

BOARD POLICIES: Sexual Harassment, Child Abuse & Neglect Prevention

PERSONNEL -

Sexual Harassment - 5013

Sexual harassment is a form of sex discrimination and is an "unlawful employment practice" under Title VII of the 1964 Civil Rights Act. It is illegal when it is part of a manager's or supervisor's decision to hire or fire someone; when it is used to make other employment decisions like pay, promotion, or job assignment; when it interferes with the employee's work performance; or when it creates an intimidating, hostile, or offensive work environment.

Sexual harassment is defined as deliberate or repeated behavior of sexual nature which is unwelcome. It can include verbal behaviors such as unwanted sexual comments, suggestions, jokes, or pressure for sexual favors; non-verbal behavior such as pats or squeezes or repeatedly brushing against someone's body.

Sexual harassment negatively affects morale, motivation, and job performance. It results in increased absenteeism, turn-over, inefficiency, and loss of productivity. It is inappropriate, offensive, and illegal and it will not be tolerated.

Supervisors and managers are responsible to ensure that harassment does not occur in their work areas. They are expected to treat any observed or reported incident of harassment as a potentially serious breach of organization policy as well as a potential violation of the law.

Employees who experience sexual harassment must complain immediately to a supervisor, manager, personnel official, or other employee authorized to deal with discrimination complaints. The often confidential nature of such a report is recognized and will be respected, where appropriate, during investigation and corrective efforts. Retaliation of any kind directed against an employee because that employee reported such harassment is absolutely prohibited.

Complaints and cases of sexual harassment will be dealt with promptly. An employee who sexually harasses another employee will be subject to discipline as in any other case of serious, illegal employee misconduct.

NONINSTRUCTIONAL OPERATIONS -

Sexual Harassment - 8700

This district is committed to a positive and productive education and working environment free from discrimination, including sexual harassment. The district prohibits sexual harassment of students, employees, and others involved in school district activities.

Sexual harassment occurs when:

1. submitting to the harasser's sexual demands is a stated or implied condition of obtaining an education or work opportunity or other benefit;
2. submission to or rejection of sexual demands is a factor in an academic, work, or other school-related decision affecting an individual; or
3. unwelcome sexual or gender-directed conduct or communication interferes with an individual's performance or creates an intimidating, hostile, or offensive 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, and female to female.

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. 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.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff, and contractors. Anyone else 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 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. All staff are responsible for receiving informal complaints and reports of sexual harassment and informing appropriate district personnel of the complaint or report for investigation and resolution. All staff are also responsible for directing complainants to the formal complaint process.

The superintendent 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 shall be posted in each district building in a place available to staff, students, parent, volunteers, and visitors. The policy shall be reproduced in handbooks for students, staff members, volunteers, visitors, and parents.

The superintendent 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 is encouraged to involve staff, students, volunteers, and parents in the review process.

STUDENTS -

Child Abuse and Neglect Prevention - 3421

Because child abuse and neglect are both a violation of children's human rights and an obstacle to their educational development, the Board directs that certificated or classified school district employees (staff) shall be alert for any evidence of such abuse or neglect. For purposes of this policy, "child abuse or neglect" shall mean:

1. First or second degree custodial interference, malicious harassment;
2. First, second, or third degree child molestation;
3. First or second degree sexual misconduct with a minor;
4. First or second degree rape of a child;
5. Patronizing a juvenile prostitute, child abandonment;
6. Promoting pornography;
7. Selling or distributing erotic material to a minor;
8. Custodial assault;
9. Violation of child abuse restraining order;
10. Child buying or selling, prostitution; or
11. Any of these crimes as they may be renamed in the future by a person under circumstances which indicated that the child's health, welfare, and safety is harmed.

When feasible, the district will provide community education programs for prospective parents, foster parents, and adoptive parents on parenting skills and on the problems of child abuse and methods to avoid child abuse situations. The district shall also encourage staff to participate in inservice programs that deal with the issues surrounding child abuse.

The superintendent shall develop reporting procedures, including sample indicators of abuse and neglect, and shall disseminate the procedures to all staff. The purpose is to identify and report as soon as possible to the proper authorities all evidence of child abuse or neglect.

A staff member who has knowledge or reasonable cause to believe that a student has been a victim of physical abuse or sexual misconduct by another student or school employee, shall report such abuse or misconduct to the appropriate school administrator. The school administrator shall cause a report to be made to the proper law enforcement agency if he or she has reasonable cause to believe that the misconduct or abuse has occurred as required under RCW 26.44.030. During the process of making a reasonable cause determination, the school administrator shall contact all parties involved in the complaint.

Staff shall receive training regarding their reporting obligations under state law in their orientation training when hired and then every three years thereafter. The training required under this subsection shall take place within existing training programs and related resources.

Staff are legally responsible for reporting all suspected cases of child abuse and neglect. For that reason, under state law, staff are free from liability for reporting instances of abuse or neglect and are criminally liable for failure to do so.

Staff need not verify that a child has in fact been abused or neglected. Any conditions or information that may reasonably be related to abuse or neglect should be reported. Legal authorities have the responsibility for investigating each case and taking such action as appropriate under the circumstances.

