**PROCEDURE – SEXUAL HARASSMENT OF DISTRICT STAFF**

**PROHIBITIED**

The procedure is intended to set forth the requirements of Policy 5011, including the process for

a prompt, thorough, and equitable investigation of allegations of sexual harassment and the need

to take appropriate steps to resolve such situations. If sexual harassment is found to have created

a hostile environment, staff must take immediate action to eliminate the harassment, prevent its

reoccurrence, and address its effects.

This procedure applies to sexual harassment (including sexual violence) targeted at district

employees carried out by students, other employees, or third parties involved in school district

activities. The district has jurisdiction over these complaints pursuant to Title IX of the

Education Amendments of 1972, Chapter 28A.640, RCW and Chapter 392-190 WAC.

A formal complaint filed by or on behalf of a student complainant against an employee

respondent will be investigated under the definitions, requirements, and procedures of Policy

3205 and Procedure 3205P.

**Title IX Coordinator, Investigator, and Decision-Maker**

Any individual designated as Title IX Coordinator, an investigator or a decision-maker for

purposes of a Title IX formal complaint must meet the qualifications and training requirements

described in Procedure 3205P for those roles.

**Notice of Sexual Harassment Policy and Procedure**

Information about the district’s sexual harassment policy will be easily understandable and

conspicuously posted throughout each school building, provided to each employee and

reproduced in each staff, volunteer and parent handbook. In addition to the posting and

reproduction of this procedure and Policy 5013, the district will provide annual notice to

employees that complaints pursuant to this procedure may be filed at 2867 North River Road,

Cosmopolis, Washington 98537.

**Responding to Notice of Sexual Harassment, Including Informal Complaints**

The district is on notice and required to take action when any employee knows, or in the exercise

of reasonable care should know, about possible sexual harassment.

This includes:

1. Informal (i.e., verbal) reports of sexual harassment, referred to in this procedure as

“informal complaints” and

1. Formal, written complaints made to the Title IX Coordinator, as described in the Formal

Complaint Process section below.

Upon notice of possible sexual harassment, staff will always notify the Title IX Coordinator.

Additionally, staff will also inform an appropriate supervisor or professional staff member when they receive complaints of sexual harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

In the event of an alleged sexual assault, the school principal or superintendent will immediately

inform: 1) the Title IX Coordinator so that the district can appropriately respond to the incident

consistent with its own grievance procedures; and 2) law enforcement. The principal will notify

the targeted district staff person of their right to file a criminal complaint and a sexual

harassment complaint simultaneously.

Once the district is on notice of possible sexual harassment, the Title IX Coordinator will

promptly contact the complainant to discuss the availability of supportive measures (as described

in the Supportive Measures section below), consider the complainant’s wishes with respect to

supportive measures, inform the complainant of the availability of supportive measures with or

without the filing of a formal complaint, and explain to the complainant the process for filing a

formal complaint.

When an informal complaint of sexual harassment is made, the Title IX Coordinator may inquire

of the complainant regarding the report of sexual harassment to determine whether a formal

complaint is warranted. The Title IX Coordinator will inform the complainant that imposition of

disciplinary sanctions or other actions that are not supportive measures against a respondent will

not be available unless a formal complaint occurs.

A complainant may file a formal complaint at any time while receiving supportive measures. A

complainant or the Title IX may file a formal complaint because, for example, they feel the

complaint needs to be more thoroughly investigated or discipline may be warranted for the

individual(s) alleged to have engaged in sexually harassing conduct.

**Supportive Measures**

Supportive measures must be offered to the complainant, before or after the filing of a formal

complaint or where no formal complaint has been filed. Supportive measures may also be

provided to the respondent. Supportive measures are non-disciplinary, non-punitive

individualized services offered as appropriate, as reasonably available and without fee or charge

to the complainant or respondent. Supportive measures should be designed to restore or preserve

access to the district’s education program or activity without unreasonably burdening the other

party.

Supportive measures may include:

A. An opportunity for the complainant to explain to the alleged harasser that their conduct is unwelcome, offensive or inappropriate either in writing or face to face;

B. A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;

C. A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant;

D. Mutual restrictions on contact between the parties;

E. Modification of work or class schedules;

F. Increased security and monitoring of certain areas of the campus or school building; or

G. Providing staff and/or student training.

**Confidentiality of Complaints**

The district will maintain as confidential any supportive measures provided to the complainant or

respondent, to the extent that maintaining such confidentiality would not impair the ability of the

district to provide the supportive measures.

If a complainant requests that his or her name not be revealed to the alleged perpetrator or asks

that the district not investigate or seek action against the alleged perpetrator, the request will be

forwarded to the Title IX Coordinator for evaluation. The Title IX Coordinator should inform the

complainant that honoring the request may limit its ability to respond fully to the incident,

including pursuing disciplinary action against the alleged perpetrator.

If the complainant still requests that his or her name not be disclosed to the alleged perpetrator or

that the district not investigate or seek action against the alleged perpetrator, the district will need

to determine whether or not it can honor such a request while still providing a safe and

nondiscriminatory environment for all students, staff and other third parties engaging in district

activities, including the person who reported the sexual harassment. Although a complainant’s

request to have his or her name withheld may limit the district’s ability to respond fully to an

individual allegation of sexual harassment, the district will use other appropriate means available

to address the sexual harassment.

**Retaliation Prohibited**

Title IX and state law prohibits retaliation against any individual who files a complaint under

these laws or participates in a complaint investigation. When an informal or formal complaint of

sexual harassment is made, the district will take steps to stop further harassment and prevent any

retaliation against the person who made the complaint, was the subject of the harassment, or

against those who provided information as a witness. The district will investigate all allegations

of retaliation and take actions against those found to have retaliated.

**Formal Complaint Process**

Anyone may file a formal complaint of sexual harassment. All formal complaints will be in

writing and will set forth the specific acts, conditions or circumstances alleged to have occurred

and to constitute sexual harassment. Complaints may be submitted by mail, fax, email or hand-

delivery to the district Title IX Coordinator. Any district employee who receives a complaint that

meets these criteria will promptly notify the Title IX Coordinator.

All formal complaints in which an employee is the complainant (i.e., the individual who is

alleged to be the victim of conduct that could constitute sexual harassment) shall be subject to

the procedure and requirements for formal complaints under Procedure 3205P.

**Other Complaint Options**

*Office for Civil Rights (OCR), U.S. Department of Education*

OCR enforces several federal civil rights laws, which prohibit discrimination in public schools

on the basis of race, color, national origin, sex, disability, and age. File complaints with OCR

within 180 calendar days of the date of the alleged discrimination.

206-607-1600 ǀ TDD: 1-800-877-8339 ǀ OCR.Seattle@ed.gov ǀ [www.ed.gov/ocr](http://www.ed.gov/ocr)

*Washington State Human Rights Commission (WSHRC)*

WSHRC enforces the Washington Law Against Discrimination (RCW 49.60), which prohibits

discrimination in employment and in places of public accommodation, including schools. File

complaints with WSHRC within six months of the date of the alleged discrimination.

1-800-233-3247 ǀ TTY: 1-800-300-7525 ǀ [www.hum.wa.gov](http://www.hum.wa.gov)

**Training and Orientation**

A fixed component of all district orientation sessions for staff, students and regular volunteers

will introduce the elements of this policy. Staff will be provided information on recognizing and

preventing sexual harassment. Staff will be fully informed of the formal and informal complaint

processes and their roles and responsibilities under the policy and procedure.

Certificated staff will be reminded of their legal responsibility to report suspected child abuse,

and how that responsibility may be implicated by some allegations of sexual harassment. Regular

volunteers will get the portions of this component of orientation relevant to their rights and

responsibilities.

Students will be provided with age-appropriate information on the recognition and prevention of

sexual harassment and their rights and responsibilities under this and other district policies and

rules at student orientation sessions and on other appropriate occasions, which may include

parents.

As part of the information on the recognition and prevention of sexual harassment staff,

volunteers, students and parents will be informed that sexual harassment may include, but is not

limited to:

* Demands for sexual favors in exchange for preferential treatment or something of value;
* Stating or implying that a person will lose something if he or she does not submit to a

sexual request;

* Penalizing a person for refusing to submit to a sexual advance, or providing a benefit to

someone who does;

* Making unwelcome, offensive or inappropriate sexually suggestive remarks comments,

gestures, or jokes; or remarks of a sexual nature about a person’s appearance, gender or

conduct;

* Using derogatory sexual terms for a person;
* Standing too close, inappropriately touching, cornering or stalking a person; or
* Displaying offensive or inappropriate sexual illustrations on school property.

**Policy and Procedure Review**

Annually, the superintendent or designee will convene an ad hoc committee composed of

representatives of certificated and classified staff, volunteers, students and parents to review the

use and efficacy of this policy and procedure. The Title IX/Civil Rights Compliance Coordinator

will be included in the committee. Based on the review of the committee, the superintendent will

prepare a report to the board including, if necessary, any recommended policy changes. The

superintendent will consider adopting changes to this procedure if recommended by the

committee.

Adoption Date: 6/18/2025

Revised Dates: