

</Policy/ViewPolicy.aspx?S=36030423&revid=UrcKSV9dzSEPaMVjnoipA==&ptid=amlgTZiB9plushNjl6WXhfOQ==&PG=6) 董事會政策手冊

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>/Policy/ViewPolicy.aspx?S=36030423&revid=w9XZYAZDm1plusjWoYZmvxslshA==&ptid=amlgTZiB9plushNjl6WXhfOQ==&PG=6)

政策5145.7：性騷擾

狀態：已通過

原始通過日期：10/11/2016 | 修訂日期：11/10/2020 | 上次審核日期：2020/11/10

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理事會致力於維護安全的學校環境，不受騷擾和歧視。董事會禁止在學校或在學校贊助的或與學校有關的活動中對任何學生進行性騷擾。董事會還禁止對舉報提出投訴或作證或以其他方式支持投訴人指控性騷擾的任何人採取報復行為或採取行動。

該學區強烈鼓勵那些以校園為由，或在另一學生或成人的學校贊助或與學校相關的活動中受到性騷擾的學生，或經歷了持續性的校園外性騷擾的學生。在校園內發生影響，請立即聯繫他們的老師，校長，學區IX職稱協調員或任何其他可用的學校僱員。任何收到舉報或發現性騷擾事件的員工，均應通知IX頭銜協調員。

接到通知後，標題IX協調員應確保通過標題IX投訴程序或統一投訴程序（如適用）解決投訴，並應向投訴人提供支持措施。

管理者或指定人應通過家長/監護人通知散佈該地區的性騷擾政策，將其告知學生和家長/監護人，並將其發佈在學區的網站上，並將其包括在學生和教職員工手冊中。所有地區工作人員均應接受有關政策方面的培訓。

指導/信息

院長或指定人員應確保所有學區學生都收到與年齡相關的性騷擾信息。此類說明和信息應包括：

1. 哪些行為和行為構成了性騷擾，包括以下事實：性騷擾可能發生在同性之間，並且可能涉及性暴力
2. 明確的信息是，學生在任何情況下都不必忍受性騷擾
3. 即使被指控的騷擾受害者沒有提出申訴，也應鼓勵舉報觀察到的性騷擾事件
4. 一個明確的信息是，學生安全是學區的首要問題，任何涉及涉嫌受害者或任何其他舉報性騷擾事件的人的單獨違反法規的行為都將得到單獨解決，並且不會影響收到性騷擾投訴的方式，調查或解決
5. 一個明確的信息是，無論投訴人是否違反書面規定，時間表或其他正式備案要求，每一項涉及學生的性騷擾指控，無論是作為投訴人，被投訴人還是騷擾的受害者，均應進行調查並採取行動。應對騷擾，防止再次發生並解決對學生的任何持續影響
6. 有關學區調查投訴程序的信息以及應向其舉報性騷擾的人員的信息
7. 有關學生和家長/監護人提起民事或刑事申訴的權利的信息（包括適用時的信息），包括在繼續進行性騷擾申訴的地區調查時提起民事或刑事申訴的權利
8. A clear message that, when needed, the district will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

紀律處分

在對性騷擾投訴的調查完成後，任何發現違反本政策的行為涉及性騷擾或性暴力的學生將受到紀律處分。對於4至12年級的學生，紀律處分可能包括停職和/或開除，但在施加這種紀律的前提下，應考慮事件的全部情況。

在對性騷擾投訴進行調查後，任何發現對任何學生進行過性騷擾或性暴力的僱員均應受到依法和適用的集體談判協議的紀律處分，包括並處以解僱。

保持記錄中

根據法律規定，學區總監或指定人員應保留所有舉報的性騷擾案件的記錄，以使學區能夠監控，解決並防止在學區中發生重複性騷擾行為。

政策參考免責聲明：這些參考資料並非旨在構成本政策的一部分，也無意指出董事會制定本政策的依據或權限。相反，它們是為對政策主題感興趣的人們提供的額外資源。

狀態	描述
5 CCR 4600-4670	統一投訴程序 ()
5 CCR 4900-4965	小學和中學教育計劃中的非歧視 ()
文明代碼1714.1	父母或監護人對未成年入故意不當行為的責任 (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1714.1.&lawCode=CIV)
文明代碼51.9	性騷擾的責任；業務，服務和專業關係 (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=51.9.&lawCode=CIV)
埃德代碼200-262.4	Educational equity; prohibition of discrimination on the basis of sex (http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?division=1.&chapter=2.&part=1.&lawCode=EDC&title=1.&article=1.)
Ed. Code 48900	Grounds for suspension and expulsion ()
Ed. Code 48900.2	Additional grounds for suspension or expulsion; sexual harassment ()
Ed. Code 48904	Liability of parent/guardian for willful student misconduct ()
Ed. Code 48980	Notice at beginning of term ()
Gov. Code 12950.1	Sexual harassment training ()
Federal	Description
20 USC 1221	Application of laws ()
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974 ()
20 USC 1681-1688	Title IX, discrimination ()
34 CFR 106.1-106.71	Nondiscrimination on the basis of sex in education programs ()
34 CFR 99.1-99.67	Family Educational Rights and Privacy ()
42 USC 1983	Civil action for deprivation of rights ()
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964 ()
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended ()
Management Resources	Description
Court Decision	Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736 ()
Court Decision	Davis v. Monroe County Board of Education, (1999) 526 U.S. 629 ()

Management Resources	Description
Court Decision	Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274 ()
Court Decision	Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473 ()
Court Decision	Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447 ()
Court Decision	Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130 ()
Court Decision	Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567 ()
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011 ()
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014 ()
U.S. DOE, Office For Civil Rights Publication	Dear Colleague Letter: Title IX Coordinators, April 2015 ()
U.S. DOE, Office for Civil Rights Publication	Q&A on Campus Sexual Misconduct, September 2017 ()
U.S. DOE, Office for Civil Rights Publication	Sexual Harassment: It's Not Academic, September 2008 ()
U.S. DOE, Office for Civil Rights Publication	Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001 ()
U.S. DOE, Office for Civil Rights Publication	Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016 ()
Website	U.S. Department of Education, Office for Civil Rights (http://www.ed.gov/about/offices/list/ocr/index.html)
Website	CSBA (http://www.csba.org)
Website	California Department of Education (http://www.cde.ca.gov)

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities (/Policy/ViewPolicy.aspx?S=36030423&rev=5yutNvchHOGFgnGj3pXmwg==)
0450	Comprehensive Safety Plan (/Policy/ViewPolicy.aspx?S=36030423&rev=38M3pluylKZo8XYle7P3GPOQ==)
0450	Comprehensive Safety Plan (/Policy/ViewPolicy.aspx?S=36030423&rev=Sj5z5qyvrNBvtYKU40ciqw==)
1312.1	Complaints Concerning District Employees (/Policy/ViewPolicy.aspx?S=36030423&rev=lepDQ05dd516NZVGEWQg==)
1312.1	Complaints Concerning District Employees (/Policy/ViewPolicy.aspx?S=36030423&rev=W7HWiXTrvAG32Ysr7cvQZA==)
1312.1-E(1)	Complaints Concerning District Employees (/Policy/ViewPolicy.aspx?S=36030423&rev=2807NjiEW9ZaOjeCr4X1TA==)
1312.3	Uniform Complaint Procedures (/Policy/ViewPolicy.aspx?S=36030423&rev=DXSOYKuplusSjV4vOBjJmXGxw==)
1312.3	Uniform Complaint Procedures (/Policy/ViewPolicy.aspx?S=36030423&rev=XG9QQ3LjO3CXZ1L6m8BF3==)
1312.3-E(1)	Uniform Complaint Procedures (/Policy/ViewPolicy.aspx?S=36030423&rev=AwO0tQbELgudlOzCrfF9A==)
1312.3-E(2)	Uniform Complaint Procedures (/Policy/ViewPolicy.aspx?S=36030423&rev=E3FpJ2NKw0ZHX8aOQmtg==)
3515.4	Recovery For Property Loss Or Damage (/Policy/ViewPolicy.aspx?S=36030423&rev=mjlbplusslshplusY8Cgslshq80iwDpluqg==)
3515.4	Recovery For Property Loss Or Damage (/Policy/ViewPolicy.aspx?S=36030423&rev=z1bBsTOc6WxZUDJuMTAwg==)
3530	Risk Management/Insurance (/Policy/ViewPolicy.aspx?S=36030423&rev=pluslHPwh8cRrjkslplusToplusplu7Q==)
4117.7	Employment Status Reports (/Policy/ViewPolicy.aspx?S=36030423&rev=GzU1393QPGf2Y1sq53AoQw==)
4119.11	Sexual Harassment (/Policy/ViewPolicy.aspx?S=36030423&rev=wV6dANMjndeJrKNppAMUIA==)
4119.11	Sexual Harassment (/Policy/ViewPolicy.aspx?S=36030423&rev=hs1eDplusl0Dmfu1YPvkW82ow==)
4219.11	Sexual Harassment (/Policy/ViewPolicy.aspx?S=36030423&rev=Q524UUmclA4hqHBJlnNtw==)
4219.11	Sexual Harassment (/Policy/ViewPolicy.aspx?S=36030423&rev=HvWGNv9Y18AeGUKsSlshSiqPO==)
4219.21	Professional Standards (/Policy/ViewPolicy.aspx?S=36030423&rev=BFcoZKpCh3onlRmshlL3eD9g==)
4219.21-E(1)	Professional Standards - Code Of Ethics (/Policy/ViewPolicy.aspx?S=36030423&rev=SfDFoh59Jslsh7o2Y48SjH3XA==)
4231	Staff Development (/Policy/ViewPolicy.aspx?S=36030423&rev=aGzFmKsYIF6tQBxOq1bFrQ==)
4319.11	Sexual Harassment (/Policy/ViewPolicy.aspx?S=36030423&rev=tGoNM4keExcQg55XxOu7g==)
4319.11	Sexual Harassment (/Policy/ViewPolicy.aspx?S=36030423&rev=A9FXlmlqE13A099g2gFZQw==)
4319.21	Professional Standards (/Policy/ViewPolicy.aspx?S=36030423&rev=ANoudUYklakG8cJfkslshYfA==)
4319.21-E(1)	Professional Standards (/Policy/ViewPolicy.aspx?S=36030423&rev=haGH2Tf3kwfMEiaRmshlshg1EQ==)
5125	Student Records (/Policy/ViewPolicy.aspx?S=36030423&rev=plusAc3wfJrXvm28jpluQj2itw==)
5125	Student Records (/Policy/ViewPolicy.aspx?S=36030423&rev=5e8CcOBplus2r225juzLZmw==)
5131	Conduct (/Policy/ViewPolicy.aspx?S=36030423&rev=9DepluscKplust76YVM3MwuQFZoRO==)
5131.2	Bullying (/Policy/ViewPolicy.aspx?S=36030423&rev=8eS1sQTDsknQLWdxK7dXw==)
5131.2	Bullying (/Policy/ViewPolicy.aspx?S=36030423&rev=3QKhk1vHOslshAAKLefa7CjRw==)
5131.5	Vandalism And Graffiti (/Policy/ViewPolicy.aspx?S=36030423&rev=eslshL00slshsX7hOplusb4R5adhhCA==)
5132	Dress And Grooming (/Policy/ViewPolicy.aspx?S=36030423&rev=JeyGeplusHD5H8tAJurhslshplus0Sg==)
5132	Dress And Grooming (/Policy/ViewPolicy.aspx?S=36030423&rev=5XUplusad9plusUBCIEFTeZozCXA==)
5137	Positive School Climate (/Policy/ViewPolicy.aspx?S=36030423&rev=4g4TSvSTH8Ts6GhEslshzkuO==)
5138	Conflict Resolution/Peer Mediation (/Policy/ViewPolicy.aspx?S=36030423&rev=C2TABhxOtDiwnMgEQ37bIA==)
5141.4	Child Abuse Prevention And Reporting (/Policy/ViewPolicy.aspx?S=36030423&rev=UA56c0feiVCEOMMuR2oCBw==)
5141.4	Child Abuse Prevention And Reporting (/Policy/ViewPolicy.aspx?S=36030423&rev=d4slB5lulwtU3BUOhVfCw==)
5141.52	Suicide Prevention (/Policy/ViewPolicy.aspx?S=36030423&rev=uWteOeICOB0bOguUluplusygg==)
5141.52	Suicide Prevention (/Policy/ViewPolicy.aspx?S=36030423&rev=Xlx3AMzyu1LjzrpkpIV8Q==)
5144	Discipline (/Policy/ViewPolicy.aspx?S=36030423&rev=8Yc435RYkTOloSx4fpluPxA==)
5144	Discipline (/Policy/ViewPolicy.aspx?S=36030423&rev=nOyZwxSQmQfslshYHvqYEZOPw==)

