



Huntington Beach Union High School District Board Policies and Administrative Regulations

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All Personnel

Sexual Harassment

The Governing Board desires to provide district employees with a working environment that is free from harassment. In order to achieve this end, the Board prohibits sexual harassment of district employees by anyone, in any manner, and shall not tolerate retaliatory action or behavior against a district employee or other person who complains, testifies or otherwise participates in the complaint process pursuant to Board Policy and Administrative Regulations.

For the purposes of this policy, district employees shall include applicants for employment in the district.

Any district employee who permits, engages in or participates in sexual harassment of another district employee or student shall be in violation of this policy and is subject to disciplinary action, up to and including dismissal. An employee shall be deemed to have permitted sexual harassment where he/she has knowledge that a student or an employee has engaged in sexual harassment and fails to report such student or employee to the appropriate authorities, whether or not the victim makes a complaint.

A supervisor, principal or district administrator other than the Superintendent who receives a harassment complaint shall promptly notify the Superintendent or designee.

Any district employee who feels that he/she has been sexually harassed or who has knowledge of any instance of sexual harassment by another employee or a student, shall immediately contact his/her supervisor, principal, Superintendent or designee, or other district administrator, to obtain procedures for reporting a complaint. However, an employee may bypass his/her supervisor in registering a complaint where the supervisor is the alleged perpetrator of the sexual harassment. Employee complaints of sexual harassment shall be filed in accordance with Administrative Regulation 4031 – Complaints Concerning Discrimination in Employment.

All Personnel

Sexual Harassment (continued)

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation and correction of sexual harassment, including but not limited to:

1. Providing periodic training to all staff regarding the district's sexual harassment policy, particularly the procedures for registering complaints and employees' duty in availing themselves of the complaint procedure in order to avoid harm,
2. Publicizing and disseminating the district's sexual harassment policy to staff,
3. Ensuring prompt, thorough and fair investigation of complaints in a way that respects the privacy of all parties concerned, to the extent necessary,
4. Taking timely and appropriate corrective/remedial actions after completion of investigation. This may require subsequent monitoring of developments.

Legal Reference:

EDUCATION CODE

200-262.4

GOVERNMENT CODE

12900-12996

LABOR CODE

1101; 1102 1

UNITED STATES CODE, TITLE 42

2000d-2000d-7; 2000e-2000e-17

2000h-2000h-6

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9

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