

POST FALLS SCHOOL DISTRICT NO. 273

Series 400: Certified Personnel: Instructional Considerations

Policy No. 405.17

Policy Title: Sexual Harassment, Discrimination, and Retaliation

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Post Falls School District is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, which are free from sex and gender-based harassment, discrimination, and retaliation. Accordingly, the district prohibits harassment and discrimination on the basis of sex, sexual orientation, gender, gender identity, and pregnancy, as well as retaliation against individuals who report allegations of sex and gender-based harassment, discrimination, or retaliation, file a formal complaint, or participate in a grievance process.

The district will act to investigate all complaints, formal or informal, verbal or written, of sexual harassment, discrimination, or retaliation and to appropriately discipline any student or district employee who sexually harasses, discriminates or retaliates against a student or district employee.

All persons are to be treated with respect and dignity. Unlawful harassment, discrimination, and retaliation will not be tolerated.

Sexual Harassment - Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

1. “Quid pro quo” harassment, which occurs when a district employee conditions the provision of a district benefit, service, or assistance on an individual’s participation in unwelcome sexual conduct;
2. “Hostile Environment,” which is defined as unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to district education program or activity; or
3. Physical threats and attacks, including “sexual assault,” defined as forcible and non-forcible sex offenses as defined in the Clery Act, or dating violence, domestic violence, or stalking as defined in the Violence Against Women Act.

Title IX Coordinator

The Title IX Coordinator oversees implementation of this policy. The Title IX Coordinator has the primary responsibility for coordinating the district’s efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent sex and gender-based harassment, discrimination, and retaliation prohibited under this policy. The Title IX Coordinator acts with independence and authority and is free from bias and conflicts of interest.

To raise any concern involving bias, conflict of interest, misconduct or discrimination committed by the Title IX Coordinator, contact the superintendent or designee.

Mandatory Reporters

The district has classified all employees as mandatory reporters of any knowledge they have regarding a member of the district community who has experienced sex or gender-based harassment, discrimination, or retaliation. Accordingly, all district employees must promptly report actual or suspected sex and gender-based harassment, discrimination, or retaliation to the Title IX Coordinator. District employees must share with the Title IX Coordinator all known details of a report made to them in the course of their employment, as well as all details of behaviors under this policy they observe or have knowledge of. Failure of a district employee to report an incident of sex or gender-based harassment, discrimination, or retaliation to the Title IX Coordinator is in violation of this policy and can be subject to disciplinary action for failure to comply.

Legal References: Title VII, Civil Rights Act of 1964 as amended, I.C. Title 67, Chapter 59
20 U.S.C. §§ 1681 - 1682 Title IX of the Education Amendments of 1972
34 CFR Part 106 Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance

Applicable Procedural Regulations: 405.17a
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