



**Policy: 5011P**

**Section: 5000 - Personnel**

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## **Procedure – Sex Discrimination and Sex-Based Harassment of Staff Prohibited**

The district is committed to a positive and productive working environment free from sex-based discrimination, including sex-based harassment. This commitment extends to all employees, applicants for employment, and other people who are not students involved in academic, educational, extracurricular, athletic, and other programs or activities of the district, whether that program or activity is in a school facility, on school transportation, or at a class training held elsewhere.

The district does not discriminate on the basis of sex and prohibits sex discrimination in employment as required by Federal, State, and local laws. Discrimination on the basis of sex includes discrimination on the basis of sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, gender identity, and gender expression. The district will not adopt or implement any policy, practice, or procedure or take any employment action that treats individuals differently on the basis of sex.

Sex-based harassment is a form of sex discrimination and is prohibited by the district and will also be investigated under that procedure. "Sex-based harassment" means sexual harassment and other harassment on the basis of sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, gender identity, and gender expression.

The district has jurisdiction over complaints of sex-based discrimination and marital status pursuant to the Federal law Title IX of the Education Amendments of 1972 (Title IX) and Washington State laws, including RCW 49.60.

The district has adopted the definitions in [Procedure 3205P.1](#) for sex-based discrimination, including sex-based harassment, on the basis of sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, gender identity, or gender expression.

Examples of sex-based discrimination of employees or applicants for employment include but are not limited to taking any of the following actions on the basis of sex stereotypes, sex characteristics, sexual orientation, gender identity, pregnancy, or related conditions:

- Refusal to hire or promote
- Firing an employee or forcing them to quit or retire
- Sex-based harassment, such as "quid pro quo harassment" and "hostile environment harassment"
- Other forms of sex-based harassment, such as specific offenses of sexual assault, dating violence, domestic violence, or stalking
- Providing unequal benefits or compensation
- Other materially unequal terms, conditions, or privileges of employment

**Retaliation Prohibited**

"Retaliation" means intimidation, threats, coercion, or discrimination against any person for the purpose of interfering with any right or privilege secured by Title IX, this district policy and procedure, or because the person reported information, made a complaint, was a witness or provided information, assisted, or participated or refused to participate in any manner in an investigation or appeal under Title IX or the district's procedure. Retaliation is prohibited from the district, a student, or an employee or other person authorized by the district to provide any aid, benefit, or service under the district's education program or activity.

When the district has information about conduct that reasonably may constitute retaliation under Title IX or this policy and procedure, the district is obligated to respond promptly and effectively, inform the Title IX Coordinator, and provide notice of the district's grievance process for addressing complaints of retaliation. Upon receiving a complaint alleging retaliation, the district must initiate its grievance procedures as described below **or, as appropriate, an informal resolution process under those procedures.**<sup>[1]</sup>

### **Grievance Procedure**

The district has adopted procedure 3205P.1 to set forth the process for receiving, investigating, and resolving reports or complaints of sex-based discrimination, including harassment based on a person's actual or perceived pregnancy status and retaliation. Such complaints are to be taken seriously and handled in the same manner as other sex-based discrimination and harassment complaints. Procedure 3205P.1 is designed to provide for a prompt, thorough, and equitable investigation of complaints and to take appropriate steps to resolve such situations. If sex-based discrimination or retaliation is found to have occurred, the district must take immediate action to eliminate the discrimination or retaliation, prevent its reoccurrence, and address its effects.

Other forms of discrimination against employees or applicant employees that do not fall under that procedure may be addressed under other district policies and procedures, such as Policy 5010.

### **Staff Responsibilities, Training, and District Notice**

The Superintendent Procedures at **3205P.2** describe how the District's Policy 5011 will be implemented, including:

- The roles, responsibilities, and training requirements of the Title IX Coordinator and school employees.
- That age-appropriate information and education to district staff, students, parents, and volunteers will be developed to explain this policy and to aid in the identification, recognition, and prevention of sex-based harassment.
- Where and how district will provide notice about the policy as required by Title IX and other laws.

**For questions about this procedure, contact **the district's Title IX Coordinator**, who can be reached at:**

Any comments in green indicate that a district decision or information is needed. Insert the Title IX coordinator's name, title, office address, telephone number, and email address or provide a website address with this information or Q.R. code]

### **Other Complaint Options**

*Office for Civil Rights (O.C.R.), U.S. Department of Education*

O.C.R. enforces several federal civil rights laws, which prohibit discrimination in public schools on the basis of race, color, national origin, sex, disability, and age. File complaints with O.C.R. within 180 calendar days of the date of the alleged discrimination.

206-607-1600 | TDD: 1-800-877-8339 | OCR.Seattle@ed.gov | www.ed.gov/ocr

*Washington State Human Rights Commission (WSHRC)*

WSHRC enforces the Washington Law Against Discrimination (RCW 49.60), which prohibits discrimination in employment and places of public accommodation, including schools. File complaints with WSHRC within six months of the date of the alleged discrimination.

1-800-233-3247 | TTY: 1-800-300-7525 | [www.hum.wa.gov](http://www.hum.wa.gov)

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†† As discussed in 3205P.1, the Title IX regulations permit, but do not require, informal resolution processes.

Management Resources:      2015 – July Policy Alert

2014 – March Issue

Last Revised: **July 31, 2024**

Classification: **Essential**

Prior Revised Dates: **08.06; 10.11; 03.14; 01.15; 06/01/2015; 06/28/2021; [Retire Feb 2025](#)**

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