

Pleasanton Unified School District
4665 Bernal Avenue
Pleasanton, CA. 94566-7498

NOTICE TO STUDENTS SEXUAL HARASSMENT

Pleasanton Unified School District reaffirms its intent to maintain an academic and work environment which protects the dignity and promotes the mutual respect of all employees and pupils. Sexual harassment of employees or pupils will not be condoned. The Board of Trustees considers sexual harassment to be a major offense which may result in disciplinary action, up to and including dismissal of an offending employee and expulsion of an offending pupil (grades 4-12). Complaints or other issues of sexual harassment by pupils should be directed to a teacher, counselor or school administrator. No individual will suffer reprisals for reporting any incidents of sexual harassment or making any complaints. Any matter involving sexual harassment shall be treated confidentially by all members of the school community.

Forms of Sexual Harassment

1. **Verbal harassment** - Derogatory comments, jokes, or slurs; graphic verbal commentaries about an individual's body/dress; sexually degrading words used to describe an individual;
2. **Physical harassment** - Unnecessary or offensive touching; or impeding or blocking movement;
3. **Visual harassment** - Derogatory or offensive posters, cards, cartoons, graffiti, drawings, or gestures; suggestive or obscene letters, notes or invitations;
4. **Sexual favors** - Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature upon which is conditioned an academic or employment benefit, or which unreasonably interferes with an individual's classroom or work performance or creates an offensive classroom or work environment;
5. **Reprisals** - Making threatening reprisals after a negative response to sexual advances.

Complaint Procedures

Any student who believes s/he is being sexually harassed should immediately notify his/her teacher, counselor or school administrator. Supervisors and principals are required to immediately report complaints of sexual harassment to the Coordinator of Pupil Services. Once a complaint of sexual harassment has been received, an investigator will be appointed by the Coordinator and a complete and thorough investigation will be conducted immediately.

The investigator shall inform the complainant and witnesses of their rights pursuant to the District policy,

including the fact that the complainant and witnesses will not be retaliated against due to their participation in the filing of a complaint. The alleged harasser also will have this policy and his/her rights explained, at the earliest appropriate time, and shall be immediately informed that any retaliation against the complainant and/or witnesses is strictly prohibited, regardless of the accuracy of the complaint and/or statements. All investigations of complaints shall be handled promptly in a serious and sensitive manner, and in as confidential manner as possible.

Upon commencement of an investigation, the investigator may follow these procedures:

1. Conduct interviews with: (1) the complainant; (2) the alleged harasser; and (3) any other persons who reasonably may have relevant knowledge concerning the complaint, such as witnesses and victims of similar conduct.
2. Obtain and review any appropriate documentation.
3. Review all factual information gathered through the investigation.
4. Complete a written report on the results of the investigation if sexual harassment occurred. Reports of all substantiated complaints and findings shall be maintained at the District office in a confidential file.
5. Provide a summary of the investigator's report, to the extent legally permissible, to the complainant and the perpetrator.

If the alleged harasser is found to have engaged in sexual harassment, appropriate disciplinary action, as determined by the school shall be taken. Pupils against whom disciplinary action is to be taken shall be entitled to due process provided by law and Board policy.

Appropriate action shall be taken whenever possible to alleviate the effects of the harassment.

Appeal Process

If either the complainant or the alleged harasser is not satisfied with the findings contained in the investigator's report, s/he may appeal. Each appeal should be in the form of a letter. For purposes of this regulation, work day is defined as the days in when the district office is open for business to the public.

- A. First Appeal - Within ten work days following the receipt of the investigator's report, the appeal is made with the appropriate District official: Assistant Superintendent, Human Resources for cases involving any adults and/or Coordinator of Pupil Services for cases involving students only. Upon a review of the case, the District official will respond in writing within ten work days.
- B. Second Appeal - Within ten work days following the receipt of the District's written

response, the appeal is made to the Superintendent if the complaining party is unsatisfied.

- C. Final Appeal - Within thirty work days following receipt of the Superintendent's written response, the matter may be heard in a closed session of the Board of Trustees. The Board's decision shall be the final decision of the District. Either party may be represented by a conferee or legal counsel when appearing before the Board.