

## **Sexual Harassment Prohibited**

The Board of Directors recognizes its responsibility to provide a working and educational environment that is free from all types of discrimination, including sexual harassment.

Sexual harassment, as used in this policy and administrative regulations, means unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature between two or more individuals when:

1. submission to that conduct or communication is an explicit or implicit condition of employment or obtaining an education; or
2. submission to or rejection of such conduct or communication by an individual is used as a factor in employment or academic decisions affecting such individual, or
3. the conduct or communication has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive work or educational environment.

ESD 112 prohibits sexual harassment of employees, students and others involved in agency activities.

ESD 112 will take prompt, equitable and remedial action within its authority on reports and complaints alleging sexual harassment that come to the attention of the agency, either formally or informally. Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Persons found to have been subjected to sexual harassment will have appropriate agency services made reasonably available to them and adverse consequences of the harassment shall be reviewed and remedied, if appropriate.

All staff are responsible for receiving informal complaints and reports of sexual harassment and informing administrators of the complaint or report for investigation and resolution. All staff are also responsible for directing complainants to an ESD administrator and the ESD 112 policy and administrative regulations pertaining to sexual harassment.

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate discipline.

It is in violation of this policy to knowingly report false allegations of sexual harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

The Superintendent is directed to develop and implement procedures that provide for receiving, investigating, and resolving promptly any complaints or reports of sexual harassment.

*Legal References:*

*RCW 28A.310.220 ESD board – Delegation of powers and duties to superintendent.*

*RCW 28A.640.020 – Regulations, guidelines to eliminate discrimination – Scope – Sexual harassment policies.*

*WAC 392-190-057 – Sexual harassment policy – Required criteria.*

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