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5144.1	Suspension And Expulsion/Due Process (/Policy/ViewPolicy.aspx?S=36030423&revid=Uu9dkxB7IN59E6JkF5IB2Q==)
5144.1	Suspension And Expulsion/Due Process (/Policy/ViewPolicy.aspx?S=36030423&revid=FamGI9IFANWcccRFntkOYw==)
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities) (/Policy/ViewPolicy.aspx?S=36030423&revid=Uec9n10LiXKFTboxlNirw==)
5145.2	Freedom Of Speech/Expression (/Policy/ViewPolicy.aspx?S=36030423&revid=Z9VqrDh0cti2ao52kcF0Kg==)
5145.2	Freedom Of Speech/Expression (/Policy/ViewPolicy.aspx?S=36030423&revid=Nrv38R502zSWgtDx45mYyO==)
5145.3	Nondiscrimination/Harassment (/Policy/ViewPolicy.aspx?S=36030423&revid=GdPNNskIW37kNRwl84jSg==)
5145.3	Nondiscrimination/Harassment (/Policy/ViewPolicy.aspx?S=36030423&revid=rYL56Y4BABypusslshplusRolTislshhA==)
5145.6	Parental Notifications (/Policy/ViewPolicy.aspx?S=36030423&revid=LHRvuErnUnXneslsh0DP6g5rw==)
5145.6-E(1)	Parental Notifications (/Policy/ViewPolicy.aspx?S=36030423&revid=UrcKSV9dzSEePaMVjnojA==)
6142.8	Comprehensive Health Education (/Policy/ViewPolicy.aspx?S=36030423&revid=rjWyjtaJgl25DKIbApzOw==)
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6145	Extracurricular And Cocurricular Activities (/Policy/ViewPolicy.aspx?S=36030423&revid=HslsjkFslsh6plusCU8gxFZTT8Qslshplusg==)
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6145.2	Athletic Competition (/Policy/ViewPolicy.aspx?S=36030423&revid=aX8Q6O56VEmr1C0nCd7WZA==)
6145.2	Athletic Competition (/Policy/ViewPolicy.aspx?S=36030423&revid=XI37WKytOinfvY1BU67QQ==)
6163.4	Student Use Of Technology (/Policy/ViewPolicy.aspx?S=36030423&revid=946n1vx6t4TXhYAb67la3A==)
6163.4	Student Use Of Technology (/Policy/ViewPolicy.aspx?S=36030423&revid=slshDRY35PUA63D1Q76DEhIQ==)

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