

Human Resources
Maurene Stanton
Executive Director of Human Resources

Date: December 18, 2018

To: Stanwood Camano School Board

From: Maurene Stanton

RE: Second reading Policy 5160 Sexual Harassment

This is the second reading of the revised Personnel Policy 5160, Sexual Harassment, which has been updated.

If you have any questions regarding this policy please contact me.

RECOMMENDATION: That the Board approves the second reading/adoption of new Sexual Harassment Policy, 5160.

SEXUAL HARASSMENT

All employees and volunteers will be provided a work environment free from sexual harassment. Sexual harassment is a form of misconduct which undermines the integrity of the employment relationship. Such conduct, whether committed by supervisory or nonsupervisory personnel, vendors, contractors, volunteers and other members of the school community is specifically prohibited.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either an explicit or implicit term or condition of an individual's employment, or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that person, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Any employee or volunteer who believes he/she has been subjected to sexual harassment on the job should bring this to the immediate attention of his/her supervisor, the Title IX/Affirmative Action officer, or the executive director of human resources.

All such complaints will be promptly investigated and, where appropriate, immediate corrective action will be taken to end sexual harassment and prevent its recurrence. Corrective action may include disciplinary action, up to and including suspension or termination, against those who violate the sexual harassment policy and support and/or assistance, as appropriate, for individuals who have been subjected to sexual harassment. Disciplinary actions shall be in compliance with collective bargaining agreements and state and federal law. To the ~~highest degree~~ extent possible, allowing for a fair investigation, complaints will be treated in a confidential manner. Retaliation against employees or volunteers shall not occur because they have made complaints of sexual harassment to management.

Allegations of criminal misconduct will be reported to law enforcement. A criminal investigation will not relieve the district of its independent obligation to investigate and resolve sexual harassment, provided, however, that the district will not proceed in such a manner as to interfere with an ongoing criminal investigation.

Persons who knowingly report false allegations of sexual harassment or corroborate false allegations of sexual harassment will be subject to appropriate discipline or other sanctions.

Reasonable efforts shall be made to inform all employees and volunteers of the district's sexual harassment policy and procedures. These efforts shall include insertion of the policy and procedures in new employee information and volunteer orientation materials. The sexual harassment policy and procedure will be included in each staff and volunteer handbook and be posted in each district building, which posting will include the name, phone number and email address of the district's Title IX/Affirmative Action Officer.

Informal complaints of sexual harassment ~~by~~ of employees or volunteers shall may be reported to the employee's or volunteer's supervisor, the Affirmative Action officer, or the executive director of human resources. The administrator receiving the complaint will be responsible for coordinating the investigation of such complaint with the district's Affirmative Action officer or executive director of human resources. Formal complaints of sexual harassment shall be processed in accordance with the complaint procedures set forth in Procedure 5160P.

~~Annually in conjunction with the report to the board of directors on the Affirmative Action Plan, the Title IX/Affirmative Action Officer will review the use and efficacy of the sexual harassment policy and procedures.~~

Cross References:	Procedure 5160P	Sexual Harassment
	Board Policy 3206	Sexual Harassment (Students)
	Procedure 3206P	Sexual Harassment (Students)
	Board Policy 5161	Civility in the Workplace

Legal References:	RCW 28A.640	Sexual equality
	29 CFR 1604.11	Sexual Harassment
	WAC 392-190	Equal educational opportunity – Sex Discrimination Prohibited
	WAC 392-190-056	Sexual harassment – Definitions
	WAC 392-190-057	Sexual harassment policy – Required criteria
	WAC 392-190-058	Sexual harassment policy – Notification

Adoption Date: 04.15.03
Stanwood-Camano School District
Revised: 12.17.13; 09.06.16; 12.4.18