

St. Helens School District

Every member of the St. Helens School District community

has the right to learn and work in an environment free from sex and gender-based violence and harassment. Sexual assault, relationship or intimate partner violence, stalking and other forms of harassment and discrimination can profoundly affect people of any gender, sexual orientation, race, religion, ability, citizenship, or socioeconomic status.

Knowing what options, rights, and resources are available can help individuals determine their best path forward. Our hope is that this guide will answer any questions you have about your rights and the resources available to you. This guide was developed by the Office of the Title IX Coordinator.

Together, we are committed to preventing and addressing sex and gender-based violence, harassment, and unfair practices. Please contact me at any time.

Peggy Pollock
Title IX Coordinator
503-366-7228
406-281-3700 (cell)

What is Title IX?

Title IX of the Education Amendments of 1972 prohibits sex discrimination in education, including K-12 schools. Title IX is a federal law that has been used to promote equity in education by ensuring that all people receive equal resources and treatment in the school environment and provides for students who are sexually harassed and discriminated against and/or bullied based on their gender.

Sexual harassment, of any form, is a violation of St. Helens School District Board and Administrative policies. All forms of sexual harassment,whether student to student, staff to student, staff to staff or student to staff, are unlawful at St. Helens School District.

Definition of Sexual Harassment

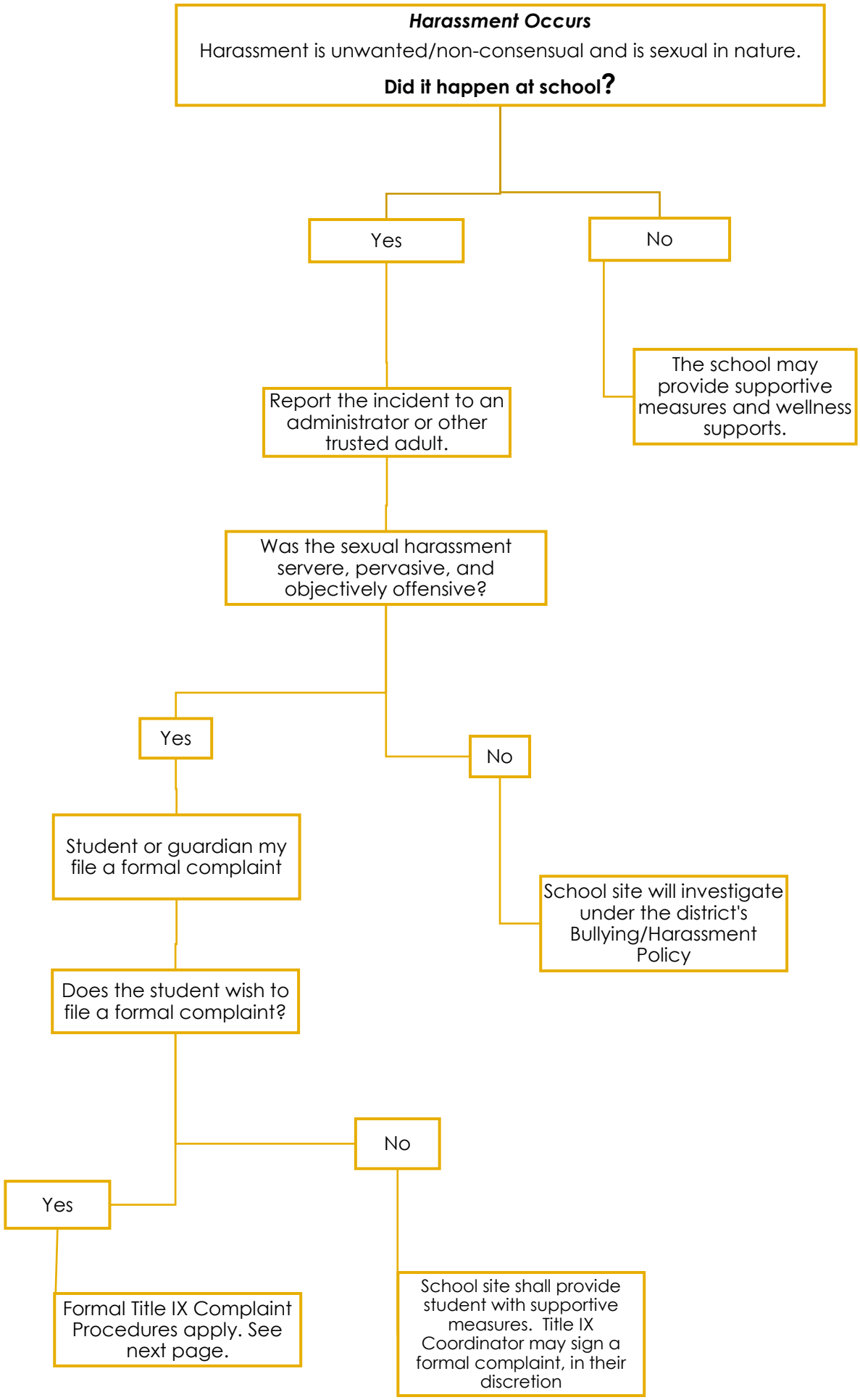
The Title IX regulations defines sexual harassment as conduct, performed on the basis of sex that satisfies one or more of the following:

1. A district employee conditioning the provision of an aid, benefit, or service of the district on a student or individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity or;
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(30).

Where to Start

If you have experienced – or think you may have experienced – sexual assault, stalking, relationship or intimate partner violence, sex or gender-based harassment, and/or another form of sexual misconduct, resources, support measures and reporting options are available to you. Choosing one option does not preclude others; you can pursue any of them at any time. You can also contact the Title IX Coordinator at any time, for any reason.

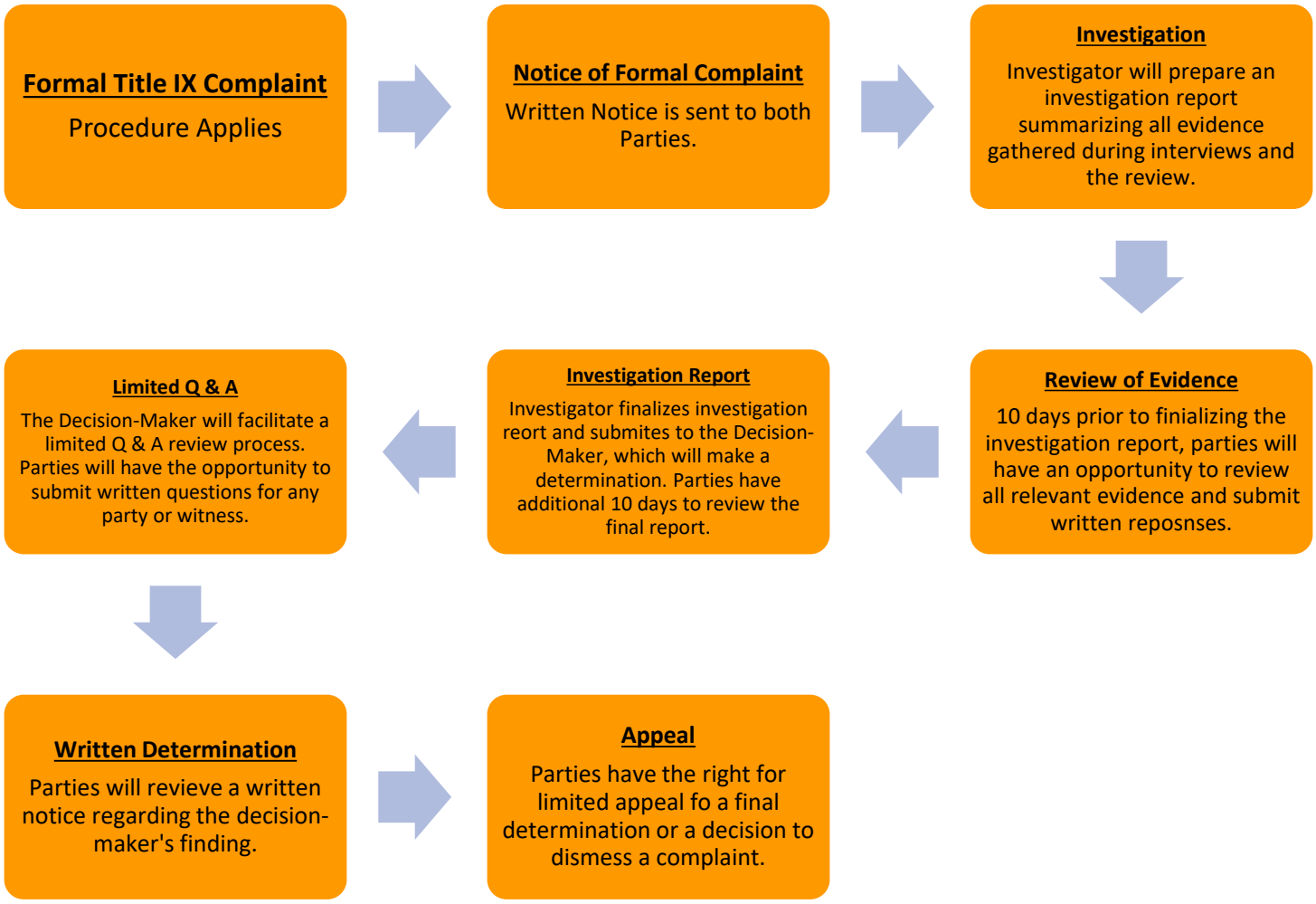
It is important to note that anyone can file a complaint, including students, parents and guardians, community members, and others who experience or observe discrimination in our education programs or activities.


Harassment Occurs
Harassment is unwanted/non-consensual and is sexual in nature.
Did it happen at school?
Yes
No
The school may provide supportive measures and wellness supports.
Report the incident to an administrator or other trusted adult.
Was the sexual harassment servere, pervasive, and objectively offensive?
Yes
No
Student or guardian my file a formal complaint
School site will investigate under the district's Bullying/Harassment Policy
Does the student wish to file a formal complaint?
No
Yes
Formal Title IX Complaint Procedures apply. See next page.
School site shall provide student with supportive measures. Title IX Coordinator may sign a formal complaint, in their discretion

How is a Title IX complaint investigated?

Conduct that meets the definition of sexual harassment will be investigated under the district's Formal Title IX Complaint Procedure, as set forth in the district's Sexual Harassment Policies.

A formal Title IX investigation is initiated when a staff member, student or their parent/guardian submits a written formal complaint to the district's Title IX Officer. Once filed, the Title IX Officer will either begin an investigation or, if the alleged conduct is out of scope of the Sexual Harassment policy, refer the matter to the school site to be investigated under other applicable district policies.



Incidents That Do Not Meet the Definition of Sexual Harassment

Incidents that do not rise to the level of sexual harassment as defined in the district's policy may violate other district policies and will be addressed accordingly. Harassing conduct, such as conduct described above, that may not rise to the level of sexual harassment will be investigated by the school site in an accordance with the district's Bullying & Harassment policy.

Gender-Based Discrimination

Title IX includes protections from gender-based harassment, which includes, among other things, use of gender-specific slurs and disparaging remarks or aggression made to a student due to their sex or because that student displays mannerism or a style of dress perceived as indicative of the other sex. St. Helens School District and their programs, activities, and practices shall be free from unlawful discrimination, including discriminatory harassment, intimidation, and bullying targeted at any student by anyone, based on the student's actual or perceived sex, sexual orientation, gender, gender identity, or gender expression.

How to File a Title IX/Sexual Harassment Complaint?

A staff member, student or their parent/guardian may submit a Title IX Formal Complaint Form via in person, mail, fax or email to:

Peggy Pollock, Title IX Coordinator
St. Helens School District
474 N. 16th St
St. Helens, OR 97051
Fax: 503-397-1907
406-281-3700 (cell)
Email: peggyp@sthelens.k12.or.us

If you or someone you know has been the victim of any form of harassment, we strongly encourage you to report the incident to your school site administrator or the Title IX Coordinator. Upon receiving your report, the Title IX Coordinator will assist you by taking steps to stop any ongoing harassment and ensure that the incident is addressed in accordance with proper district policy. The Title IX Coordinator is available to assist you in filing the Title IX Formal Complaint Form, should you have any questions.

Title IX Student/Staff Rights

- Students have the right to equal learning opportunities in their schools.
- Students and employees may not be excluded from participation in, be denied the benefits of, or be subjected to harassment or other forms of discrimination on the bases of sex, sexual orientation, and gender identity or gender expression.
- Students have the right to be evaluated and graded without regard to their sex, sexual orientation, and gender identity or gender expression.
- Students may not be required to take and/or may not be denied enrollment in a course because of their sex, sexual orientation, and gender identity or gender expression.
- Students must be provided counseling and guidance that is not discriminatory.
- Counselors may not urge students to enroll in particular classes, programs, or activities sex, sexual orientation, and gender identity or gender expression.
- Schools must offer female and male students' equal opportunities to play sports.
- Equipment and supplies, game and practice schedules, budgets, coaching travel allowances, facilities, publicity, support services and tutoring offered to teams are to be equivalent between male and female teams.
- Pregnant and parenting students have the same right as any other student to continue in their regular school and in any program for which they qualify.
- Students and/or staff have the right to call the police.

Resources

Title IX Coordinator

Peggy Pollock
St. Helens School District

474 N. 16th St
St. Helens, OR 97051
503-366-7228
406-281-3700 (cell)
peggyp@sthelens.k12.or.us

National Sexual Assault Hotline
1-800-656-4673

RAINN – National Sexual Assault Hotline
1-800-656-HOPE
www.rainn.org

National Teen Dating Abuse Hotline
1-800-273-8255

www.loveisrespect.org

National Suicide Prevention Lifeline
1-800-273-8255

www.suicidepreventionlifeline.org

National Center for Victims of Crime
1-202-467-8700

info@victimsofcrime.org

St. Helens Police **Department**
503-397-1521

Frequently Asked Questions

Title IX is a federal law that provides that students shall not be discriminated on the basis of sex in educational programs. This includes sexual harassment. The district's Formal Title IX Complaint process should be used to address incidents of sexual harassment on any of the St. Helens School District campuses. Below are some frequently asked questions related to the Formal Title IX Complaint procedure. For more information, please contact the district's Title IX Coordinator. Their contact information is listed on the Resources page of this brochure.

What is the Formal Title IX Complaint process for?	The Formal Title IX Complaint Process is for filing a complaint about an alleged incident of sexual harassment that occurs at school. A complaint may be filed by students (and/or their parents) or staff for incidents of sexual harassment that occurred within a district program or activity.
What is sexual harassment?	Sexual harassment is conduct performed on the basis of sex that includes one or more of the following: 1. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it denies a person equal access to the district's education program or activities; or 2. An employee of the district conditioning the provision of an aide, benefit, or service of the district on an individual's participation in unwelcome sexual conduct; or

	3. Sexual assault, dating violence, domestic violence, or stalking.
How can a student file a formal complaint?	A staff member, student or their parent/guardian may submit a complaint via in person, mail, fax, or email to: **Title IX Coordinator** Peggy Pollock St. Helens School District 474 N. 16th St St. Helens, OR 97051 503-366-7228 406-281-3700 (cell) peggyp@sthelens.k12.or.us
Do I have to file a formal complaint?	No. A staff member, student or parent may file a formal complaint, but is not required to do so. In rare and pervasive instances, the Title IX Coordinator may file a complaint on behalf of the student or staff member. This is up to the judgement of the Title IX Coordinator.
What happens if I decide to not file a formal complaint?	If the alleged harassment falls under the definition of "sexual harassment" and you do not wish to file a formal complaint, the school site is still responsible for providing you with supportive measures to prevent further harassment. Allegations of sexual harassment may only be investigated under the formal Title IV complaint process. As such, a complainant cannot request that an incident of sexual harassment be investigated under any other

