

**Human Resources**  
Maurene Stanton  
Executive Director of Human Resources

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Date: May 7, 2019

To: Stanwood Camano School Board

From: Maurene Stanton

RE: Policy 5160 Sexual Harassment

This is the first reading of the revised Sexual Harassment Policy 5160 which has been updated as recommended by the Washington State School Directors' Association (WSSDA). WSSDA has numbered Sexual Harassment at 5011 rather than 5160.

This policy will come before the Board for second reading on May 21, 2019. If you have any questions regarding this policy please contact me.

**RECOMMENDATION:** That the Board approves the First Reading of Revised Personnel Policy 5011 Sexual Harassment.

## 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 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 of employees or volunteers 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.

Cross References:

Procedure 5160P  
Policy 3206  
Procedure 3206P  
Policy 5161

Sexual Harassment  
Sexual Harassment (Students)  
Sexual Harassment (Students)  
Civility in the Workplace

Legal References:

RCW 28A.640  
29 CFR 1604.11  
WAC 392-190

Sexual equality  
Sexual Harassment  
Equal educational opportunity – Sex  
Discrimination Prohibited

**Adoption Date: 04.15.03**  
**Stanwood-Camano School District**  
**Revised: 12.17.13; 09.06.16; 12.18.18; 05.07.19**