

Personnel

Sexual Harassment

The following policy shall apply to all District employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the District.

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against District employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

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 employees and others to whom the policy may apply.
3. Ensuring prompt, thorough, fair, and equitable 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.

The Superintendent or designee shall periodically evaluate the effectiveness of the District's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the District's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

District employees who feel that they have been sexually harassed in the performance of their District responsibilities or who have knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to their direct supervisor, a

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District administrator or the District's Title IX Coordinator. Employees may bypass their supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor or administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint is addressed through either AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures for complaints meeting the Title IX definition of sexual harassment or AR 4030 - Nondiscrimination in Employment for complaints meeting the state definition, as applicable, and shall offer supportive measures to the complainant.

Upon investigation of a sexual harassment complaint, any District employee found to have engaged or participated in sexual harassment or to have aided, abetted, incited, compelled, or coerced another to commit sexual harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Legal Reference: Education Code, Sections 200-262.4
Government Code, Sections 12900-12996; 12940; 12950; 12950.1
Labor Code, Sections 1101; 1102.1
Code of Regulations, Title 2, Sections 11009; 11021; 11023; 11024; 11034
Code of Regulations, Title 5, Sections 4900-4965
United States Code, Title 20, Sections 1681-1688
United States Code, Title 42, Sections 2000e-2000e-17
Code of Federal Regulations, Title 34, Sections 106.1-106.9; 106.51-106.82

Policy Adopted: 07/17/1990

Policy Amended: 03/02/1993; 10/18/1994; 01/21/1997; 02/03/2004; 11/16/2010; 09/01/2015; 01/17/2017; 01/15/2019; 11/02/2020

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