

Sexual Harassment of Or By Students

1. **Commitment.** The District is committed to a positive and productive learning environment, which is free from discrimination, including sexual harassment. Sexual harassment is inappropriate, offensive and illegal. Sexual harassment of or by any student is prohibited on school district property or at school-sponsored events, regardless of location. Engaging in substantiated sexual harassment behavior will result in appropriate disciplinary action for offending students up to and including expulsion, in accordance with state and federal laws. District employees are required to follow appropriate intervention and reporting practices whenever they observe incidents or receive complaints of sexual harassment of or by students. Allegations of criminal misconduct will be reported to law enforcement or Child Protective Services.
2. **Definition of Sexual Harassment.** Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or communication of a sexual nature between two or more individuals if:
 - 2.a Submission to that conduct or communication is a stated or implied condition of obtaining an education opportunity or other benefit;
 - 2.b Submission to or rejection of such conduct or communication is a factor in an academic or other school related decision affecting an individual; or
 - 2.c Unwelcome sexual or gender directed conduct or communication interferes with an individual's performance or creates an intimidating, hostile or offensive educational environment

Sexual harassment can occur adult to student, student to adult, student to student, adult to adult, male to female, female to male, male to male, or female to female.

3. **Prevention and Education.** The Superintendent shall provide procedures to provide age-appropriate information and education regarding this policy and the recognition and prevention of sexual harassment to students, as required by applicable law.
4. **Reporting.** The Superintendent shall develop and implement procedures for receiving, investigating and resolving complaints or reports of sexual harassment consistent with this policy and applicable law. The procedures will include reasonable and prompt time lines and delineates responsibilities.

Anyone who believes he or she has been subjected to sexual harassment of or by a student may file a complaint in the manner prescribed under procedures in this policy. 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 discipline.

5. **Remedial Action.** Prompt remedial action will be taken on reports, complaints and grievances of sexual harassment, whether presented formally or informally.
6. **Retaliation Prohibited.** The district prohibits retaliation against any individual who has made a report of alleged sexual harassment, or agents any person who has testified, assisted or participated in an investigation or a report. Retaliation is itself a violation of federal and state regulations prohibiting discrimination and may lead to disciplinary action against the offender.
7. **Review.** Policy 3412, "Sexual Harassment of Or By Students" and the accompanying procedures will be reviewed periodically. The Superintendent is encouraged to involve staff, students, volunteers and parents in the review process.

Legal References:

RCW 28A.640.020 Regulations Guidelines to Eliminate Discrimination—Scope
WAC 392-190-056-058 Sexual Harassment

Adopted: November 13, 2001