and regulations that define sex discrimination. Sex discrimination that does not fall under this policy may be addressed under other district policies and procedures.

The district prohibits sex discrimination of students by other students, employees, or third parties involved in school district activities. The district also prohibits sex discrimination in the policies, procedures, and practices of the district's program and activities, including but not limited to counseling and guidance services, recreational and athletics activities, and access to course offerings.

For purposes of this policy, "sex discrimination" includes discrimination on the basis of sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, gender identity, and gender expression. Sex-based harassment is a form of sex discrimination and is prohibited by this policy.

Definitions

"Sex-based harassment" means sexual harassment and other harassment on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, gender identity, gender expression, pregnancy or related conditions, and marital status.

The term "sexual harassment" includes the following, which Title IX defines at 34 C.F.R. § 106.2:

- "Quid pro quo harassment,"
- "Hostile environment harassment," and
- Specific offenses of sexual assault, dating violence, domestic violence, or stalking

The term "sexual harassment" is also prohibited under state law as defined at WAC 392-190-056 and includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature between two or more individuals if:

- a. Submission to that conduct or communication is condition of obtaining an education or
- b. a factor in decisions affecting that individual's education; or
- c. the conduct or communication has the purpose or effect of substantially interfering with an individual's educational performance or of creating an intimidating, hostile, or offensive educational environment.

Harassment based on sexual orientation, gender expression, or gender identity is also prohibited under Washington state law.

For the purpose of these definitions, sex-based harassment may include conduct or communication that involves adult to student, student to adult, student to student, adult to adult, male to female, female to male, male to male, and female to female.

The district will address all sex-based harassment in its program and activities, even when some conduct alleged to be contributing to a hostile environment occurs outside of its program or activities.

Nov. 2024 approved HØ2

The district has also developed other specific, related policies for students to comply with its obligations under State and Federal laws, including nondiscrimination (Policy 3210), pregnant and parenting students (Policy 3206), gender-inclusive schools (Policy 3211), district employees (Policy 5011), and pregnant and parenting staff (5012) to comply with its obligations under State and Federal laws, including Title IX, and to create inclusive and welcoming school-communities.

Investigation and Response

The Superintendent will develop and implement procedures for receiving, investigating, and resolving complaints or reports of sex discrimination and will include reasonable and prompt timelines and delineate roles and responsibilities for such. The procedure can be found at 3205P.1.

If the district knows, or reasonably should know, that sex discrimination has occurred, it will promptly investigate to determine what occurred and take appropriate steps to resolve the situation. If an investigation reveals that sex-based harassment has created a hostile environment, the district will take prompt and effective steps reasonably calculated to end the sex-based harassment, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects. The district will take prompt, equitable, and remedial action within its authority on reports, complaints, and grievances alleging sex discrimination that come to the attention of the district. The district will take these steps every time a complaint alleging sex discrimination comes to the attention of the district.

Allegations of criminal misconduct and suspected child abuse will be reported to law enforcement or Child Protective Services as required by law. Regardless of whether the misconduct is reported to law enforcement, school staff will promptly investigate to determine what occurred and take appropriate steps to resolve the situation, to the extent that such investigation does not interfere with an ongoing criminal investigation. A criminal investigation does not relieve the district of its independent obligation to investigate and resolve sex-based harassment.

Engaging in sex-based harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff, or other third parties involved in school district activities. Anyone else who engages in sex-based harassment on school property or at school activities will have their access to school property and activities restricted, as appropriate.

Retaliation and False Allegations

It is a violation of this policy to engage in retaliation, as defined under Federal and State laws and the Superintendent's procedure, including retaliation by a student against another student, and will result in appropriate discipline. The district will take appropriate actions to protect involved persons from retaliation.

It is a violation of this policy to knowingly report false allegations of sex discrimination. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline as discussed in the Superintendent's procedure. However, no party, witness, or others participating in the district's grievance process will be disciplined based solely on a determination of whether sex discrimination occurred under the Superintendent's procedure.

Staff Responsibilities and Training

The Superintendent will develop and implement a procedure that identifies the roles, responsibilities, and training requirements of the Title IX Coordinator and other district employees.

The Superintendent will also develop materials to provide age-appropriate information and education to district staff, students, parents, and volunteers regarding this policy and the recognition and prevention of sex-based harassment. The procedures can be found at 3205P.2.

District Notice

At a minimum, the district's website will include a statement that the district prohibits sex discrimination and sex-based harassment in any education program or activity that it operates, as required by Title IX and other laws, and employment. It will also state that questions about Title IX, how to locate the district's policy and grievance procedure, and how to report sex discrimination or make a complaint may be directed to the District's Title IX Coordinator. The Title IX Coordinator's contact information will also be provided, including their name or title, office address, email address, and telephone number.

