



## **Beaumont Unified School District Nondiscrimination and Sexual Harassment Policy**

In accordance with the California Code of Regulation, Title 5, Sections 4600-4671, the Beaumont Unified School District has established a Uniform Complaint Procedure for specified programs and unlawful discrimination. The Assistant Superintendent of Instructional Support Services is responsible for reviewing and processing such complaints and, upon request, will provide a complete copy of the District's Boar Policy regarding these procedures. Upon receipt of a written complaint, the District will attempt to resolve such complaint within a reasonable time. The complainant has the right to appeal a District4 decision to the State Department of Education and also has the right to seek civil law remedies.

### **Nondiscrimination**

The governing Board is committed to equal opportunity for all individuals in education.

The Beaumont Unified School District does not discriminate against employees, job applicants, students, parents, or community members on the basis of actual or perceived, race, color, national origin, ancestry, religion, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender or sexual orientation. District programs and activities shall be free from unlawful discrimination (BP 1312.1, 4030, 5145.3, 5145.4).

It is the policy of the Beaumont Unified School District not to discriminate on the basis of physical or mental disability in relation to equal employment opportunities. This policy specifically applies to employment and application for employment. Additional information on the Americans' with Disabilities Act (ADA) is available through the Personnel Services Office or the ADA Compliance Officer, the Assistant Superintendent of Personnel Services.

### **Reporting Procedures**

Any student, staff member or parent who feels that discrimination has occurred should immediately contact the teacher, principal of the school, or the Title IX Coordinator, or Maureen Latham, Assistant Superintendent of Instructional Support Services. Copies of the Uniform Complaint Form may be obtained from the Personnel Services Office or the Instructional Support Services Office.

### **Sexual Harassment**

Legislation is now in effect which prohibits sexual harassment of students by staff members or by any other students in activities and programs conducted by California education institutions (*California Education Code Section 212.5*). Sexual harassment of or by any employee shall not be tolerated.

Pursuant to *Education Code Section 212.5*, sexual harassment is defined as follows:

"For the purpose of this chapter, "sexual harassment" means unwelcome sexual advances, requests for sexual favors or 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 a condition of an individual's employment, academic status, progress or promotion.
- B. Submission to, or rejection of, the conduct by the individual is used as the basis for 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 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 throughout the educational institution.

Employees who engage in sexual harassment may be subject to disciplinary action up to, and including, termination.

Students who engage in the sexual harassment of anyone may be subject to disciplinary action up to, and including, expulsion from the school district.

### **Reporting Procedures for Students**

Any student who feels that he or she has been the victim of sexual harassment by students or other individuals at his/her school site as previously defined in this policy, pursuant to the provisions of *Education Code Section 212.5* or according to Administrative Regulation 5145.7 shall immediately file a complaint either verbally or in written form to a teacher, counselor, administrator at the school site or to the Assistant Superintendent of Instructional Support Services at 951-845-1631.

### **Assistance in Reporting**

In the event employees or students desire to obtain assistance, information on the regulations, or reporting of charges of sexual harassment, they may contact the Title IX Coordinator, 951-845-3171, or the Assistant Superintendent of Instructional Support Services at 951-845-1631. The address of the District Office is 500 Grace Avenue, Beaumont, California 92223.

In addition, employees or students may obtain further assistance in reporting sexual harassment or pursuing available remedies outside the District by contacting the State Department of Fair Employment and Housing Communication Center at 800-884-1684 or the Equal Employment Opportunity Commission at 800-669-4000. Social Service personnel can also be contacted at 800-442-4918.

### **Formal Complaint Procedures**

1. *Complaints concerning school personnel made by persons other than faculty, staff or students of the District (BP 1312.1)*: Forms may be requested from the Instructional Support Services or Personnel Services Office at 500 Grace Avenue, Beaumont, California 92223.
2. *Complaints concerning instructional materials (BP/AR 1312.2)*: Complaints in writing may be mailed to or delivered in person to Instructional Support Services at 500 Grace Street, Beaumont, California 92223.
3. *Complaints concerning discrimination or compliance with state and federal laws and regulations regarding educational programs (BP/AR 1312.3)*: Complaints in writing may be mailed to or delivered in person to Instructional Support Services at 500 Grace Avenue, Beaumont, California 92223.
4. *Williams Uniform Complaints (AR 1312.4)*: Forms may be requested from Instructional Support Services at 500 Grace Street, Beaumont, California 92223.
5. *Complaints by school personnel involving another employee, a policy, rule, or regulation of the District (BP/AR 4133, 4244, 4344)*: Forms may be requested from Instructional Support Services or Personnel Services at 500 Grace Avenue, Beaumont, California 92223.