

Students

SEXUAL HARASSMENT

SR 5202.01

Purpose:To provide a method for students to report instances of sexual harassment.

Timeline:A complaint shall be filed as soon as reasonably possible after the conduct in question has arisen.

The investigation and written report shall be completed within thirty (30) calendar days.

The County 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 this policy; a process under which complaints of sexual harassment will be handled; and an explanation of possible civil proceedings and potential legal consequences of sexual harassment. The County Superintendent may initiate training and education programs to enable all persons, and in particular, supervisors to better understand the problem of sexual harassment.

In addition, the County Superintendent shall designate appropriate employees to enforce or administer this policy within the County Office.

PROCEDURE:

Complaint Procedures

A. Information Resolution

Students or other individuals who feel aggrieved because of conduct that may constitute sexual harassment are encouraged, but not required, directly to inform the person engaging in such conduct that such conduct is offensive and must stop. An aggrieved individual is not required to complain first to his/her supervisor (in the case of an employee) or to his/her instructor (in the case of a student), if that supervisor, or instructor, is the individual who is harassing the employee or student.

B. Formal Complaints

1. Complaints Brought by Employees and Other Individuals

If an aggrieved student or other individual has tried but is unable to communicate directly with the person whose conduct is offensive or if direct communication has been unavailing, the aggrieved student or other individual may file a complaint with the County Superintendent and/or designee.

2. Responsibilities of Supervising and Managing Employees

Employees, serving in certificated, supervisory or managerial positions,

who receive complaints or observe harassing conduct should inform the County Superintendent and/or designee immediately.

C. Administrative Review and Procedures

A. Complaints - General Provisions

1. Filing

Complaints should be in writing and shall be filed with the County Superintendent or his designee. All complaints received, whether verbal or in writing, shall be processed in accordance with this policy and procedure.

2. Contents of Complaint

The complaint shall: identify the offending person or persons; include reference to specific examples of offensive conduct, identify the remedy sought; and describe the informal efforts made to correct the situation.

3. Review and Disclosure of Complaint

The County Superintendent or designee shall review the complaint and, as soon as reasonably possible after receipt of the complaint, the employee or other person who is accused of sexual harassment should be informed of the contents of the communication.

4. Time Limits

A complaint shall be filed as soon as reasonable possible after the conduct in question has arisen.

5. Investigation

As soon as the County Superintendent and/or designee learns of a complaint, s/he shall investigate the complaint thoroughly, promptly and in a confidential manner. The investigation and written report shall be completed within thirty (30) calendar days.

B. Complaints Against Students

Upon completion of the investigation of a complaint filed against a student, the County Superintendent and/or designee shall determine whether the harassment has occurred and whether any corrective action is appropriate. Corrective action may include counseling, warning, or

the initiation of disciplinary procedures against the student.

C. Complaints Against Employees

Upon completion of the investigation of a complaint filed against an employee, the County Superintendent and/or designee shall determine whether harassment has occurred and whether any corrective action is appropriate. Correction action may include counseling, warning, or the initiation of disciplinary procedures against the employee.

D. Complaints Atainst Other Individuals

Upon completion of the investigation of a complaint filed against an individual who is neither a student nor an employee, the County Superintendent and/or designee shall determine whether harassment has occurred and whether any corrective action is appropriate. Corrective action may include counseling, warning, or such penalties or sanctions against other individuals or parties as may be available to the County Office given the nature of the contractual or business relationship that may exist with such parties or individuals. Such individuals include visitors to the County Office and those who have business relations with the County Office.

E. Appeal Procedures

All decisions made under this procedure, may be appealed by the aggrieved person to the County Superintendent.

D. MENDOCINO COUNTY OFFICE OF EDUCATION

E. _____

Date Adopted: 06/01/2004

Date Revised: