

BEVERLY HILLS UNIFIED SCHOOL DISTRICT

SEXUAL HARASSMENT POLICY-STUDENTS

Purpose

The Beverly Hills Unified School District is committed to an educational environment in which all students are treated with respect and dignity. Each student has the right to learn in an environment that promotes equal educational opportunity and is free from discriminatory practices.

Sexual harassment is a violation of Title IX of the Education Act Amendments 1972, Title VII of the Civil Rights Act of 1964, and California Education Code Sections 210 through 214, inclusive.

The District strongly condemns, opposes and prohibits sexual harassment of students whether verbal, written or physical by anyone in or from the District. Therefore, the Board shall not tolerate the sexual harassment of any student by any other student or any District employee. Any student who is found guilty of sexual harassment shall be subject to disciplinary action.

Teaching the value and importance of mutual respect and understanding of both sexes shall be a part of the K-12 instructional program. Such instruction shall be made a part of the curriculum design in age appropriate ways.

The Board encourages students or staff to immediately report incidences of sexual harassment to the principal or designee. The principal or designee shall conduct an appropriate investigation of each complaint of sexual harassment. In no case shall the student be required to resolve the complaint directly with the offending person.

Administrative Regulations

Pursuant to law, unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature constitute sexual harassment when: (Education Code 212.5)

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status or progress.
2. Submission to or rejection of the conduct by any individual is used as the basis for academic or employment decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact on the individual's academic or work performance, or of creating an intimidating, hostile or offensive educational or work environment.
4. 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 school.

Other examples of conduct which are prohibited in the District and which may constitute sexual harassment include:

1. Unwelcome sexual advances or propositions.
2. Verbal or written abuse of a sexual nature including unwelcome graphic comments about an individual's body or using sexually degrading words to describe an individual.
3. Physical harassment such as unnecessary, unwelcome or offensive conduct: touching, or impeding or blocking movement.
4. Display of sexually suggestive objects or pictures for the purpose of sexual harassment
5. Any act of retaliation against an individual who reports a violation of the District's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

Notification

A copy of the District's sexual harassment policy shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year. (Education Code 48980)
2. Be displayed in a prominent location near each school principal's office. (Education Code 212.6)
3. Be provided as part of any orientation program conducted for all students at the beginning of each quarter, semester or summer session. (Education Code 212.6)

Appear in any school or District publication that sets forth the school or District's comprehensive rules, regulations, procedures and standards of conduct. (Education Code 212.6)

Each principal and supervisor has the responsibility of maintaining an educational environment free of sexual harassment and of enforcing the District's sexual harassment policy. This responsibility includes discussing the District's sexual harassment policy with his/her students and employees and assuring students that they are not required to endure sexually insulting, degrading or exploitative treatment or any other form of sexual harassment.

To promote an environment for students which is free of sexual harassment, the principal or designee shall:

1. Review with staff on a regular basis (at least annually) the Board policy and regulations regarding sexual harassment of students.
2. Provide additional staff in-service, as needed, on issues related to sexual harassment of students.
3. Take prompt action to expedite the investigation of each complaint of sexual harassment in a way that ensures the privacy of all parties concerned. In no case shall the student be requested to resolve the complaint directly with the offending person.
4. Take appropriate disciplinary action as needed including, if appropriate, a suspension or recommendation for expulsion pursuant to Education Code 48900.2
5. Ensure that in age appropriate ways, students are instructed in what constitutes sexual harassment, that they need not endure any form of sexual harassment, and that there are specific procedures for dealing with such behavior.
6. Take prompt action to remove any vulgar or offending graffiti at the site.

Any employees who have knowledge of conduct by another employee, volunteer or individual in the school community which may constitute sexual harassment of students are requested to immediately report such conduct to any of the individuals specified in this policy. In addition, any employee who is aware of conduct in violation of this policy shall immediately report such conduct to a designated administrator.

The Assistant Superintendent/Educational Services shall be immediately informed of all complaints concerning sexual harassment of students and shall assist in the timely investigation and resolution of such complaints.