

SEXUAL HARASSMENT OF DISTRICT EMPLOYEES AND OTHER NON-STUDENTS PROHIBITED

The Woodland School District is committed to providing a positive and productive working environment free from discrimination, including sexual harassment. This commitment extends to all employees and other non-students involved in academic, educational, extracurricular, athletic, and other programs or activities of the district, whether that program or activity occurs in a school facility, on school transportation, or elsewhere.

The district prohibits sexual harassment of employees and other persons by employees, students, or third parties involved in district programs or activities. Complaints of sexual harassment of people involved in district programs or activities may be investigated by the district even if the alleged harasser is not a district employee or student.

Definitions

The following definitions apply for purposes of this policy and accompanying procedures:

1. "Sexual harassment" means unwelcome conduct or communication of a sexual nature between two or more individuals. Sexual harassment may occur by adults, students, or a group of adults and/or students. Under federal and state law, sexual harassment includes, but is not limited to, the following types of conduct:
 - Acts of sexual violence;
 - Unwelcome sexual or gender-directed conduct or communication that substantially interferes with an individual's employment performance or creates an intimidating, hostile, or offensive environment;
 - Unwelcome sexual advances;
 - Requests for sexual favors;
 - Sexually motivated physical contact;
 - Sexual demands, when submission is a stated or implied condition of obtaining a work opportunity or other benefit;
 - Sexual demands, where submission or rejection is a factor in a work or other school-related decision affecting an individual.
2. A "hostile environment" occurs when the unwanted conduct is sufficiently severe or pervasive to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Complaints of Sexual Harassment

The superintendent will develop and implement procedures for receiving, investigating, and resolving complaints or reports of sexual harassment. The procedures will include reasonable and prompt timelines and delineate employee responsibilities under this policy.

Investigation and Response

Upon receipt of a complaint of sexual harassment, or if the district knows, or reasonably should know, that sexual harassment has created a hostile environment or otherwise occurred, it will promptly and thoroughly investigate as required by federal and state laws and regulations. The district's investigation will determine what occurred and take appropriate steps to resolve the situation. If an investigation reveals that sexual harassment has created a hostile environment, the district will take prompt and effective steps reasonably calculated to end the harassment, eliminate the hostile environment, prevent recurrence of the harassment, and, as appropriate, remedy the effects of the harassment. The district will take prompt and equitable remedial action within its authority on reports, complaints, and grievances alleging sexual harassment that come to the attention of the district, either formally or informally.

The district will report allegations of criminal misconduct to law enforcement and suspected child abuse to law enforcement or Child Protective Services. Regardless of whether the misconduct at issue is reported to law enforcement, district employees 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 sexual harassment.

Engaging in sexual harassment will result in appropriate corrective action or other appropriate sanctions against offending students, employees, or other parties involved in district programs or activities. Engaging in sexual harassment on district property or at school activities may result in restrictions on a person's access to district property and activities, as allowed by law.

Retaliation and False Allegations

The district prohibits retaliation against any person who makes or is a witness in a sexual harassment complaint. Retaliation will result in appropriate corrective action. 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 sexual harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate corrective action.

Employee Responsibilities

Any district employee who witnesses sexual harassment or receives a report, informal complaint, or written complaint about sexual harassment is responsible for informing the district's Civil

Rights Compliance Officer. All employees are also responsible for directing complainants to the formal complaint process.

In general, reports of discrimination and discriminatory harassment will be referred to the district's Civil Rights Compliance Officer. Reports of disability discrimination or harassment will be referred to the district's Section 504 Coordinator.

Notice and Training

The superintendent will develop procedures to provide information and education to district employees, parents/guardians, and volunteers regarding this policy and the recognition and prevention of sexual harassment. At minimum, sexual harassment recognition and prevention and the elements of this policy will be included in orientations for employees, and regular volunteers. This policy and the accompanying procedures, which include the complaint process, will be posted in each district building in a place available to employees, parents/guardians, volunteers, and visitors. Information about this policy will be easily understood and conspicuously posted throughout each school building, provided to each employee, and reproduced in each employee, parent/guardian, and volunteer handbook. Such notices will identify the district's Civil Rights Compliance Officer and provide contact information.

Policy Review

The superintendent will periodically review the use and efficacy of this policy and related procedures. The superintendent is encouraged to involve employees, students, parents/guardians, and volunteers in the review process.

Cross References:	Board Policy 3205	Sexual Harassment of Students Prohibited
	Board Policy 3240	Student Conduct Expectations and Reasonable Sanctions
	Board Policy 3241	Classroom Management, Discipline, and Corrective Action
	Board Policy 5281	Disciplinary Action and Discharge
Legal References:	Chapter 28A.640 RCW	Sexual Equality
	Chapter 392-190 WAC	Equal Educational Opportunity—Unlawful Discrimination Prohibited
	Chapter 49.60 RCW	20 U.S.C. §§ 1681-1688 20 U.S.C. §§ 2000e-2000e-17
	Office of Superintendent of Public Instruction, Prohibiting Discrimination in Washington Public Schools, dated February 2012	

Adoption Date:

Woodland School District #404