



Huntington Beach Union High School District Board Policies and Administrative Regulations

BP 4119.11
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All Personnel

Sexual Harassment

The following policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

- I. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to employees and others to whom the policy may apply
3. Ensuring prompt, thorough, fair, and equitable 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

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment

Sexual Harassment Reports and Complaints

District employees who feel that they have been sexually harassed in the performance of their district responsibilities or who have knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to their direct supervisor, a district administrator, or the district's Human Resources Department. Employees may bypass their supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor or administrator who receives a harassment complaint shall promptly notify the Human Resources Department.

The Human Resources Department shall offer supportive measures to the complainant and respondent as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee found to have engaged or participated in sexual harassment or to have aided, abetted, incited, compelled, or coerced another to commit sexual harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Legal Reference:

FEDERAL REGULATIONS

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| 20 USC 1681-1688 | Title IX prohibition against discrimination |
| 34 CFR 106.1-106.9 | Nondiscrimination on the basis of sex in education programs or activities |
| 34 CFR 106.51-106.61 | Nondiscrimination on the basis of sex in employment in education program or activities |
| 42 USC 2000e-2000e-17 | Title VII, Civil Rights Act of 1964, as amended |

CALIFORNIA CODE OF REGULATIONS

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| 2 CCR 11006-11086 | Discrimination in employment |
| 2 CCR 11021 | Discrimination in employment - retaliation |
| 2 CCR 11023 | Harassment and discrimination prevention and collection |
| 2 CCR 11024 | Required training and education on harassment based on sex, gender identity and expression, and sexual orientation |
| 2 CCR 11034 | Terms, conditions, and privileges of employment |
| 5 CCR 4900-4965 | Nondiscrimination in elementary and secondary education programs |

EDUCATION CODE

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| Ed. Code 200-262.4 | Educational equity; prohibition of discrimination on the basis of sex |
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Sexual Harassment

GOVERNMENT CODE

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| Gov. Code 12900-12996 | Fair Employment and Housing Act |
| Gov. Code 12940 | Unlawful discriminatory employment practices |
| Gov. Code 12950 | Sexual harassment |
| Gov. Code 12950.1 | Sexual harassment training |

LABOR CODE

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| Lab. Code 1 I01 | Political activities of employees |
| Lab. Code 1102.1 | Discrimination: sexual orientation |

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| Policy Adopted: | 5/11/93 |
| Policy Revised: | 12/14/99 |
| | 6/27/17 |
| | 5/11/21 |