

STUDENT SERVICES

SEXUAL HARASSMENT

I. Statement of Policy

It is the policy of Wenatchee School District to maintain a learning environment for students that is free from all forms of discrimination, including sexual harassment. The district prohibits sexual harassment of, and by, students. A fundamental premise of this policy and expectation regarding conduct is that the dignity of individuals and groups must be respected.

The district will not tolerate any form of sexual harassment. It shall be a violation of this policy and the district's student discipline policy for any student of the district to harass another student, staff member, volunteer, parent, or guardian through verbal or physical conduct of a sexual nature as defined by this policy. This policy prohibits sexual harassment of students by staff members, volunteers, parents, or guardians.

All complaints of sexual harassment, whether formal or informal, will be addressed and appropriate actions will be taken, up to and including suspension and/or expulsion, against any student found to have violated this policy.

The name and telephone number of the building Title IX officer, as well as the District Title IX Officer and Assistant Superintendent of Human Resources, shall be posted in such locations in buildings as to be commonly and easily viewed by students and staff.

II. Sexual Harassment Defined

Sexual harassment refers to behavior which is unwelcome and which is personally offensive and interferes with a student's educational process.

Sexual harassment consists of:

- a. Unwelcome sexual advances; or
- b. Requests for sexual favors; and
- c. Other verbal or physical conduct or communication of a sexual nature, when that conduct or communication has the purpose or effect of substantially or unreasonably interfering with a student's education or creating an intimidating, hostile or offensive educational environment.

Examples of behavior, which may be considered sexual harassment, include without limitation:

- staring or leering that has sexual overtones;
- unwanted sexual comments;
- suggestive gestures;
- sexually demeaning jokes, statements or comments;
- spreading sexual gossip;
- unwanted physical contact of a sexual nature, including feigned "accidental" contact as well as pinches, embraces, slaps or pats;
- pressure for sexual activity;
- displaying pornographic or sexually explicit materials;
- offering benefits, favors or rewards in exchange for sexual contact.

STUDENT SERVICES

III. Complaint Process

A. Informal Complaint

As a first step, if not unduly intimidated, the complainant is encouraged to directly inform any alleged harasser that the behavior is offensive, unwanted and must stop.

The district will take all complaints of sexual harassment seriously and will act to address all complaints. Any student who believes that he or she has been subjected to sexual harassment in the educational environment is encouraged to bring his or her complaint to the immediate attention of a member of the teaching staff for assistance in resolving the matter. Informal complaints shall be handled in the manner specified in Procedure 3205P.

B. Formal Complaint

If the complaint is not resolved at the building level to the complainant's satisfaction, the complainant may file a formal complaint with the district's Title IX Officer, Assistant Superintendent of Operations, or Assistant Superintendent of Human Resources.

The Assistant Superintendent of Operations or Assistant Superintendent of Human Resources may receive reports of complaints of sexual harassment from any student, a student's parents, or from the building Title IX Officer on behalf of a student. Formal complaints shall be handled in a manner specified in Procedure 3205P.

The Assistant Superintendent of Operations will receive formal complaints that involve only students. (Student to Student Sexual Harassment.)

The Assistant Superintendent of Human Resources will receive formal complaints when allegations of harassment are brought against employees or other adults.

C. False Reports

The district will take all complaints of sexual harassment seriously and will act to investigate all complaints. It is also a violation of this policy to knowingly report or corroborate false allegations. Persons found to knowingly report or corroborate false allegations will also be subject to disciplinary action.

D. Non-retaliation

Students shall not be retaliated against by other students or staff for making a report of sexual harassment or for providing testimony and/or assisting in the investigation of such a report.

E. Confidentiality

The district will respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the district's legal obligations and the necessity to investigate allegations of sexual harassment and take disciplinary action when the conduct has occurred.

IV. Sexual Harassment as Sexual Abuse

Under certain circumstances, sexual harassment may constitute sexual abuse under Washington State's criminal statutes.

STUDENT SERVICES

Nothing in the policy will prohibit the district from taking appropriate action to protect victims of alleged sexual abuse. (Refer to Child Abuse Reporting Policy/Procedures 3421.)

V. Sexual Harassment by Students of Staff, Volunteers, Parents or Guardians

It shall also be a violation of this policy for any student to sexually harass a district staff member, volunteer, parent or guardian. Such behavior shall be immediately reported by the staff member, volunteer, parent or guardian, or anyone with knowledge of such behavior, to the building Title IX Officer (Principal) and the Assistant Superintendent of Human Resources.

VI. Sexual Harassment by Volunteers, Parents or Guardians

This policy prohibits sexual harassment of students by volunteers, parents or guardians. Such behavior should be immediately reported by the student, or anyone with knowledge of such behavior to the building Title IX Officer (Principal) and the Assistant Superintendent of Human Resources.

VII. Sexual Harassment by a District Staff Member

Sexually harassing behavior by a district staff member of a student is prohibited. Such behavior should be immediately reported by the student or anyone with knowledge of such behavior to the building Title IX Officer (Principal) and the Assistant Superintendent of Human Resources for investigation and, where appropriate, disciplinary action, up to and including discharge.

VIII. Discipline

The district will take such disciplinary action it deems necessary and appropriate to end sexual harassment and to prevent its reoccurrence. Documentation and record of complaints and action taken shall be maintained.

Legal References:	RCW 26.44	Abuse of Children
	28A.640	Sexual Equality
	WAC 392-190	Equal Educational Opportunity-Sex Discrimination Prohibited
	Title IX	Educational Amendment of 1972