

1 **Rau Elementary**

2
3 **STUDENTS**

3225
page 1 of 2

4
5 Sexual Harassment/Intimidation of Students

6
7 Sexual harassment is a form of sex discrimination and is prohibited. An employee, District agent,
8 or student engages in sexual harassment whenever that individual makes unwelcome advances,
9 requests sexual favors, or engages in other verbal, non-verbal, or physical conduct of a sexual or
10 sex-based nature, imposed on the basis of sex, that:

- 11
- 12 1. Denies or limits the provision of educational aid, benefits, services, opportunities, or
13 treatment, or that makes such conduct a condition of a student's academic status; or
 - 14
 - 15 2. Has the purpose or effect of:
 - 16
 - 17 a. Substantially interfering with a student's educational environment;
 - 18
 - 19 b. Creating an intimidating, hostile, or offensive educational environment;
 - 20
 - 21 c. Depriving a student of educational aid, benefits, services, opportunities, or
22 treatment; or
 - 23
 - 24 d. Making submission to or rejection of such unwelcome conduct the basis for
25 academic decisions affecting a student.
 - 26

27 The terms "intimidating," "hostile," and "offensive" include conduct that has the effect of
28 humiliation, embarrassment, or discomfort. Examples of sexual harassment include, but are not
29 limited to, unwelcome touching, crude jokes or pictures, discussions of sexual experiences,
30 pressure for sexual activity, intimidation by words, actions, insults, or name calling, teasing
31 related to sexual characteristics, and spreading rumors related to a person's alleged sexual
32 activities.

33
34 Students who believe that they may have been sexually harassed or intimidated should consult a
35 teacher or Title IX coordinator, who will assist them in a complaint process. Supervisors or
36 teachers who knowingly condone or fail to report or assist a student to take action to remediate
37 such behavior of sexual harassment or intimidation may themselves be subject to discipline.

38
39 Any District employee who is determined, after an investigation, to have engaged in sexual
40 harassment will be subject to disciplinary action up to and including discharge. Any student of
41 the District who is determined, after an investigation, to have engaged in sexual harassment will
42 be subject to disciplinary action, including but not limited to suspension and expulsion consistent
43 with the District's discipline policy. Any person who knowingly makes a false accusation
44 regarding sexual harassment likewise will be subject to disciplinary action up to and including
45 discharge with regard to employees or suspension and expulsion with regard to students.

46

1 The District will make every effort to ensure that employees or students accused of sexual

3225

page 2 of 2

2
3
4
5 harassment or intimidation are given an appropriate opportunity to defend themselves against
6 such accusations.

7
8 To the greatest extent possible, the District will treat complaints in a confidential manner. The
9 District realizes that limited disclosure may be necessary in order to complete a thorough
10 investigation. Retaliation against persons who file a complaint is a violation of law prohibiting
11 discrimination and will lead to disciplinary action against an offender.

12
13 Any individual seeking further information should consult the Supervising Teacher for the name
14 of the current Title IX Coordinator for the District.

15
16 An individual with a complaint alleging a violation of this policy should follow the Uniform
17 Complaint Procedure.

18
19
20
21 Cross Reference: 1700 Uniform Complaint Procedure

22
23 Legal References: Art. X, Sec. 1, Montana Constitution
24 §§ 49-3-101, et seq., MCA Montana Human Rights Act
25 Title IX of the Educational Amendments, 20 U.S.C. § 1681, et seq.
26 34 CFR Part 106

27
28 Policy History:

29 Adopted on:

30 Revised on: June 7, 2007