This policy and the procedure, which includes the complaint process, will be conspicuously posted in each district building in a place accessible to staff, students, parents, volunteers, and visitors. Information about

the policy and procedure will be clearly stated and posted throughout each school building, provided to each employee, and reproduced in each student, staff, volunteer, and parent handbook. Such notices will identify the district's Title IX coordinator and provide contact information, including the coordinator's email address.

Additionally, sex-based harassment recognition and prevention and the elements of this policy will be included in staff, student, and regular volunteer orientations.

Policy Review

The Superintendent will make an annual report to the board reviewing the use and efficacy of this policy and related procedures. Recommendations for changes to this policy, if applicable, will be included in the report. The Superintendent is encouraged to involve staff, students, volunteers, and parents in the review process.

Cross References: 3207 - Prohibition of Harassment, Intimidation, and Bullying of Students
 3210 - Nondiscrimination
 3211 - Gender-Inclusive Schools
 3241 - Student Discipline
 5010 - Nondiscrimination and Affirmative Action
 5011 - Sex Discrimination and Sex-Based Harassment of District Staff Prohibited

Legal References: RCW 49.60 Washington Law Against Discrimination
 2024 Title IX Regulations at 34 C.F.R. □□ 106 et seq.
 20 U.S.C. □□□□ 1681-1688
 WAC 392-190-058 Sexual harassment
 RCW 28A.640.020 Regulations, guidelines to eliminate discrimination
 □□□ Scope □□□ Sexual harassment policies
 WAC 162-32-040 Harassment

Management Resources: 2020 - August Issue
 2015 - July Policy Alert
 2014 - December Issue
 2010 - October Issue

Adopted: 11.24
BRINNON SCHOOL DISTRICT #46
Last Revised: **July 31, 2024**
Classification: **Essential**
Prior Revised Dates: **10.11; 12.14; 07/01/2015; 3/2019; 08/20/2020**

BOARD MEETING

Tuesday, November 19, 2024 at 6:00pm

MINUTES

I. REGULAR MEETING CALLED TO ORDER at 6:02pm – Roll Call, Flag Salute

Attendance: Bill Barnet, Summer Ventura, Michelle Matheson, and non-voting Secretary to the Board: Superintendent Patricia Beathard

- II. AUDIENCE PARTICIPATION/AGENDA ITEMS** - Agenda items are welcome, but depending on time, these issues are at the discretion of the board chairperson as to whether or not they are added to the agenda. At the conclusion of our meeting, audience members will have the opportunity to address items not on the agenda. The board encourages constructive and solution-oriented comments.

III. APPROVAL OF AGENDA (H000)

Superintendent Beathard requested the removal of second read of policy 3211 from this month's agenda and have it placed on the December agenda.

Michelle Matheson made a motion to approve the agenda as presented with the removal of second read of policy 3211. Summer Ventura seconded the motion. Motion carried.

IV. APPROVAL OF MINUTES

- a. October 22, 2024 Meeting Minutes (H000.1)

Summer Ventura made a motion to approve the August 27 minutes as presented. Michelle Matheson seconded the motion. Motion carried.

V. FINANCIAL REPORT

- a. Budget Status Report (H001)
- b. Cash Flow Spreadsheet (H002)
- c. AP Invoice Spreadsheet (H003)
- d. Enrollment Report (H004)

Financial report given by Debi Johnson.

VI. CONSENT AGENDA

The following vouchers as audited and certified by the auditing officer, as required by RCW 42.24.080, and those expense reimbursement claims certified, as required by RCW 42.24.090, were approved for payment. In addition, Payroll Vendor warrant numbers 4650585–4650591 in the amount of \$36,794.02 were approved. There were no payroll warrants issued to Employees.

- a. Approve Payroll: October 2024 Final: \$120,121.75
- b. Approve Accounts Payable Vouchers:

Vouchers pre-approved/due and released before this Board meeting:

Fund	Date	Voucher Numbers	Purpose	Amount
General	11/15/24	#4602262-4602270	Early payments due	\$2,424.69
General	11/21/24	#9000001240-9000001249	Direct Deposit/ACH Payments	\$8,408.17

Approve AP Vouchers releasing this month:

General	11/21/24	#4602271-#4602290	Current Vouchers due	\$21,524.01
CPF	11/29/24	#4698078-#4698078	Modernization Grant #1	\$358,803.86

Pre-approve for release before next Board meeting:**General Fund AP Vouchers:**

Phones, utilities, copier lease, Amazon Capital, credit card, F2S produce & delivery fees, Hood Canal Communications (e-Rate tech re-wiring project, \$36,250, if completed), OESD invoices (moved to ACH payments this month), grant expenditures, process ACH payments: \$53,000.00

CPF AP Vouchers: \$10,439.22 (retainage for HKHS playground when invoice is received)

CPF	___/___/24	#4698078	HKHS Retainage (All Play)	\$10,439.22
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TVF: The new bus is in Chimacum. Warrant to be released after revised invoice is received.

TVF	___/___/24	ACH Payment	Bus, upon delivery	\$170,326.14
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- c. Approve Payroll: November 2024, estimate: \$122,600.00
- d. Second Read on essential policies
 - i. Policy 3210 – Nondiscrimination (H01)
 - ii. Policy 3205 – Sex Discrimination and Sex-Based Harassment of Students Prohibited (H02)
 - iii. ~~Policy 3211 – Gender Inclusive Schools (H03)~~
 - iv. Policy 2023 – Digital Citizenship and Media Literacy (H04)
 - v. Policy 2023 F2 – Artificial Intelligence Classroom Protocol (H05)
- e. Approve Highly Capable Plan (H06)
 - i. Plan
 - ii. Stipend
 - iii. Spending Plan
- f. Approve Beathard to attend WASA Small Schools Conference in Wenatchee – March 16-18 – approximate cost \$2,000

Michelle Matheson made a motion to accept the consent agenda as amended. Summer Ventura seconded the motion. Motion carried.

VII. STATUS OF THE SCHOOL – SUPERINTENDENT'S REPORT

- a. New bus update – the bus is in Chimacum
- b. Counseling in our district
 - i. Jumping Mouse

1. comes to us through funding through the Behavioral Health Advisory Committee (BHAC) who oversees the 1/10 of 1% of sales tax allotment
2. We have 3 therapists – they are seeing 7 children now and may see up to 12
3. Weekly one-on-one therapy sessions – expressive play therapy
4. Parents and caregivers also receive ongoing support.
5. Therapists meet with teachers and other important adults in the child's life to develop a strong support system for the child and their family.
- ii. More traditional counseling model
 1. One day funded through the BHAC and one with designated state funding
 2. Therapist sees 10 students weekly and has time for parents
- c. Jumping Mouse Turkey Trot – registration is open on their website
- d. December 16-20 – kitchen floor installation
- e. Confirmation of board workshop dates
 - i. December 17 – 4:00 – 6:00 – with WSSDA (Washing State School Board Directors) contractor
 1. Open Public Meetings Training
 2. Other required training information
 3. School Board Roles & Responsibilities
 - ii. January 28 – 4:30 – 6:00 – School District funding – Jason Roads, Assistant Superintendent of Finance & Operation (OESD114) Olympic Educational Service District 114
 - iii. March 25 – 4:30 – 6:00 – with Jacob Rember
 1. Highly Capable, Special Education, Technology
- f. JCEP (Jefferson County Educational Partnership)– December meeting moved to 1/27 at 4:30 at Port Townsend School District Boardroom
- g. Superintendent mid-year review in December or January
- h. Upcoming dates
 - i. 11/22 First Quarter Awards Assembly at 9:00am
 - ii. 11/25-29 Thanksgiving Break – no school
 - iii. 12/9 at 11:10 TK – 2nd grade sing at senior soup at the Brinnon Community Center
 - iv. 12/11 School district insert comes out in the Port Townsend Leader
 - v. 12/12 Winter Program at 6:00pm
 - vi. 12/13 Fun Friday
 - vii. 12/17 Pleasant Harbor Marina Resort hosts student holiday parties
- i. Thank you to Jefferson County Juvenile & Family Court Services for donation of coats

VIII. BOARD MEMBERS REPORTS

IX. AUDIENCE PARTICIPATION

Audience: Tirzah Small, Rebecca Small

X. EXECUTIVE SESSION

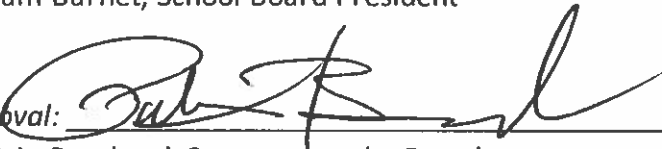
- a. Discuss the performance of a public employee

The executive session is estimated to take 10 minutes. The executive session began at 6:34pm and ended at 6:56pm.

XI. ADJOURNMENT

Summer Ventura made a motion to adjourn the meeting at 6:57pm. Michelle Matheson seconded the motion. Motion carried.

Approval:  _____ Date: 12/17/29
William Barnet, School Board President

Approval:  _____ Date: _____
Patricia Beathard, Secretary to the Board