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3 **PERSONNEL**

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5 Sexual Harassment

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7 The District shall provide employees an environment free of sexual harassment as defined and  
8 otherwise prohibited by State and federal law, including Title IX and its implementing  
9 regulations, in the educational programs and activities it offers, including the area of  
10 employment. Sexual harassment means conduct on the basis of sex that satisfies one or more of  
11 the following:

- 12 (1) An employee of the District conditioning the provision of an aid, benefit, or service of the
- 13 District on an individual’s participation in unwelcome sexual conduct;
- 14 (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and
- 15 objectively offensive that it effectively denies a person equal access to the District’s
- 16 education program or activity; or
- 17 (3) “Sexual assault” as defined in 20 U.S.C. § 1092(f)(6)(A)(v), “dating violence” as defined in
- 18 34 U.S.C. § 12291(a)(10), “domestic violence” as defined in 34 U.S.C. § 12291(a)(8), or
- 19 “stalking” as defined in 34 U.S.C. § 12291(a)(30).

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21 A violation of this policy may result in discipline, up to and including discharge. Any person  
22 making a knowingly false accusation regarding sexual harassment will likewise be subject to  
23 disciplinary action, up to and including discharge.

24 Employees should report claims of sexual harassment to the District’s Title IX Coordinator  
25 and/or use the District’s Title IX Sexual Harassment Grievance Procedures. All formal  
26 complaints about behavior that may violate this policy shall be addressed through the District’s  
27 Title IX Sexual Harassment Grievance Procedures. Initiating a complaint of sexual harassment  
28 shall not adversely affect the complainant's employment, compensation or work assignments.

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30 Cross References: Title IX Sexual Harassment Grievance Procedures

31	Legal References:	42 USC § 2000(e) et seq.	Title VII of Civil Rights Act
32		20 USC §1681 et seq.	Title IX
33		34 C.F.R. Part 106	Nondiscrimination on the Basis of Sex in
34			Education
35		§ 49-2-101, et seq. MCA	Human Rights Act
36		§ 49-1-102, MCA	Freedom from discrimination
37		§ 49-3-201, MCA et seq.	Governmental Code of Fair Practices
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40 Policy History:

41 Adopted on: 12/9/93  
42 Reviewed on: 3/10/09  
43 Revised on: 7/29/19, 9/8/2020