	district policy. Absent a formal investigation, the school may not take steps to discipline a student for an allegation of sexual harassment. Again, in some cases, the Title IX Coordinator may decide to file a formal complaint themselves. This will be decided on a case-by-case basis.
What happens if I was the victim of harassment that does not meet the definition of sexual harassment?	The district takes all forms of harassment very seriously. If you have been the victim of harassment that does not fall under the district's sexual harassment policy, your school is responsible for the investigation that harassment under the district's Bully and Harassment Policy or other applicable policies. If you have been the victim of harassment, please contact your school site administrator to report the incident.
How will I know which process applies?	Your school site administrator and/or the Title IX Coordinator are trained to help you navigate which process might apply. They will help you identify next steps for resolving your complaint and ensuring that the harassment does not continue. The district's Title IX Coordinator can also provide information about the processes and offer guidance.
What supports are available to students and staff members during investigations?	The district will take immediate steps necessary to stop the harassment, protect students and staff, and ensure their access to their educational

	program by implementing supportive measures. Supportive measures are non-disciplinary, non-punitive services, which may include, by are not limited to, wellness check-ins, course deadline extensions, class seating adjustments, schedule adjustment, etc. A formal complaint need not be filed to receive supportive measures, and they may be administered and reevaluated throughout the entire investigation. Students and staff may reach out to their school site administrator, Title XI Coordinator for more information.
Do my parents need to be notified when I report an incident of sexual harassment?	Yes. Due to the nature of the incidents and obligation the district has to parents, school sites must notify the parents of a student who reports an incident of sexual harassment. Notifying parents is an important step in ensuring that students are kept safe and supported. If you have concerns about notifying your parents, please bring up those concerns when you report the incident of harassment to your School Site Administrator.
Can I anonymously report an incident of harassment?	We recognize how heavy the decision to come forward with a report of harassment might be. It can limit the scope of the investigation thus we do not

	recommend that incidences are reported anonymously because we cannot guarantee that appropriate action will be taken.
Will I be part of an in person cross examination process?	No. The law states that the district must afford each party the opportunity to submit *written*, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.
What if I am afraid to report an incident of harassment?	The district is committed to ensuring the safety of all students and staff. District policy prohibits retaliation against any student or staff member who chooses to file a complaint. Retaliation is defined as intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstance as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purposes of interfering with any right or privilege secured by the Title IX statute. If you are afraid to report an incident of harassment for any reason, please notify your School Site Administrator or the Title IX Coordinator of these concerns. They can help ensure

	that you are supported and help address any concerns you might have.
What about harassment that happened off campus?	A formal Title IX complaint only covers alleged sexual harassment that occurred within the district's educational program or activities. This is limited to locations, events, or circumstances over which the district had direct control over. Under this complaint process, the district does not have jurisdiction over incidences that are unrelated to school. That said, if you have been the victim of harassment off campus and would like to seek support, we encourage you to report that harassment to your School Site Administrator. The School Site Administrator, in collaboration with the Title IX Coordinator, will evaluate whether the harassment may have violated any other school policies and can connect you with supportive measures.
How will the district address cyber-harassment?	The district's Bullying & Harassment Policy prohibits cyber-harassment and cyberbullying. The district will investigate incidents of cyberbullying when: • It occurs in a district guided virtual environment; • Content is distributed using a district issued email or account;

	• Content is created, distributed, or posted using a district issued device; or • The harassment/bullying has the effect of creating a hostile educational environment, regardless where the harassment/bullying took place. If you have been victim of online harassment or bullying, please report the incident to your School Site Administrator.
If I have video, text messages, or other piece of evidence, should I submit them to the investigators?	Yes. All evidence pertaining to the complaint should be submitted to the investigator. The decision-maker can use this information to make the most accurate judgement.
Who will investigate the allegations?	The Title IX Coordinator and other investigators, as designated by the Title IX Coordinator. In the interest of ensuring a speedy investigation, multiple investigators may be assigned.
What standard of proof must a school use when deciding whether a respondent is responsible for committing sexual harassment?	The preponderance-of-the-evidence standard means the decision-maker must determine whether the alleged facts are more likely than not to be true. The clear-and-convincing-evidence standard means the decision-maker must determine whether it is "highly probable" that the alleged facts are true.
Who makes the final determination of the allegation and possible remedies?	The Superintendent or their designee will be the decision-maker once they are presented

	the facts and evidence from the investigators.

This brochure does not outline every incidence that may occur. If you have questions, you are strongly encouraged to reach out to the Title IX Coordinator.

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