

PERSONNEL

Sexual Harassment

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

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

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

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

Legal References:

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

Cross References: Title IX Grievance Procedure

Policy History:

Adopted on:

Revised on: