

	<p>ADMINISTRATIVE DIRECTIVE</p> <p>Anti-Harassment – Community/Business</p>	<p>7.40.010-AD</p>
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In accordance with Board Policy 1.80.020-P, this administrative directive sets forth the specific procedures for the prevention and investigation of complaints of harassment.

Overview, Scope, and Prohibited Conduct

- A. Portland Public Schools is committed to providing a safe, positive, and productive learning and working environment for all. Harassment of any kind, including intimidation or bullying, acts of cyberbullying, and sexual harassment are strictly prohibited and shall not be tolerated in the District.
- B. This directive applies to conduct by all persons who are on school property either as a visitor or in some official capacity with the District.
- C. Retaliation against any person who in good faith reports, is thought to have reported, files a complaint, or otherwise participates in an investigation of harassment is strictly prohibited. This prohibition is independent of whether a complaint is substantiated. Reports made in bad faith or intentionally false are serious offenses and may result in disciplinary action. The good-faith initiation of any complaint of harassment by an employee shall not adversely affect any terms or conditions of employment or work environment of the staff complainant. The good-faith initiation of any complaint of harassment by a student will not adversely affect a student’s school placement or educational learning environment.
- D. The District shall promptly investigate all complaints of harassment and retaliation.
- E. Instances of harassment may also be referred to law enforcement or DHS.

I. Definitions

- A. “Harassment” means all forms of harassment including intimidation or bullying, acts of cyberbullying, sexual harassment and sexual violence.
 - 1. Harassment, intimidation, or bullying of students is any act that substantially interferes with a student’s educational benefits, opportunities or performance or has the effect of physically harming a student or damaging a student’s property or creating a hostile educational environment, including interfering with the psychological well-being of a student and may be based on, but not limited to, the protected class status of a person.

2. Harassment, intimidation, or bullying of staff is conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
 3. Cyberbullying is the use of any electronic communication device to harass, intimidate, or bully.
 4. Sexual harassment and sexual violence against a student or staff include a demand for sexual favors in exchange for benefits or conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a student's educational performance or that creates an intimidating, offensive, or hostile educational environment, or any physical conduct of a sexual nature perpetrated against a student's will or when a student is unable to communicate unwillingness to an act. Such conduct includes but is not limited to sexual assault, sexual exploitation, and sexual coercion.
- B. "Protected class" means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status, source of income, or disability.
- C. "Community" means all persons, except staff and students, on school property irrespective of whether they are engaged in personal or professional business with the District.
- D. "Retaliation" means experiencing an adverse impact after making or supporting a claim of harassment if the impact might deter a reasonable person from making such a claim.
- E. "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality, or gender identity.
- F. "Gender identity" means a person's sense of being male or female regardless of whether the individual's appearance, expression, or behavior differs from that traditionally associated with the individual's sex at birth.

II. All District workplaces shall maintain environments that are safe and free of harassment.

- A. Notice: Signs explaining the prohibition against harassment, intimidation or bullying, acts of cyberbullying, and retaliation shall be posted in all District buildings.

- B. All persons on PPS property shall be informed of the definition of, consequences for, and obligation to report harassment and retaliation. This shall be posted on our website.
- C. Employees who believe they have been subjected to harassment or retaliation are encouraged to immediately inform their supervisor or Human Resources.
- D. Students who believe they have been subjected to harassment or retaliation are encouraged to immediately inform their principal, teacher, counselor, administrator or other school staff.

III. Consequences

- A. Persons found in violation of this policy are subject to exclusion from District property or other corrective action as deemed appropriate by the District. In determining the appropriate length of exclusion, the District shall consider: the seriousness of the conduct that led to the exclusion; prior instances of harassment by the person to be excluded; the availability of alternative means for the person to conduct business with the District; and any other facts or circumstances that the District deems relevant.
- B. The District reserves the right to cancel contracts of contractors and vendors providing services to the District who have been found in violation of this policy.
- C. Security Services will initiate an investigation of the allegations of the incident and coordinate with the General Counsel/Superintendent's office to enforce any District action.
- D. Any alleged violator can be reported to law enforcement or DHS in the District's discretion.
- E. The notice of exclusion shall be in writing and given to the person excluded. It shall specify the dates and places of exclusion. It shall contain a warning of consequences for failure to comply with the notice of exclusion and information concerning the right to appeal the exclusion.
- F. A person receiving a notice of exclusion or other corrective action may appeal, in writing, to the Portland Public Schools Security Services Department.

IV. Title IX Director and the Office of Civil Rights

- A. Inquiries regarding sexual harassment and sexual violence may be directed to the District's Title IX Director and may also be referred to the U.S. Department of Education's Office of Civil Rights at any time. The District's Title IX Director can be reached at:

Title IX Director
501 N. Dixon, Portland, OR 97227
503.916.3340
titleIX@pps.net

- B. The District's Title IX Director will receive regular training on sexual harassment and violence and how to best respond to and prevent it on a District-wide basis. The District's Title IX Director will track all complaints of sexual harassment and sexual violence and report to the Board at least annually.

V. Confidentiality

- A. Confidentiality of complainant: All complaints shall be handled so that the identity of the complainant and any information obtained as part of the investigation shall be kept confidential to the extent that confidentiality is compatible with a thorough investigation of the complaint and is permitted under the law.
- B. Safety of the Complainant and Survivor: In matters of sexual harassment or sexual violence, the District will take steps to support the physical and emotional safety of the Complainant or Survivor of the harassment or violence if different from the Complainant. The principal or administrative supervisor and the Title IX Director shall work in conjunction to assess and offer options for Complainant and Survivor safety, as well as other services or options for support as appropriate to the particular circumstances.

Policy reference: 1.80.020-P
8.40.010-AD

Approved 11/27/2018