



**EDMONDS SCHOOL DISTRICT NO. 15**  
**Human Resources Division**

September 2007	<b>SEXUAL HARASSMENT PROCEDURES</b>	III-E
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Reasonable efforts shall be made to inform all employees and volunteers of the district's sexual harassment policy 6800 and procedures. These efforts shall include insertion of the policy and procedures in the new employee information brochure and volunteer orientation materials, posting of the policy and procedures including the name of the Affirmative Action Officer in each school and District building, and discussion of the policy and procedures at each school.

Informal complaints of sexual harassment of employees, volunteers, or others involved in District activities shall be reported to the employee's or volunteer's supervisor, the Affirmative Action Officer, or any District administrator with whom the complainant feels comfortable discussing the matter. The administrator receiving the complaint will be responsible for coordinating the investigation of such complaint with the district's Affirmative Action Officer or Assistant Superintendent of Human Resources. Formal complaints of sexual harassment shall be processed in accordance with the complaint procedures set forth in the district's Personnel Procedures Manual, Section VI-C.

Annually, in conjunction with the report to the Board of Directors on the Affirmative Action Plan, the Affirmative Action Officer will review the use and efficacy of the sexual harassment policy and procedures.

*Affirmative Action Officer:*

**Debby Carter**  
**Asst. Superintendent, Human Resources**  
**Educational Services Center**  
**20420 68<sup>th</sup> Ave. West**  
**Lynnwood, WA 98036**  
**(425) 431-7012**

# EDMONDS SCHOOL DISTRICT NO. 15

Rev. 6/19/06

## Guidelines for STAFF

### Regarding IMPLEMENTATION OF EQUAL EDUCATIONAL OPPORTUNITY AND SEXUAL HARASSMENT POLICIES

The Edmonds School District is committed to maintaining a learning and working environment that is free of discrimination and all forms of harassment, including age, racial, sexual, disability, or sexual orientation. As an employee of the district you have clear responsibilities for creating and maintaining a discrimination and harassment-free learning and working environment where all students and staff have equal opportunities to participate in the learning/working environment (*Reference Board Policies 6005, 6010, 8200, 8205, 8205-R1, 8206 and Personnel Procedures Manual VI C*).

These Guidelines are intended to protect all students, staff, parents and volunteers. Your responsibilities in carrying out District policies and these Guidelines fall in three major areas:

#### 1. **Modeling and Teaching Appropriate Behavior**

All staff should know and model appropriate behavior that is free of bias, discrimination, harassment. The District Affirmative Action Officer is available as a resource to assist staff in becoming knowledgeable about these issues.

School staff should conduct age appropriate awareness lessons for students about discrimination issues, in accordance with building plans. Lessons should cover the definitions of discrimination and harassment, including sexual harassment, examples of prohibited behaviors, and what to do and where to go should someone experience discrimination or harassment. Lessons should also make the point that there will be consequences for violation of these policies. The District Affirmative Action Officer is available as a resource for both materials and classroom presentations.

#### 2. **Protecting Others from Inappropriate Behavior**

District employees have a legal and ethical obligation to protect others in the learning/working environment from being subjected to harassment and discrimination. If you witness inappropriate behavior, you are responsible to intervene to stop the behavior, and/or report the behavior to your supervisor. The intervention should redress the actual problem, and attempt to prevent a recurrence of the inappropriate behavior. If intervention would compromise your safety, you must report the incident immediately to a supervisor or administrator.

Staff assigned to schools need to pay attention to students' interactions and to rumors of harassment. Possible instances of harassment should be reported even if the recipient does not choose to pursue an investigation. In cases of harassment, "hearsay" or rumor is a legitimate basis for conducting a preliminary inquiry. If "everyone knows" some improper behavior has occurred or occurs on a continuing basis, the district needs to verify or refute the information to ensure that its policies are not being violated.

Retaliation against someone who complains about discrimination or harassment is prohibited and is grounds for disciplinary action, up to and including suspension, expulsion or termination.

### **3. Reporting Inappropriate Behavior**

Once a staff member knows or believes that discrimination or harassment has taken place, or might have taken place, you must document the occurrence and forward it to the appropriate administrator as soon as possible. Complaints of discrimination and harassment involving staff should be reported to your supervisor, your supervisor's supervisor, to a Human Resources Director, or to the District's Affirmative Action Officer, ext. 7012. Complaints of discrimination and harassment involving students should be reported to building administrators or the District's Affirmative Action Officer.

Once you have knowledge of an occurrence of discrimination or harassment, you are legally required to report it, even if the recipient asks you not to.

Once you have reported, it is not your responsibility to initiate or conduct an investigation if you believe discrimination or harassment has occurred, but the district must conduct one. You may be interviewed as part of the district's investigation. Those involved with a sexual harassment investigation, including witnesses, are expected to protect, to the extent possible and legally allowable, the confidentiality required by the process.

**The following provides a brief introduction to the kinds of inappropriate behaviors that constitute discrimination and harassment.**

***DISCRIMINATION*** — the following kinds of behaviors may constitute discrimination:

- \* Tolerance of hostile, insensitive acts
- \* Bias in attitudes (favoritism, "picking on," disinterest)
- \* Failure to hire people of color
- \* Denial of the occurrence of inappropriate behaviors
- \* Harsher sanctions for some than for others (Who gets punished for what, how?)
- \* Bias in the amount and type of attention staff or students may receive — some may receive more or less positive (public praise, help, encouragement), or negative (scolding, punishment) attention, depending on who they are rather than what they have done
- \* Bias in curriculum materials (insufficient or inaccurate information)
- \* Unequal instruction and expectations (allowed misbehavior, unchallenging school work)

***HARASSMENT*** includes the following kinds of behaviors:

- Compromising the dignity of a student or staff member through insulting or degrading remarks or conduct;
- Threats or demands;
- Suggestions that a student's status is contingent upon his/her tolerance of or acquiescence to the inappropriate behavior;
- Cornering or blocking of normal movements;
- Displaying suggestive objects in an educational/work environment;
- Unwelcome: sexual advances or requests for sexual favors, leering or staring, sexual flirtation or propositions, slurs, epithets, threats, verbal abuse, derogatory comments or degrading descriptions, verbal comments about an individual's body, overly personal

conversation of a sexual nature, derogatory jokes, stories, drawings, pictures or gestures, spreading of sexual rumors, including about sexual orientation, touching of an individual's body or clothes in a sexual way.

**A *HOSTILE ENVIRONMENT*** — An “intimidating, hostile or offensive educational environment” means an environment in which:

1. unwelcome, racially or sexually-oriented jokes, innuendoes, obscenities, pictures/posters or any action with sexual connotation makes a student feel uncomfortable; or
2. any aggressive, harassing behavior in the school that affects learning, whether or not sexual in connotation, is directed toward an individual based on his/her sex or sexual orientation.

A hostile environment can exist even if a student's grades do not drop, an employee's performance does not drop, or the person chooses not to withdraw from the situation. The following factors are considered in determining whether a hostile environment exists: nature of the behavior, effect on a reasonable person, history of other incidents, and duration and frequency of the behavior. Some acts are so severe they need only occur once for very strong disciplinary action to occur, including suspension, expulsion, termination and police notification.

*Please do your part to help the district maintain learning and working environment that is free of all forms of discrimination and harassment.*

***District Affirmative Action Officer / Assistant Superintendent, H.R.:*** Extension 7012

## EDMONDS SCHOOL DISTRICT NO. 15

### Guidelines for ADMINISTRATORS

#### Regarding IMPLEMENTATION OF EQUAL EDUCATIONAL OPPORTUNITY AND SEXUAL HARASSMENT POLICIES

The Edmonds School District is committed to maintaining a learning and working environment that is free of discrimination and harassment. As a District administrator you have clear responsibilities for creating and maintaining a discrimination and harassment-free learning and working environment where all students and staff have equal opportunities to participate in the learning/working environment (*Reference Board Policies 6005, 6010, 8200, 8205, 8205-R1, 8206 and Personnel Procedures Manual VI C*).

These Guidelines are intended to protect all students, staff, parents and volunteers. Your responsibilities as an administrator in carrying out District Policy and these Guidelines fall in three major areas:

#### *Modeling and Informing About Appropriate Behavior*

All administrators and supervisors should be familiar with, and be able to explain, the difference between appropriate behavior and the kinds of inappropriate behaviors that demonstrate bias, discrimination and harassment. You should establish a building/work site climate and procedures which ensure that staff and students know the differences between appropriate and inappropriate behaviors and behave accordingly. The District Affirmative Action Officer, Debby Carter, 425 431-7012, is available as a resource to assist staff and students to become knowledgeable about these issues.

The administrators at each work site must make reasonable efforts to apprise students, parents, volunteers, staff and others entering the premises, about District policies related to discrimination and harassment, the definitions and/or examples of prohibited behavior and the procedures a person would follow to get redress if he/she was the recipient of discriminating or harassing behavior. At a minimum, guidelines related to these issues should be provided annually to staff, students, and parents in handbooks and/or newsletters.

School staff should be familiar with the material distributed to students and parents. Staff should conduct an annual review of the materials with students at the beginning of the school year. The name and phone number of the District Affirmative Action Officer must be made known to people, so that they have a reporting option outside the school or work site, if they do not feel comfortable speaking to someone at their site.

Adequate staff training is a good protection against personal, work site and District liability related to discrimination and harassment issues. At school sites, special effort should be made to include classified as well as certificated staff in any training provided regarding equal educational/employment opportunity, discrimination, and harassment. Staff should understand that both what they do and do not do in a given situation is important and that failure to take action to stop inappropriate behavior can create unwanted liability. Administrators need to ensure that the staff they supervise are trained and have annual reminders about these issues.

In schools, awareness lessons should be conducted in every classroom at all levels, in an age appropriate manner, at the beginning of each school year. Such lessons should cover the definitions of discrimination, harassment and sexual harassment, examples of prohibited behaviors, and what to do or where to go should they experience discrimination or harassment. It must be made clear to staff and students that any form of “gay bashing” is included among the behaviors prohibited by district policies and will not be tolerated. Lessons should also make the point that there will be consequences for violation of these policies, even if such consequences are not spelled out specifically. It would be useful to use video materials, role plays and group discussions to build empathy and help insure an in-depth understanding of the concepts. The District Affirmative Action Officer is available as a resource, both for materials and for assistance with training and classroom presentations.

### ***Protecting Others from Inappropriate Behavior***

If discrimination or harassment occurs and District employees are aware of it, or should have been aware of it, they are required to take appropriate responsive action. Response should be reasonable, timely and effective. The remedy should redress the actual problem, and must reasonably attempt to prevent a recurrence of the offending behavior.

Actual notice of discrimination or harassment may be received in a variety of ways, such as: the recipient files a grievance or complains to a teacher or coworker who notifies the administrator; someone other than the recipient contacts the administrator or Affirmative Action Officer; or a witness reports it. Notice may also be received indirectly--the police, the media, EEOC, a lawsuit; etc. Because District employees have a legal and ethical obligation to protect students and each other from being subjected to discrimination or harassment behavior, a school or work site can be held responsible for an action even if no one formally complained about it.

### ***Acting On Complaints About Inappropriate Behavior***

All school employees should be advised that, if approached by either a student or adult about a harassment concern, their task is to record the concern and forward it to the appropriate building or district person. The employee approached should not attempt to conduct an investigation. It is essential that an employee hearing of a concern respond appropriately, which is to say that the matter not be dismissed, but be recorded and passed on to the proper person for further treatment.

Once you have knowledge of an occurrence of discrimination or harassment, you are legally required to investigate it, even if the recipient asks you not to.

If a staff member is suspected of being the perpetrator, both the Affirmative Action Officer and Human Resources should be involved before an investigation begins.

Because the school or work place cannot create or allow a hostile environment to exist, possible instances of harassment must be investigated even if the actual recipient does not choose to pursue an investigation. In the case of harassment, “hearsay” or rumor is a legitimate basis for conducting a preliminary inquiry. If “everyone knows” of some improper behavior that has occurred or occurs on a continuing basis, the district needs to verify or refute the information. In schools, staff needs to pay attention to students’ interactions and to rumors of harassment.

***District Affirmative Action Officer / Assistant Superintendent, HR:*** Debby Carter, (425) 431-7012

## EDMONDS SCHOOL DISTRICT NO. 15

### Notice to STUDENTS and PARENTS

#### Regarding EQUAL EDUCATIONAL OPPORTUNITY AND SEXUAL HARASSMENT

The Edmonds School District is committed to maintaining a working and learning environment free of discrimination and harassment. District educational programs, activities, curriculum and services are monitored to insure that 1) they guarantee the rights of all students to partake fully in the educational process, and 2) they do not reinforce stereotypes, or permit or encourage discriminatory behavior.

If any student, parent or community member experiences or witnesses discrimination or harassment, they are encouraged to report it immediately to any school administrator with whom they feel comfortable. **Reports of such incidents may also be reported to the District Affirmative Action Officer / Assistant Superintendent, Human Resources, Debby Carter, 425 431-7012.**

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.

#### ***SEXUAL HARASSMENT***

The district prohibits retaliation against any employee, volunteer, parent, or student because he or she has made a report of alleged sexual harassment, or against any employee, volunteer, parent, or student who has testified, assisted or participated in the investigation of a report. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or adverse pressure. Retaliation is itself a violation of law and will lead to disciplinary action against the offender.

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.

Any District staff member (regardless of area of responsibility) who knows or has reason to believe that sexual harassment is or may be occurring must take immediate steps to see that the matter is addressed or reported. Such action must be taken whether or not the student(s), volunteer, or parent has reported the incident.

***Sexual harassment is legally defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in which:***

1. submission to such conduct or communication is made either an explicit or implicit term or condition of success in school;
2. submission to or rejection of such conduct or communication is used as a basis for educational decisions affecting that person; or
3. such conduct or communication has the purpose or effect of substantially or unreasonably interfering with the individual's school performance, or of creating an intimidating hostile, or offensive educational environment.

***An "intimidating, hostile or offensive educational environment" means an environment in which:***

1. unwelcome racially or sexually-oriented jokes, innuendoes, obscenities, pictures/posters or any action with sexual connotation makes a student feel uncomfortable; or
2. any aggressive, harassing behavior in the school that affects learning, whether or not sexual in connotation, is directed toward an individual based on his/her sex or sexual orientation.

***Sexual harassment includes, but is not limited to, the following behaviors:***

1. insulting or degrading sexual remarks, written material, or conduct directed to a student or staff member;
2. threats, demands, or suggestions that a person's status is contingent upon his/her tolerance or acquiescence to advances;
3. cornering or blocking of normal movements;
4. displaying sexually suggestive pictures or objects in an educational/work environment;
5. unwelcome sexual advances or requests for sexual favors, leering or staring, sexual flirtation or propositions, sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions, verbal comments about an individual's body, overly personal conversation of a sexual nature, sexual jokes, stories, drawings, pictures or gestures, spreading of sexual rumors, touching of an individual's body or clothes in a sexual way.