

<b>Category:</b> <b>7000 PERSONNEL</b>	<b>Policy Number:</b> <b>7435</b>
<b>Policy Title:</b> <b>Harassment/Sexual Intimidation in the Workplace</b>	<b>Effective Date:</b> <b>August 20, 2008</b>

**PROHIBITION ON HARASSMENT AND INTIMIDATION**

It shall be the policy of the Snake River School District to maintain a working environment that is free from discrimination, harassment and intimidation. Each employee has the right to work in an atmosphere that promotes equal opportunities and is free from all forms of discrimination and conduct that may be considered harassing, coercive or disruptive. Snake River School District does not authorize and will not tolerate any form of harassment of or by any employee based on race, color, religion, sex, age, national origin, citizenship, alienage, disability, or military service, or any other factor or characteristic protected by law. All employees, both supervisory and non-supervisory, are responsible for creating a working environment free from harassment and discrimination. All employees should receive a copy of this policy.

**DEFINITION - HARASSMENT**

Harassment is unwelcome conduct based on race, color, religion, sex, age, national origin, citizenship, alienage, disability, or military service, or any other factor or characteristic protected by law that interferes with an employee’s ability to perform the functions of their job or affects the terms and conditions of their employment.

**DEFINITION - SEXUAL HARASSMENT/INTIMIDATION**

Sexual harassment/intimidation is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. It is a form of misconduct and intimidation based on gender/sex that interferes with an employee’s ability to perform their job, undermines their working relationship with other employees, and/or could affect the terms and conditions of their employment. No employee, male or female, should be subject to sexual overtures or conduct, either verbal or physical. Employees should not be questioned about their sex lives or sexual preferences. Sexual harassment can be of a male to female nature, female to male nature, male to male nature, or female to female nature. Sexual harassment or intimidation does not refer to occasional compliments of a socially acceptable nature, but conduct and communication which have the effect of humiliation, embarrassment, or discomfort.

**EXAMPLES**

It is not possible to identify in this policy each and every act that may constitute harassment. Examples of prohibited conduct can take a variety of forms ranging from off-colored racial or sexual jokes or gestures, name calling, the display of belittling objects or pictures, offensive language, unwanted touching, subtle pressure for sexual activity, spreading vicious rumors, even physical assault. Threats or insinuations that a person’s employment, wages, promotional opportunities, job assignment, or other conditions of employment may be adversely affected by not submitting to sexual advances or fear of other discrimination. The transmitting or accessing sexually explicit materials by computerized, electronic or other means, such as e-mail and voice mail.

**REPORTING/INVESTIGATION**

Any employee regardless of position who has a complaint of or who witnesses discrimination or harassment at work has a responsibility to report the incident immediately to their supervisor, principal, school counselor/psychologist or the superintendent. An aggrieved employee has the right to tell the perpetrator that the conduct is offensive and to insist that it stop. Building principals or the superintendent or designated neutral party will take immediate steps to 1) protect the grievant from further harassment, 2) discuss the matter and obtain signed statements from both grievant and accused and his/her representative, if any; 3) obtain signed statements of witnesses; and 4) prepare a report of the investigation. Based on the investigation, the District will determine whether the complained-of conduct constitutes unlawful discrimination, harassment or intimidation. The totality of the circumstances, the nature of the discrimination, harassment or intimidation, and the context in which the alleged incidents occurred will be considered in making this determination. Based on the severity of the allegations and the information obtained in the investigation, if discrimination or harassment has occurred, appropriate disciplinary action will be taken, up to and including termination of employment. The investigation should be completed within ten days, if possible.

**CONFIDENTIALITY**

Due to the damage that could result to the career and reputation of any person falsely or in bad faith accused of sexual or other harassment, any investigation shall be kept confidential to the maximum extent possible to protect the privacy of both the complainant and the accused. All persons involved are prohibited from discussing the matter with anyone not directly involved.

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions, up to and including discharge.

Policy 7555, “Non-Discrimination in Employment”

Policy 8735, “Hazing, Harassment, Sexual Harassment, Intimidation, Bullying, Menacing”

Procedure and Form: 8735p & 8735f, “Hazing, Harassment, Sexual Harassment, Intimidation, Bullying, Menacing” & Claim Form

**I have read the above and understand my right to and my responsibility for maintaining a work environment free from any form of discrimination, harassment or intimidation.**

\_\_\_\_\_  
**Employee Printed Name**

\_\_\_\_\_  
**Employee Signature**

\_\_\_\_\_  
**Date**