

BOARD POLICY

Placentia-Yorba Linda Unified School District

Personnel

4119.11 - BP

SEXUAL HARASSMENT

The Governing Board prohibits sexual harassment of district employees and job applicants. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and administrative regulation.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to staff
3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions.

Any district employee or job applicant who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to his/her supervisor, the principal, district administrator or Superintendent.

A supervisor, principal or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

Complaints of sexual harassment shall be filed in accordance with **AR 4111.1 – Equal Employment Opportunity**. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment against a district employee, job applicant, or student is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

LEGAL REFERENCE:

<u>Education Code</u>	200-262.4	Prohibition of discrimination on the basis of sex
<u>Government Code</u>	12900-12996 12940 12950.1	Fair Employment and Housing Act, especially: Prohibited discrimination Sexual harassment training
<u>Labor Code</u>	1101 1102.1	Political activities of employees Discrimination: sexual orientation
<u>Code of Regulations, Title 2</u>	7287.8 7288.0	Retaliation Sexual harassment training and education
<u>Code of Regulations, Title 5</u>	4900-4965	Nondiscrimination in elementary and secondary education programs receiving state financial assistance
<u>United States Code, Title 42</u>	2000d-2000d-7 2000e-2000e-17 2000h-2-2000h-6	Title VI, Civil Rights Act of 1964 Title VII, Civil Rights Act of 1964, as amended Title IX, 1972 Education Act Amendments
<u>Code of Federal Regulations, Title 34</u>	106.9	Dissemination of policy

Policy adopted: 2/9/93
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