

Personnel – Certificated/Classified

SEXUAL HARASSMENT

It is the policy of the Governing Board of the Cotati-Rohnert Park Unified School District to provide an educational, employment and business environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by state and federal statutes.

All staff members are required to report instances of sexual harassment to the appropriate site or district administrator.

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.

It is not only unlawful but it shall be a violation of this policy for anyone who is authorized to recommend or take personnel or educational actions affecting an employee or student, or who is otherwise authorized to transact business or perform other acts or services on behalf of the District to engage in sexual harassment as defined below.

Educational Environment

Within the educational environment, sexual harassment is unlawful and is prohibited between students, and between employees and students.

Work Environment

Within the work environment, sexual harassment is unlawful and is prohibited between supervisors and employees, between employees, and between non-employees and employees.

Definition of Sexual Harassment

General Definitions

Sexual harassment occurs when unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature made against another person of the same or opposite gender is:

1. made either explicitly or implicitly a term or condition of an individual's educational status or employment;
2. used as a basis for educational or employment decisions affecting such individual;
or
3. has the purpose or effect of unreasonably interfering with an individual's educational or work performance or creating an intimidating, hostile or offensive educational or working environment.
4. is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.
5. the deliberate or careless creation of an atmosphere of sexual harassment or intimidation, or a hostile or offensive working environment.
6. any other conduct which, at the time of the conduct, constitutes sexual harassment under any state or federal law or implementing regulation.

Allegations of sexual harassment shall be thoroughly investigated in accordance with the District's sexual harassment complaint procedures.

Legal Reference: Title VII of the Civil Rights Act – 42 USC Section 2000-e-2(a)(1)
California Fair Employment & Housing Act – Government Code Section 12940
Title XIV of the Education Amendments of 1972 20 USC Section 1681 et. seq.
California Education Code Section 212.5

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COTATI-ROHNERT PARK
UNIFIED SCHOOL DISTRICT