

## STUDENTS

### Sexual Harassment of Students Prohibited Procedure

Any student who believes that he or she has been subjected to sexual harassment by another student, district staff member, parent or volunteer, or any employee, parent, or volunteer who has been subjected to sexual harassment by a student, or any individual who believes he/she has witnessed, or who becomes aware of, a sexual harassment situation, has an obligation to report the alleged harassment promptly. Students, employees, parents, and volunteers are encouraged to report the harassment to one of the following, without fear of reprisal: teacher, counselor, or building administrator. Confidentiality, both for the complainant and the accused, will be maintained to the extent appropriate and permissible under the circumstances.

### Informal Complaints

The student, employee, parent, or volunteer may consult with any of the above-identified staff members without filing a formal complaint. As a result of this informal conference, the building administrator will begin action to resolve the alleged harassment on an informal basis. That action will include investigating the allegation in order to determine whether the alleged conduct occurred and, if it occurred, whether it constitutes a violation of the district's policy against sexual harassment. In making such a determination, the administrator conducting the investigation shall consider the totality of the circumstances, the nature of the allegation(s), and the context in which the alleged incident(s) occurred.

At the option of the victim, informal remedies may include an opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive, or inappropriate, either in writing or face-to-face; a statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated; or a general statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant. Discipline may be imposed by the building administrator as a result of the informal resolution process. Informal complaints may become formal complaints at the request of the complaining party or if the District believes the complaint needs to be more thoroughly investigated and/or is necessary for purposes of imposing appropriate disciplinary action.

### Formal Complaints

Formal complaints of sexual harassment must be in writing, though no special form need be used. The complaint must set forth the specific acts, conditions, or

circumstances alleged to constitute a violation of the district’s policy against sexual harassment and be signed by the complaining party. Formal complaints should be directed to the district’s assistant superintendent of Human Resources, unless the complaint is against the assistant superintendent, in which case it should be directed to the superintendent. Upon receiving such a formal complaint, it shall be investigated by the assistant superintendent of Human Resources (or superintendent when the assistant superintendent is the subject of complaint) or his/her designee. All such complaints will be promptly investigated and, where appropriate, immediate corrective action will be taken. To the highest degree possible, allowing for a fair investigation, all such complaints will be treated in a confidential manner. During the course of the investigation, the rights of all involved in the investigative process, including the complainant, the accused, and the witnesses, will be protected, and all parties shall be afforded due process. 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.

A written report of the findings shall be sent to the superintendent within thirty (30) calendar days following receipt of the formal complaint by the assistant superintendent of Human Resources. The superintendent shall then provide a written decision to the complaining party and the party(ies) accused within fourteen (14) days of receipt of the written report from the assistant superintendent of Human Resources. Any complainant not satisfied with the decision of the superintendent may submit a written appeal to the district’s board of directors within ten (10) days of the issuance of the superintendent’s decision. The board of directors shall schedule and hold a hearing on or before the twentieth (20) day following receipt of any such appeal and shall render a written decision concerning the appeal on or before the tenth (10) day following any such hearing.

To the extent appropriate under the circumstances, the district will protect the rights of all persons involved in this complaint process, including persons alleging sexual harassment, persons against whom sexual harassment allegations have been raised and witnesses. Students, volunteers, parents, or personnel involved in this process shall not suffer restraint, interference, discrimination, coercion, or reprisal on account of participation in the district’s sexual harassment complaint procedures.

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