



Sexual Harassment

(PVUSD Policy Range 2540-2549)

POLICY – All Employees: The Pajaro Valley Unified School District in compliance with the law prohibits sexual harassment in the workplace. Sexual harassment is deemed unacceptable conduct in the workplace and will not be tolerated.

2540.1

Sexual harassment is a form of personal misconduct that undermines the integrity of employment and academic relationships. No individual, either male or female, should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical.

2540.2

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, that lowers morale and that, therefore, interferes with work or academic effectiveness.

2540.3

Each supervisor has a responsibility to ensure that the educational setting is free of sexual harassment. This duty includes discussing this policy with all employees and assuring them that they are not to endure insulting, degrading, or exploitive sexual treatment. Employees who permit or engage in such harassment may be subject to disciplinary action up to and including termination.

2540.4

The administrator, with the employee, shall comply with all procedures in the (PVUSD) District Uniform Complaint Policy and Procedures.

CONFIDENTIALITY: Effort 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).

POLICY – Students: 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 (PVUSD) 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.

2542.1

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.

2542.2

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

2542.3

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

2542.4

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 PVUSD Uniform Complaint Policy and Procedures.

2542.5 The (PVUSD) District prohibits retaliatory behavior against any complainant 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: Effort 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, request for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when:

2544.1 Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.

2544.2 Submission to or rejection of the conduct by an individual is used as the basis for academic or employment decisions affecting the individual.

2544.3 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.

2544.4 Submission to or rejection of the conduct by 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:

2545.1 Unwelcome leering, sexual flirtations, or propositions.

2545.2 Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions.

2545.3 Graphic verbal comments about an individual's body, or overly personal conversation.

2545.4 Sexual jokes, stories, drawings, pictures or gestures.

2545.5 Spreading sexual rumors.

2545.6 Teasing or sexual remarks about students enrolled in a predominantly single-sex class.

2545.7 Touching an individual's body or clothes in a sexual way.

2545.8 Cornering or blocking of normal movement.

2545.9

Displaying sexually suggestive objects in the educational environment.

2545.10

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

COMMUNICATION OF POLICY: It is the (PVUSD) 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:

2546.1

Inserting this Policy in all PVUSD district policy manuals.

2546.2

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

2546.3

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

2546.4

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

2546.5

Inserting this Policy in any school or district publication that sets forth the school of (PVUSD) 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:

2547.1

Removing vulgar or offending graffiti.

2547.2

Providing staff in-service and student instruction or counseling.

2547.3

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.

2548.1 If after reading this policy, you still are 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 212.6

2549.3 Education Code 48980