

# Oakland School District 1

Code: **GBN**  
Adopted: 04/28/87  
Readopted: 12/16/97  
Orig. Code(s): 6222

## Sexual Harrassment

It is the policy of the district to maintain a working environment that is free from any form of harassment related to a person's sex. Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other conduct or communication of a sexual nature when:

1. The employee's submission to the conduct or communication is made a term or condition of employment;
2. The employee's submission to, or rejection of, the conduct or communication is the basis for decisions affecting employment and assignment;
3. The conduct or communication has the purpose or effect of substantially interfering with an individual's work performance; or
4. The conduct or communication has the effect of creating an intimidating, hostile or offensive working environment and the employer knows of the existence of the harassment and fails to take timely and appropriate action.

No employee will use the authority of his/her position to subject any other employee to sexual harassment as defined above.

Administrators and supervisors are responsible for their own conduct and for the conduct of the employees they supervise and will take affirmative steps to stop sexual harassment by subordinates when it is brought to their attention, including warning or disciplining the offending employee.

Employees experiencing or aware of sexual harassment are to inform appropriate district officials.

There will be no retaliation by any district official or employee against any person who in good faith reports conduct constituting sexual harassment.

END OF POLICY

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### Legal Reference(s):

[ORS 243.706](#)  
[ORS 342.700](#)  
[ORS 342.704](#)  
[ORS 342.708](#)  
[ORS 342.850](#)

[ORS 342.865](#)  
[ORS 659.850](#)  
[ORS 659A.006](#)  
[ORS 659A.029](#)  
[ORS 659A.030](#)

[OAR 581-021-0038](#)  
[OAR 584-020-0040](#)  
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2006).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2006).

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).