



Sexual Harassment Handbook

Staff

&

Students

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Northern Humboldt Union High School District
Policies
Regulations
Bylaws

4000

All Personnel Sexual Harassment

All Personnel

BP 4119.11(a)

4219.11

SEXUAL HARASSMENT

4319.11

Purpose

It is the position of this Board that sexual harassment is unlawful and will not be tolerated. It is a violation of this policy for any employee, agent, student, or party with which the district has a cooperative agreement, to engage in sexual harassment.

It is the policy of the Governing Board of the Northern Humboldt Union High School District to provide an employment environment free of sexual harassment. To accomplish this, the policy is designed to secure, at the earliest level possible, an appropriate resolution to incidents and allegations of harassment.

This policy is intended to supplement, and not replace, any applicable state or federal laws and regulations. Complaints under these laws and regulations shall be processed through the procedures established by the appropriate state and/or federal agencies.

Definition

For the purposes of this policy, sexual harassment is defined by Education Code Section 212.5, "Sexual harassment means unwelcome sexual conduct including, advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- (a) Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- (d) 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 educational institution."

Specifically, sexual harassment may occur as a pattern of degrading sexual speech or actions ranging from verbal or physical annoyances or distractions to deliberate intimidations and frank threats or sexual demands. Examples of conduct which may constitute sexual harassment include, but are not limited to:

- (1) Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gesture, display of sexually suggestive objects or pictures, or cartoons this

includes, but is not limited to, anything sent electronically or through technological devices.

- (2) Among peers, continuing to express sexual interest after being informed that the interest is unwelcome.
- (3) Within the employment environment, implying or actually withholding satisfactory evaluations or suggesting that promotion or favorable evaluations will be denied as a condition of receiving sexual favors.
- (4) Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

Reporting Procedure

Any employee who believes he or she has been sexually harassed by an employee, agent or student of the District should report the facts of the incident(s) to the Site Principal, Superintendent, or designee of the Superintendent. If the Site Principal or designee is the alleged harasser, the employee should report to the Superintendent. If the Superintendent is the alleged harasser, the employee should report to the Board President. If a Board member is the alleged harasser, the employee should report to the Superintendent. A written report of the alleged incident will be filed and forwarded to the appropriate district official for action. A copy of Board policy will be provided to the employee who makes the complaint.

Employees who feel aggrieved because of unwelcome conduct that may constitute sexual harassment are not required to inform the person that the conduct is unwanted, offensive, and must stop, but are encouraged to do so.

Filing Complaints with State and Federal Agencies

Aggrieved parties may wish to file complaints with other appropriate state and federal agencies, including:

Equal Employment Opportunity Commission
901 Market Street, San Francisco, CA 94103 (415) 356-5061

The State Fair Employment and Housing Commission
30 Van Ness Avenue, San Francisco, CA 94102, (415) 557-2005.

Confidentiality

An allegation of sexual harassment and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. The Site Principal, Superintendent, or designee will inform the employee making the report that the allegation and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. In addition, witnesses and those interviewed shall be informed of the confidential nature of the issue and the investigation, as well as the reason for confidentiality. The alleged harasser will also be informed as to the confidential nature of the procedure.

Anyone violating confidentiality by disclosing the nature of the allegation or the investigation to others shall be subject to disciplinary action.

Retaliation is Prohibited

The initiation of an allegation of sexual harassment will not cause any reflection on the individual reporting the incident or on witnesses nor will it affect such persons' future business dealings with the District, his or her employment, compensation or work assignments, or other matters pertaining to his or her status in any District programs or activities. It shall be a violation of this policy to engage in such retaliation. An allegation of retaliation shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action as defined in this policy.

Time Limits

Allegations of sexual harassment shall be reported as soon as reasonably possible after the conduct in question has taken place.

Disciplinary Action

Employees who violate this policy shall be subject to disciplinary action up to and including dismissal. Such disciplinary action will be in accordance with applicable policies, laws, and/or collective bargaining agreements.

When disciplinary action is necessary the Superintendent will be consulted to determine what course of action is appropriate.

Investigation

The Superintendent is authorized to develop regulations by which reports of sexual harassment shall be addressed. Such process shall include an informal resolution process, an investigation, and issuance of a summary report.

Appeal Procedure

Either the complaining party or the accused may appeal the summary report to the Governing Board of the District. Appeals should be made within 10 business days from the date of the issuance of the summary report. Procedures shall be set forth in the Administrative Regulations.

Administrative Regulations

The Superintendent shall adopt, and from time to time may revise, further procedures as may be necessary to implement this policy and provide for a means of enforcing this policy.

Training and Curriculum

To implement this policy, Northern Humboldt Union High School District will provide appropriate training programs for staff and students. Employees in a supervisor capacity will be

trained, as required by law, at least every two (2) years beginning January 1, 2006. Teachers are not considered to be supervisors.

Notification

There will be adequate notification of the policy to include public posting. The policy will be published in site handbooks and/or the District Summer Mailing.

Special Assistance

It is expected that questions may arise concerning this policy. For assistance in these matters, individuals may contact the Superintendent.

Legal Reference:

*Title VII of the Civil Rights Act
42 USC Section 2000-e-2(a)(1)
California Fair Employment and Housing act
Government Code section 12940
Education Code section 212.5
Government Code section 12950.1*

NORTHERN HUMBOLDT UNION HIGH SCHOOL DISTRICT

All Personnel

AR 4119.11(a)

4219.11

SEXUAL HARASSMENT

4319.11

Purpose

It is the purpose of this Administrative Regulation to implement the District's All Personnel Sexual Harassment Policy. The regulation is designed to outline the procedures that are to be followed to maintain the Board of the Northern Humboldt Union High School District ~~Board of Education~~'s commitment to providing a work environment free from sexual harassment as defined by board policy.

Reporting Procedure

Any employee who believes he or she has been sexually harassed by an employee, student, or agent of the District, should promptly report the facts of the alleged incident(s) and the name of the individual involved to the Site Principal, Superintendent, or Designee. If the Site Principal or designee is the alleged harasser, the employee should report to the Superintendent. If the Superintendent is the alleged harasser, the employee should report to the Board President. If a Board member is the alleged harasser, the employee should report to the Superintendent.

Employees may, at any time during the process, bring an advocate to support them in meeting with the site administrator or other staff. The site administrator or designee will gather the information from the employee to complete the Sexual Harassment Incident Report. A copy of the report will be forwarded to the Site Principal, Superintendent, or Designee. The Superintendent shall determine who shall conduct the investigation. A copy of Board Policy will be given to the employee.

Confidentiality

The Site Principal, Superintendent, or Designee will inform the employee making the report that the allegation and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. In addition, witnesses and those interviewed shall be informed of the confidential nature of the issue and the investigation, as well as the reason for confidentiality. The alleged harasser will also be informed as to the confidential nature of the procedure. Anyone violating confidentiality by disclosing the nature of the allegation or the investigation to others shall be subject to disciplinary action.

Retaliation

The initiation of an allegation of sexual harassment by an employee will not adversely effect employment status in any way. The site administrator or designee will inform all parties that retaliation is illegal and that an allegation of retaliation, following a report of sexual harassment shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action.

Time Limits

Allegations of sexual harassment shall be reported as soon as reasonably possible after the conduct in question has taken place. Employees wishing to report allegations to additional agencies, such as the Equal Employment Opportunity Commission, should know that these agencies follow a time limit for reporting alleged incidents of sexual harassment.

Informal Process

Upon receipt of a complaint either verbally or in writing, the complaining party will be advised of their right to explore resolution of the matter by way of an informal mediation process. If the complaining party wishes to use the informal process, the site administrator in consultation with the Superintendent or designee shall set up a process. If the informal process does not result in a mutually agreeable resolution to the complaint, the investigation procedure shall be initiated.

If the complaining party or accused does not wish to participate in the informal process, the investigation procedure will be initiated.

Investigation Procedure

All complaints shall be investigated if not resolved by way of the informal process.

All investigations of allegations of sexual harassment shall be handled promptly, in a serious, sensitive, and confidential manner. Although the employee who believes they have been sexually harassed is not required to confront the person who is engaging in the unwelcome and unsolicited sexual conduct, the administrator/investigator should determine if the employee has informed the person engaging in the behavior that the behavior is offensive and must stop.

1. Upon receipt of a complaint, the Site Principal, Superintendent, or Designee shall develop a written report of the allegations. This will be done in consultation with the employee making the complaint. The Superintendent shall then designate an investigator.
2. The investigator shall, as soon as possible after the incident has been reported, inform the employee accused of sexual harassment of the allegation and they will be given an opportunity to respond. The person accused shall not receive a copy of the complaint but shall be informed of the allegations. The name of the complaining party shall remain confidential to the extent possible. The accused will be given a copy of Board Policy.
3. The investigator shall inform all parties, including the employee making the allegation, witnesses, and the accused, of their rights, including the fact that the employee making the allegation and witnesses will not be retaliated against and the confidential nature of the allegation and investigation.
4. The investigator shall conduct an investigation to determine if the allegation of sexual harassment is supported. The investigation findings shall be filed within twenty-five (25)

business days from the date the employee made the allegation with the Superintendent or from the date the informal process is terminated whichever is later. The Superintendent may extend the timeline depending on the nature of the investigation. Written notice of the extension shall be provided to all parties. Upon completion of the investigation, the Superintendent, within ten (10) business days, will provide by mail a summary of the findings to the employee who reported the harassment and to the person accused.

5. When the Superintendent determines that sexual harassment has occurred, and/or disciplinary action is necessary, the Superintendent shall determine what course action is appropriate.

Disciplinary Action/Remedial Action

Employees who are found to have engaged in sexual harassment or inappropriate conduct may be subject to discipline up to and including dismissal. Such disciplinary action shall be in accordance with board policy, state law, and applicable collective bargaining agreements.

In identifying appropriate disciplinary action, note that repeated incidents following intervention, intensity of the behavior, and multiple victims will yield more severe penalties. Disciplinary actions may include oral warnings, written warnings, mandatory training, counseling, suspension, transfer, demotion, or termination.

Because of rights to privacy regarding discipline, the nature of the discipline will not be disclosed to the individual filing the complaint unless authorized by the person being disciplined.

Depending on the findings of the investigation, the District will also review and consider possible actions to remedy any harm suffered by the employee who is determined to be a victim of sexual harassment. Depending on the results of the investigation, the District shall consider needs of the victim, including counseling services.

Appeal Procedures

Either the complaining party or the accused may appeal the summary report of the investigation to the Board of the Northern Humboldt Union High School District ~~Board of Education~~. Appeals must be made in writing within 10 business days from the date of the issuance of the summary report.

The appeal shall set forth the reasons for the appeal. The Superintendent shall schedule a closed session of the Board to hear the appeal. The Superintendent or designee shall be responsible for responding to the appeal before the Board. The decision of the Board shall be in writing and shall be final. The written decision shall be issued within 20 calendar days of the Board meeting.

Notification

There will be adequate notification of the policy to include public posting. The policy will be published in site handbooks and/or the District Summer mailing.

Special Assistance

To obtain additional information regarding any of the procedures outlined in this administrative regulation, one should contact the Superintendent.

NORTHERN HUMBOLDT UNION HIGH SCHOOL DISTRICT

All Personnel

E 4119.11(a)

SEXUAL HARASSMENT

4219.11

4319.11

Sexual Harassment Complaint Form

Instructions: Please complete this form and submit it to:

Attention: Site Principal, Superintendent, or Designee

Name _____

Department _____

1. Identify the offending person or persons: _____

2. Give specific examples of offensive conduct. If more space is required, please attach additional pages.

3. What remedy are you seeking? _____

4. Describe any informal efforts (if any) you made to correct the situation described above (item #2).

(Such efforts are not required.) _____

Signature _____

Date _____

To be completed by the Site Principal, Superintendent, or Designee

Date Received: _____

Received by: _____

Date Resolved: _____

Resolved by: _____

Due Date of Investigation _____

Investigator _____



Northern Humboldt Union High School District
Policies
Regulations
Bylaws

5000
Students Sexual Harassment

SEXUAL HARASSMENT

Purpose of Policy

It is the policy of the Governing Board of the Northern Humboldt Union High School District to provide an educational environment free of sexual harassment. To accomplish this purpose, the policy is designed to secure, at the earliest level possible, an appropriate resolution to an allegation of sexual harassment.

This policy is intended to supplement, and not replace, any applicable state or federal laws and regulations. Complaints under these laws and regulations shall be processed through the procedures established by the appropriate state and/or federal agencies.

It is the position of this Board that sexual harassment is unlawful and will not be tolerated. It is a violation of this policy for any employee, agent, student, or party with which the District has a cooperative agreement, to engage in sexual harassment.

Definition of Sexual Harassment

As defined by Education Code Section 212.5, "Sexual harassment means unwelcome sexual conduct including advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- (a) Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- (d) 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 educational institution."

Specifically, sexual harassment may occur as a pattern of degrading sexual speech or actions ranging from verbal or physical annoyances or distractions to deliberate intimidations and frank threats or sexual demands. Examples of conduct which may constitute sexual harassment included, but are not limited to:

- (1) Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, display of sexually suggestive objects or pictures, or cartoons this

includes, but is not limited to, anything sent electronically or through technological devices.

- (2) Among peers, continuing to sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction, among peers, is not considered sexual harassment.)
- (3) Within the educational environment, implying or actually withholding grades earned or deserved; suggesting a poor performance evaluation will be prepared; or suggesting a scholarship recommendation or college application will be denied as a condition of receiving sexual favors.
- (4) Within the educational environment, engaging in sexual behavior to control influence, or affect the educational opportunities, grades, and/or learning environment of a student.
- (5) Offering favors or education or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

Any expression of sexual interest between adults and students, regardless of reciprocity is considered inappropriate and shall be subject to discipline under applicable state law.

Reporting Procedure

Any student who believes he or she has been sexually harassed by an employee, agent, or student of the District, should promptly report the facts of the incident(s) and the name of the individual involved to an adult staff member with whom they feel comfortable, and that person shall report the incident to the Site Principal, Superintendent, or Designee. If the complaint involves the Site Principal, the staff member will report the incident to the Superintendent. If the complaint involves the Superintendent, the staff member will report the incident to the Board President. If the complaint involves a board member, the staff member will report the incident to the Superintendent. A written report of the alleged incident will be developed by the Site Principal, Superintendent, or Designee. A copy of the report, along with a copy of this policy, shall be mailed to the parent of the student who initiated the complaint.

All staff, upon personal knowledge of an incident of sexual harassment, are obligated to report it to the Site Principal, Superintendent, or Designee. Failure to do so is a violation of this policy. Failure of staff to report student allegations of sexual harassment within three (3) school days is a violation of this policy.

Students who feel aggrieved because of unwelcome conduct that may constitute sexual harassment are not required to inform the person engaging in such conduct that the conduct is unwanted, offensive and must stop, but are encouraged to do so. An aggrieved individual is not required to complain to his or her instructor if that instructor is the individual who is harassing the student. Any individuals making a report may bring an advocate to assist them.

Filing Complaints with State and Federal Agencies

Aggrieved parties may wish to file complaints with other appropriate state and federal agencies, including:

U.S. Office for Civil Rights
50 United Nations Plaza, Room 239, San Francisco, CA 94102 (415) 556-7000

Confidentiality

An allegation of sexual harassment and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigative process. Witnesses and those interviewed shall be informed of the confidential nature of the issues and the investigation, and shall be informed that it will be a violation of this policy to disclose the allegation or the nature of the investigation to others and shall be subject to disciplinary action as defined in this policy.

Retaliation is Prohibited

The initiation of an allegation of sexual harassment, will not cause any reflection on the individual reporting the incident or witnesses nor will it affect such persons' future business dealings with the District, his or her employment, compensation or work assignments, or, in the case of students, grades, class section or other matters pertaining to his or her status as a student of any District programs. It shall be a violation of this policy to engage in such retaliation. An allegation of retaliation shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action.

Time Limits

Allegations of sexual harassment shall be reported as soon as reasonably possible after the conduct in question has taken place.

Investigation Guidelines

All investigations of allegations of sexual harassment shall be handled promptly, in a serious, sensitive and confidential manner. The Superintendent shall determine who shall do the investigation.

- (1) The designated investigator shall, as soon as reasonably possible after the incident has been reported, inform the student, employee, or other person accused of sexual harassment of the allegation, and they will be given an opportunity to respond. The person accused shall not be given a copy of the complaint but shall be informed of the allegations. The name of complaint party shall remain confidential to the extent possible.
- (2) All parties, specifically including complainants, and witnesses, will be promptly and fully informed of their rights pursuant to this policy, including the fact that

complainant and witnesses will not be retaliated against and the confidential nature of the allegation and investigation.

- (3) A written report of the investigation findings shall be filed by the investigator with the Superintendent within twenty (20) school days of the date the student filed the incident report. The Superintendent may extend the timeline depending on the nature of the investigation. A summary of the report shall be mailed to the student who reported the harassment, their parent(s), and the person accused.

Disciplinary Action

When an allegation of sexual harassment is supported by the investigation and disciplinary action is necessary, the Superintendent will determine what course of action is appropriate, depending upon whether the harasser is a student, staff member, or agent of the District.

Employees who violate this policy may be subject to discipline up to and including dismissal. Such disciplinary action shall be in accordance with applicable policies, laws, and/or collective bargaining agreements.

Students who violate this policy may be subject to discipline up to and including expulsion. Such disciplinary action shall be in accordance with board policy and state law.

Agents of the District who violate this policy may be subject to penalties and sanctions as may be available to the District, including termination of business relationships and contracts.

Appeal Procedures

Either the complaining party or the accused may appeal the findings of an investigation to the Governing Board of the District. Appeals shall be made in writing within ten (10) business days from the date of a finding.

Training and Curriculum

To implement this policy, Northern Humboldt Union High School District will provide appropriate training programs for staff and students.

Notification

There will be adequate notification of the policy to include permanent posters in public areas, offices, and hallways. The policy will be published in site handbooks and the District Summer Mailing.

Administrative Regulation

The Superintendent shall adopt, and from time to time may revise, further procedures as may be necessary to implement this policy and provide for a means of enforcing this policy. Such further procedures may include the following: posting and other means of distributing the policy; a process under which complaints will be handled, formally or informally, an explanation of

possible civil proceedings and potential legal consequences of sexual harassment. The Superintendent will initiate training and education programs to enable all persons, and in particular, supervisors, to better understand the problem of sexual harassment. In addition, the Superintendent shall designate appropriate employees to enforce or administer this policy within the District and shall provide for appropriate training for Principals on an annual basis.

Special Assistance

It is expected that questions may arise concerning the interpretation of the prohibition against sexual harassment, the methods and procedures to be following in the investigation of complaints, and the appropriateness of specific solutions in disposition of complaints. For assistance in these matters, individuals may contact the Superintendent.

Legal Reference:

Title VII of the Civil Rights Act – 42 CUS Section 2000-e-2(a)(1)
California Fair Employment & Housing Act – Government Code Section 12940
Title IX of the Education Amendments of 1972 29 USC Section 1681 et. seq.
California Education Code, Section 200 et seq.

NORTHERN HUMBOLDT UNION HIGH SCHOOL DISTRICT

Students

AR 5145.7(a)

SEXUAL HARASSMENT

Purpose

It is the purpose of this Administrative Regulation to implement the District Student Sexual Harassment Policy. The regulation is designed to outline the procedures that are to be followed to maintain the Board of the Northern Humboldt Union High School District's ~~Board of Education's~~ commitment to providing an educational environment free from sexual harassment as defined by board policy.

Reporting Procedure

Any student who believes he or she has been sexually harassed by an employee, agent, or student of the District, should promptly report the facts of the alleged incident(s) and the name of the individual involved to any adult staff member with whom they feel comfortable, and that person shall report the incident to the Site Principal, Superintendent, or Designee. If the Site Principal or a Board member is the alleged harasser, that person shall report the incident to the Superintendent, and if the Superintendent is the alleged harasser, that person shall report the incident to the Board President. The employee who has knowledge of a student allegation of sexual harassment is required to report to the site administrator within three (3) business days.

Students may, at any time during the process, bring an advocate to support them in meeting with the site administrator or other staff. The site administrator or designee will gather the information from the student to complete the Sexual Harassment Incident Report. A copy of the report will be forwarded to the Superintendent and the parent(s), who will also receive a copy of the District policy on Student Sexual Harassment.

Confidentiality

The site administrator will inform the student making the report that the allegation and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. In addition, witnesses and those interviewed shall be informed of the confidential nature of the issue and the investigation as well as the reason for confidentiality. Anyone violating confidentiality by disclosing the nature of the allegation or the investigation to others shall be subject to disciplinary action.

Retaliation

The initiation of an allegation of sexual harassment by a student will not adversely affect grades, class section or other matters pertaining to his or her status in any District program. The site administrator or designee will inform all parties that retaliation is illegal and that an allegation of retaliation, following a report of sexual harassment shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action.

Time Limits

Allegations of sexual harassment shall be reported as soon as reasonably possible after the conduct in question has taken place. Students wishing to report allegations to additional agencies, such as the U.S. Office for Civil Rights, should know that this agency follows a 180 day time limit for reporting alleged incidents of sexual harassment.

Informal Process

Upon receipt of a complaint either verbally or in writing, the complaining party will be advised of their right to explore resolution of the matter by way of an informal mediation process. If the complaining party wishes to use the informal process, the Site Principal or designee in consultation with the Superintendent shall set up a process. If the complaining party or accused is not satisfied with the process or conclusion, the investigation procedure shall be initiated.

If the complaining party does not wish to participate in the informal process, the investigation procedure will be initiated.

Investigation Procedure

All complaints shall be investigated if not resolved by way of the informal process.

All investigations of allegations of sexual harassment shall be handled promptly, in a serious, sensitive, and confidential manner. Although the student who believes he/she has been sexually harassed is not required to confront the person who is engaging in the unwelcome and unsolicited sexual conduct, the investigator should determine if the student has informed the person engaging in the behavior that the behavior is offensive and must stop.

1. The investigator shall, as soon as reasonably possible after the incident has been reported, inform the student, employee, or other person accused of sexual harassment of the allegation, in accordance with Board Policy, and they will be given an opportunity to respond.
2. The investigator shall inform all parties, including the student making the allegation, witnesses, and the accused, of their rights, including the fact that the student making the allegation and witnesses will not be retaliated against and the confidential nature of the allegation and investigation. The person accused shall not receive a copy of the complaint but shall be informed of the allegations. The name of the complaining party shall remain confidential to the extent possible. The accused will be given a copy of Board Policy.
3. The investigator shall, conduct an investigation to determine if the allegation of sexual harassment is supported. The investigation findings shall be filed within twenty (20) school days from the date the student made the allegation with the Superintendent. A summary of the findings shall be mailed to the student who reported the harassment, their parent(s), and the person accused and their parent if the accused is a student.

4. When the site principal, Superintendent or designee, determine that sexual harassment has occurred, and disciplinary action is necessary, they will determine what course action is appropriate. Depending upon whether the harasser is a student, staff member, or agent of the District, appropriate disciplinary action will be taken.
5. Any student report of assault and/or physical battery that is gender based or sexual in nature shall be reported to the police for investigation.

Disciplinary Action

Students who are found to have engaged in sexual harassment may be subject to discipline up to and including expulsion. Such disciplinary action shall be in accordance with Board Policy and state law. Suspension and recommendations for expulsion must follow applicable law.

Staff members who are found to have engaged in sexual harassment of students will be subject to discipline up to and including dismissal. Such disciplinary action shall be determined by site and District Administration in accordance with applicable policies, laws, and/or collective bargaining agreement.

Agents of the District who are found to have engaged in sexual harassment of students will be subject to penalties and sanctions as may be available to the District, including termination of business relationships and contracts.

In identifying appropriate disciplinary action, note that repeated incidents following intervention, intensity of the behavior, and multiple victims will yield more severe penalties. Disciplinary actions may include oral warnings, written warnings, mandatory training, counseling, suspension, transfer, demotion, or termination of employees, and expulsion for students.

Appeal Procedures

The appeal timeline is set forth in Policy. Upon receipt of an appeal, the Board shall schedule a special meeting to hear the appeal.

NORTHERN HUMBOLDT UNION HIGH SCHOOL DISTRICT

Students

E 5145.7 (a)

SEXUAL HARASSMENT

Sexual Harassment Complaint Form

Instructions: Please complete this form and submit it to:

Attention: Site Principal, Superintendent, or Designee

Name _____

Department _____

1. Identify the offending person or persons: _____

2. Give specific examples of offensive conduct. If more space is required, please attach additional pages.

3. What remedy are you seeking? _____

4. Describe any informal efforts (if any) you made to correct the situation described above (item #2).

(Such efforts are not required.) _____

Signature _____

Date _____

To be completed by the Site Principal, Superintendent, or Designee

Date Received: _____

Received by: _____

Date Resolved: _____

Resolved by: _____

Due Date of Investigation _____

Investigator _____