

## **Sexual Harassment And Gender-Based Harassment**

The Governing Board is committed to maintaining an educational environment that is free from harassment and discrimination. The Board prohibits sexual harassment and gender-based harassment (collectively, "sex-based harassment") of students by other students, employees, or other persons at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist, or otherwise participate in district complaint processes.

### **Instruction/Information**

The Superintendent or designee shall ensure that all district students annually receive age-appropriate instruction and information on sex-based harassment. Such instruction and information shall include:

1. What acts and behavior constitute sex-based harassment, including the fact that sex-based harassment can occur between people of the same sex;
2. A clear message that students do not have to endure sex-based harassment and that the district does not tolerate such conduct;
3. Encouragement to report instances of sex-based harassment that a student has observed or about which the student has knowledge, even where the victim of the harassment has not complained;
4. Information about the district's procedures for investigating and resolving complaints and the person(s) to whom a report of sex-based harassment should be made, including a reminder that all school employees are required to report discrimination and harassment to school and district administrators.

### **Complaint Process**

Any student who feels that he/she is being or has been subject to sex-based harassment by a school employee, another student, or a non-employee on school grounds or at a school-related activity (e.g., a visiting athlete or coach) should immediately contact his/her teacher or any other employee. An employee who receives such a complaint or has information related to an incident of sex-based harassment shall report it in accordance Administrative Regulation 5145.7.

The Superintendent or designee shall ensure that any complaints regarding sex-based harassment are immediately investigated in accordance with Administrative Regulation 5145.7.

Any student who engages in sex-based harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion,

provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account, including the ages of the offending student and victim and prior incidents of similar misconduct.

When the Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and prevent its recurrence, and to address its effects on the victim. In addition to discipline, an appropriate response may include counseling, training or other educational or behavioral interventions for the harasser; separating the harasser and the target of the harassment, provided that such steps do not penalize the target; and providing additional educational and counseling services to the student who was harassed.

The district should also inform the target and his or her family of how to report any subsequent problems, conduct follow-up inquiries to see if there have been any new incidents or any instances of retaliation against the harassed student or any witnesses, and respond promptly and appropriately to address continuing or new problems.

Depending on the extent of the harassment, the district also may need to provide training or other interventions for the larger school community to ensure that all students, their families, and school staff can recognize harassment if it recurs and know how to respond.

#### Confidentiality and Record-Keeping

All complaints and allegations of sex-based harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

The Superintendent or designee shall maintain a record of all reported cases of sex-based harassment, and shall identify those records that involve students who have been involved in more than one incident of harassment in a school year (either as a victim or offending student) to enable the district to monitor, address, and prevent repeated harassing behavior in the schools,

#### Policy TEHACHAPI UNIFIED SCHOOL DISTRICT

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