

## **Sexual Harassment**

### ***Statement of Policy***

It is the policy of the Lynden School District to maintain a learning and working environment that is free from sexual harassment. Sexual harassment is a form of misconduct which undermines the integrity of the employment relationship and the educational environment.

The District will not tolerate any form of sexual harassment. The District prohibits sexual harassment in any form by employees, students, volunteers, parents or guardians on any school property or activity.

Sexual harassment occurs when:

- A. Submitting to the harasser's sexual demands is a stated or implied condition of obtaining an education or work opportunity or other benefit;
- B. Submission to or rejection of sexual demands is a factor in an academic, work or other school-related decision affecting an individual; or
- C. 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.

### ***Complaint Process***

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 strongly encourages individuals who believe that they have been subjected to sexual harassment in the District's educational or work environment to bring their complaints and concerns to the immediate attention of their principal, supervisor, a district administrator, and/or the District's Title IX/Affirmative Action Officer. However, nothing in this policy should be construed to prevent any individual who believes that he or she has been subject to sexual harassment from filing a complaint with a governmental agency or court.

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 will be reviewed and remedied, as appropriate.

### ***Disciplinary Actions***

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.

### ***False Accusations***

It is a violation of this policy to knowingly report false allegations of sexual harassment. Persons found to knowingly report false allegations will also be subject to appropriate disciplinary action.

### ***Remedies***

The District will take prompt and effective reasonable corrective measures to eliminate sexual harassment and prevent its reoccurrence.

### ***Non-Retaliation***

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.

The superintendent will 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 time lines 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 will 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 orientation. This policy will be posted in each district

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building in a place available to staff, students, parents, volunteers and visitors. The policy will be reproduced in each student, staff, volunteer and parent handbook.

Cross References: 5010 Nondiscrimination and Affirmative Action  
3421 Child Abuse, Neglect and Exploitation Prevention  
3240 Student Conduct  
3210 Nondiscrimination  
3207 Prohibition of Harassment, Intimidation and Bullying

Legal References:  
RCW 28A.640.020 Regulations, guidelines to eliminate discrimination – Scope – Sexual harassment policies  
  
WAC Sexual harassment  
392.190.056.058

Management Resources: 2010 – October Issue

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Revised Dates: 04.97; 11.00; 07.06;  
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