

Procedure: Sexual Harassment Prohibited

Informal Complaint Process

Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal reports may be made to any staff member. Staff members shall inform complainants of their right to and the process for filing a formal complaint. They shall also direct potential complainants to an appropriate administrator who can explain the informal and formal complaint processes.

Informal remedies include, but are not limited to:

1. an opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face.
2. a statement from a staff member or administrator to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if repeated; or
3. a general public statement from administration reviewing the agency sexual harassment policy.

Informal complaints may become formal complaints at the request of the complainant or because agency administration believes the complaint needs to be more thoroughly investigated.

Formal Complaint Process

Anyone may initiate a formal complaint of sexual harassment, even if the informal complaint process is being utilized. The Superintendent or Human Resources administrator may determine that the agency needs to conduct an investigation based on information in his/her possession regardless of the complainant's interest in filing a formal complaint.

Upon receipt of a written, signed complaint, or information that the Superintendent or Human Resources administrator believes requires further investigation, he or she will promptly carry out a thorough investigation and will endeavor to protect the rights of both the complainant and the alleged harasser while doing so.

When the investigation is completed, the Human Resources administrator shall compile a full written report of the complaint and the results of the investigation.

Any employee who has been found, after appropriate investigation, to have been in violation of Policy 5011 will be subject to disciplinary action up to and including discharge in accordance with Policy 5280 and 5281, or involuntary transfer per Policy 5215.

The policy and procedures will be provided to all staff. A component of ESD 112 orientation sessions for staff will introduce the elements of this policy. Staff will be provided information on recognizing and preventing sexual harassment, will be informed of the formal and informal complaint processes, and their responsibilities under the policy and administrative regulations.

Students participating in instructional programs provided by the ESD will be provided with age-appropriate information on the recognition and prevention of sexual harassment and their rights and responsibilities under this policy and student rules.