

SEXUAL HARASSMENT

Board Policies 2540 – 2549

Policy adopted by Governing Board 10/20/93

Policy Revised 4/5/94

The Pajaro Valley Unified School District in compliance with the law prohibits unlawful sexual harassment of or by any student of or by anyone in or from the District. All students are entitled to an academic environment free from all forms of discrimination, including sexual harassment. Sexual harassment is a form of personal misconduct that undermines the integrity of academic relationships. No individual, either male or female, should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical.

Teachers shall discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of sexual harassment.

Any student who engages in the sexual harassment of anyone in or from the District may be subject to disciplinary action up to and including expulsion.

The Board expects students or staff to immediately report incidents or sexual harassment to the principal or designee or to another district administrator.

Any student who feels that he/she is being harassed should immediately contact a teacher, or the principal or designee or another district administrator. **The administrator, with the student, shall comply with all procedures in the District Uniform Complaint Policy and Procedures.**

The District prohibits retaliatory behavior against any complaint or any participant in the complaint process. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned.

CONFIDENTIALITY: Efforts will be made to protect the privacy of parties involved in a complaint. Files pertaining to complaints handled under this process are confidential and therefore will only be discussed on a need-to-know basis as a means of investigating and resolving the matter(s).

SEXUAL HARASSMENT: Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature when:

Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status or progress.

Submission to or rejection of the conduct by an individual is used as the basis for academic or employment decisions affecting the individual.

The conduct has the purpose or effect of having a negative impact on the individual's academic or work performance, or of creating an intimidating, hostile or offensive environment.

Submission to or rejection of the conduct the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the school.

Other types of conduct which are prohibited in the district and which may constitute sexual harassment include:

Unwelcome leering, sexual flirtations or propositions.

Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions.

Graphic verbal comments about an individual's body, or overly personal conversation.

Sexual jokes, stories, drawings, pictures or gestures.

Spreading sexual rumors.

Teasing or sexual remarks about students enrolled in a predominantly single-sex class.

Touching an individual's body or clothes in a sexual way.

Cornering or blocking of normal movements.

Displaying sexually suggestive objects in the education environment.

Any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

COMMUNICATION OF POLICY: It is the District's intent that this Policy will be known and understood by all employees, students, and District and school advisory committees. This will be accomplished by:

Inserting this Policy in all district policy manuals.

Including this Policy in the notifications that are sent to parents/guardians at the beginning of the school year.

Displaying this policy in a prominent location near each school principal's office.

Providing this policy as part of any orientation program conducted for new students at the beginning of each quarter, semester or summer session.

Inserting this Policy in any school or district publication that sets forth the school or District's comprehensive rules, regulations, procedures and standards of conduct.

ENFORCEMENT: The principal or designee shall take appropriate actions to reinforce the District's sexual harassment policy. These actions may include:

Removing vulgar or offending graffiti.

Providing staff inservice and student instruction or counseling.

Taking appropriate disciplinary action as needed.

EPILOGUE: If you perceive yourself to be a victim of sexual harassment, DO NOT BLAME YOURSELF! This policy is meant to educate, clarify, mediate, and resolve any situation in which sexual harassment may be a component. Sexual harassment can be complicated as well as painful to the parties involved.

If after reading this policy, you are still not sure whether or not you have been or are a victim of sexual harassment, you are strongly urged to contact your teacher or principal, or if applicable, your union representative or employee organization.

LEGAL REFERENCE:

2549.1 Education Code 212.5
2549.2 Education Code
2549.3 Education Code 48980