

Sexual Harassment

Sexual harassment is strictly prohibited. This includes sexual harassment by students, staff, Board members or third parties. "Third parties" include, but are not limited to: school volunteers, parent/guardians, school visitors, service contractors or others engaged in school business, such as employees of businesses or organizations participating with the school.

Sexual harassment shall include, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student or employment or assignment of staff;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance or with an employee's ability to perform his/her job; or creates an intimidating, offensive or hostile educational or working environment.

Any student or employee who has knowledge of conduct in violation of this policy or feels he/she is a victim of sexual harassment must immediately report his/her concerns to the building director or designee, who has overall responsibility for all investigations. A student may also report concerns to a teacher or staff member who will promptly notify the school director. The student and the student's parents or staff member who initiated the complaint shall be notified of the findings of the investigation and, if appropriate, that remedial action has been taken.

The initiation of a complaint in good faith about behavior that may violate this policy shall not adversely affect the educational assignments or study environment of a student complainant or any terms or conditions of employment or work environment of the staff complainant.

There shall be no retaliation by the school or board against any person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquiry of sexual harassment. Students in violation of this sexual harassment policy shall be subject to discipline up to and including expulsion and/or counseling or sexual harassment awareness training, as appropriate.

The age and maturity of the student(s) involved and other relevant factors will be considered in determining appropriate action. Employees in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate

sanctions as determined and imposed by the School director or Board. Additionally, the district may report individuals in violation of this policy to law enforcement officials and TSPC.

The school shall ensure appropriate periodic sexual harassment awareness training or information is provided to all staff and students. This policy as well as the complaint procedure will be made available to all students, parent/guardians of students and staff in the student-parent and staff handbooks. The sexual harassment policy shall be posted on a sign in a noticeable location.

END OF POLICY

Legal Reference(s):

[ORS 338.115](#)