

1 **Potomac Elementary**

2  
3 **PERSONNEL**

5012  
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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.  
23

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 Principal, who will assist them in filing a complaint. An individual with  
39 a complaint alleging a violation of this policy shall follow the Uniform Complaint Procedure.  
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43 Cross Reference: 1700 Uniform Complaint Procedure

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45 Legal Reference: Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000(e), et seq., 29 C.F.R.  
46 § 1604.11

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4 Title IX of the Education Amendments, 20 U.S.C. §§ 1681, et seq.  
5 Montana Constitution, Art. X, § 1 - Educational goals and duties  
6 § 49-2-101, MCA Human Rights Act  
7 *Harris v. Fork Lift Systems*, 114 S.Ct. 367 (1993)  
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9 Policy History:

10 Adopted on: March 14, 2011

11 Reviewed on:

12 Revised on: