

Sexual Harassment

The Richland School 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, parents/guardians and volunteers in all district settings and school sponsored activities, including at a class or school training held off school grounds.

Definitions

For purposes of this policy, sexual harassment means unwelcomed conduct or communication of a sexual nature. Sexual harassment can occur student to adult, adult to adult or can be carried out by a group of students or adults. Allegations of sexual harassment may 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 district employees and students by other students, employees or third parties involved in school district activities.

Under federal and state law, the term “sexual harassment” includes:

- Acts of sexual violence;
- Unwelcome sexual or gender-directed conduct or communications that interferes with an individual’s employment performance or creates an intimidating, hostile or offensive environment;
- Unwelcome sexual advances;
- Unwelcome requests for sexual favors;
- Sexual demands when submission is a stated or implied condition of obtaining an educational benefit or of obtaining a work opportunity or other benefit;
- Sexual demands where submission or rejection is a factor in an academic, work, or other school-related decision affecting an individual.

A “hostile environment” is created where the unwanted conduct is sufficiently serious, severe or pervasive to create a work environment that a reasonable person would consider intimidation, hostile or abusive or when the sexual harassment is sufficiently serious to interfere with or limit the student’s ability to participate in or benefit from the school’s program. 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.

Investigation and Response

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 will 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 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 every time a report, complaint

or grievances alleging sexual harassment 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. Regardless of whether the misconduct is reported to law enforcement, school staff will promptly investigate to determine what occurred and take appropriate steps to resolve the situation, to the extent that such investigation does not interfere with an ongoing criminal investigation. A criminal investigation does not relieve the District of its independent obligation to investigate and resolve sexual harassment.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending staff, students, or third parties involved in school district activities. 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 and False Allegations

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and may 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.

Staff Responsibilities

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.

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's Title IX or Civil Rights Compliance Coordinator. All staff are also responsible for directing complainants to the formal complaint process.

Reports of discrimination and discriminatory harassment will be referred to the District's Title IX/Civil Rights Compliance Coordinator. Reports of disability discrimination or harassment will be referred to the District's Section 504 Coordinator.

Notice and Training

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 and procedure, which includes the complaint process, will be posted in each district building in a place available to staff, students, parents, 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.

Policy Review

The Superintendent will make an annual written report to the Board reviewing the use and efficacy of this policy and related procedures. Recommendations for changes to this policy, if applicable, will be included in the report. The Superintendent is encouraged to involve staff, students, volunteers, and parents in the review process

Legal References:	20 U.S.C. 1681-1688	Prohibition Against Discrimination
	RCW 28A.640.020	Regulations, guidelines to eliminate Discrimination – Scope – Sexual harassment policies
	WAC 392-190-058	Sexual Harassment

RSD No. 400

Adopted: February 11, 1997

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