

LODI UNIFIED SCHOOL DISTRICT

Policy 4119.11

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Personnel

Sexual Harassment

The Governing Board prohibits sexual harassment of district employees and job applicants. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and administrative regulation.

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 training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to staff
3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions.

Any district employee or job applicant who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to his/her supervisor, the principal, district administrator or the Assistant Superintendent, Personnel.

A supervisor, principal or other district administrator who receives a harassment complaint shall notify the Assistant Superintendent, Personnel.

Complaints of sexual harassment shall be filed in accordance with Board Rule 4030 – Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Any district employee who engages or participates in sexual harassment, or who aids, abets, incites, compels or coerces another to commit sexual harassment against a district employee, job applicant, or student is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

Legal References: Education Code
200-262.4 Prohibition of discrimination on the basis of sex, ~~especially:~~
Government Code
12900-12996 Fair Employment and Housing Act, especially:
12940 Prohibited discrimination
12950.1 Sexual harassment training
Labor Code
1101 Political activities of employees
1102.1 Discrimination: sexual orientation
Code of Regulations, Title 2
7287.8 Retaliation
7288.0 Sexual harassment training and education
Code of Regulations, Title 5
4900-4965 Nondiscrimination in elementary and secondary education
programs receiving state financial assistance
United States Code, Title 42
2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX, 1972 Education Act Amendments
Code of Federal Regulations, Title 34
106.9 Dissemination of policy

Policy
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revised: 04/19/16