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### Sexual Harassment

This district is committed to a positive and productive education environment free from discrimination, including sexual harassment. The district prohibits sexual harassment of students and others involved in school district activities. Washington school districts must meet requirements for responding to sexual harassment under Washington law and under Title IX rules.

Sexual harassment under state law means unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature between two or more individuals if:

- a) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education or employment;
- b) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education or employment; or
- c) That conduct or communication has the purpose or effect of substantially interfering with an individual's educational or work performance, or of creating an intimidating, hostile, or offensive educational or work environment.

Sexual harassment under federal law means conduct on the basis of sex that satisfies one or more of the following:

- a) The conditioning of the provision of aid, benefit, or service of the school district on an individual's participation in unwelcome sexual conduct [Quid Pro Quo];
- b) 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 recipient's education program or activity; or
- c) "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)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Sexual harassment can occur student to student, student to adult, adult to adult, adult to student or can be carried out by a group of students or adults and will be investigated by the district even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of students by students, employees or third parties involved in school district activities.

Under federal and state law, the term "sexual harassment" may include:

- acts of sexual violence;
- unwelcome sexual or gender-directed conduct or communication that interferes with an individual's educational performance or creates an intimidating, hostile, or offensive environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;

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- sexual demands when submission is a stated or implied condition of obtaining an educational benefit;
- sexual demands where submission or rejection is a factor in an academic, or other school-related decision affecting an individual.

Examples of behaviors that can be sexual harassment include, but are not limited to: making sexual propositions or pressuring a person for sexual favors; touching of a sexual nature (including pats, squeezes, or brushing against someone's body); writing graffiti of a sexual nature; displaying or distributing sexually explicit drawings, pictures, or written materials; circulating or showing e-mails or websites of a sexual nature; making sexual jokes, suggestive remarks, sexual rumors, or derogatory comments; physical interference with movements, such as blocking or following someone; and acts of physical violence, including rape, sexual assault, sexual battery, and sexual coercion.

Harassing conduct creates a "hostile environment" when it is sufficiently severe, persistent, or pervasive that it limits or denies a student's ability to participate in or benefit from a school district's course offerings, including any education program or activity. The more severe the conduct, the less need there is to demonstrate a repetitive series of incidents. In fact, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe, violent, or egregious.

If the district knows, or reasonably should know, that sexual harassment has created a hostile environment, it will promptly investigate to 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 sexual harassment, eliminate the hostile environment, prevent its recurrence and as appropriate, remedy its effects. The district will take prompt, equitable, and 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 take these steps every time a complaint alleging sexual harassment comes to the attention of the district, either formally or informally.

Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Persons found to have been subjected to sexual harassment will have appropriate school district services made reasonably available to them and adverse consequences of the harassment shall be reviewed and remedied, as appropriate.

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Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff or other third parties involved in school district activities. Anyone who engages in sexual harassment on school property or at school activities will have their access to school property and activities restricted, as appropriate.

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate discipline. 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 discipline.

The superintendent or designee shall develop and implement formal and informal procedures for receiving, investigating, and resolving complaints or reports of sexual harassment. The procedures will include reasonable and prompt timelines and delineate staff responsibilities under this policy. Any school employee who witnesses sexual harassment or receives a report, informal complaint, or written complaint about sexual harassment is responsible for informing the district Title IX Coordinator. All staff are responsible for directing complainants to the formal grievance process.

Reports of discrimination and discriminatory harassment will be referred to the district's Title IX Coordinator. Reports of disability discrimination or harassment will be referred to the district's Section 504 Coordinator.

The superintendent or designee shall develop procedures to provide age-appropriate information and education to district staff, students, parents, and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum, sexual harassment recognition and prevention and the elements of this policy will be included in staff, student, and regular volunteer orientations. This policy and the procedure, which includes the grievance process, shall be posted in each district building in a place available to staff, students, parent, volunteers, and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee and reproduced in each student, staff, volunteer and parent handbook. Such notices will identify the District's Title IX Coordinator and provide contact information, including the coordinator's email address.

The superintendent or designee shall make an annual report to the board reviewing the use and efficacy of this policy and related procedures. Recommendations for changes to this policy, if applicable, shall be included in this report. The superintendent or designee is encouraged to involve staff, students, volunteers, and parents in the review process.

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Cross reference:	Policy 3210	Nondiscrimination
	3300	Student Conduct Expectations and Reasonable Sanctions
	3308	Prohibition of Harassment, Intimidation, and Bullying/Cyberbullying
	3421	Child Abuse and Neglect Prevention
	5013	Personnel: Sexual Harassment
Legal reference:	34 CFR § 106.30	Discrimination on the Basis of Sex in Education Programs or Activities Prohibited--Definitions
	RCW 28A.640.020	Regulations, guidelines to eliminate discrimination--Scope
	WAC 392-190-056-058	Sexual harassment

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