

# Union School District 5

Code: **JBA/GBN**  
Adopted: 9/8/04

## **Sexual Harassment**

It is the policy of the Union School 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;
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.

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 conduct and for their employees' conduct and will take affirmative steps to stop sexual harassment by subordinates when observed or brought to their attention, including warning or disciplining the offending employee.

The superintendent will establish a process of reporting for those employees experiencing or observing acts of sexual harassment. There will be no retaliation by the district against any person who, in good faith, reports sexual harassment.

An act of sexual harassment shall subject an employee to discipline up to and including dismissal.

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).