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3 **PERSONNEL**

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5 Sexual Harassment/Sexual Intimidation in the Workplace

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7 The District will do everything in its power to provide employees a work environment free of
8 unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or
9 communications constituting sexual harassment, as defined and otherwise prohibited by state and
10 federal law.

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12 The District prohibits its employees from making sexual advances or requesting sexual favors or
13 engaging in any conduct of a sexual nature when:

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- 15 1. Submission to such conduct is made either explicitly or implicitly a term or condition of
- 16 an individual’s employment;
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- 18 2. Submission to or rejection of such conduct by an individual is used as a basis for
- 19 employment decisions affecting that individual; or
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- 21 3. Such conduct has the purpose or effect of substantially interfering with the individual’s
- 22 work performance or creating an intimidating, hostile, or offensive work environment.
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24 Sexual harassment prohibited by this policy includes verbal or physical conduct. The terms
25 “intimidating,” “hostile,” or “offensive” include but are not limited to conduct that has the effect
26 of humiliation, embarrassment, or discomfort. The District will evaluate sexual harassment in
27 light of all circumstances.

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29 A violation of this policy may result in disciplinary action, up to and including discharge. Any
30 person who knowingly makes false accusation regarding sexual harassment will likewise be
31 subject to disciplinary action, up to and including discharge.

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33 An aggrieved person who feels comfortable doing so should directly inform the person engaging
34 in sexually harassing conduct or communication that such conduct or communication is
35 offensive and must stop.

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37 Employees who believe they may have been sexually harassed or intimidated should contact the
38 Title IX Coordinator or the Superintendent, who will assist them in filing a complaint. An
39 individual with a complaint alleging a violation of this policy shall follow the Uniform
40 Complaint Procedure.

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44 Cross Reference: 1700 Uniform Complaint Procedure

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Legal Reference: Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000(e), et seq., 29 C.F.R. § 1604.11
Title IX of the Education Amendments, 20 U.S.C. §§ 1681, et seq.
Montana Constitution, Art. X, § 1 - Educational goals and duties
§ 49-2-101, MCA Human Rights Act
Harris v. Fork Lift Systems, 114 S.Ct. 367 (1993)

Policy History:

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