

Sexual Harassment Is Forbidden

1. Sexual Harassment Is Illegal

Sexual harassment is illegal in California schools. (Ed. Code, § §200, 212.6, and 48900.2; Title IX). Sexual harassment also violates the Coronado Unified School District Board policy. Any form of sexual harassment, whether by a student to another student, by staff to a student, or student to staff, is unlawful at CUSD schools.

2. Definition of Sexual Harassment

Although there are different definitions of sexual harassment, in schools the definition includes verbal, visual or physical conduct of a sexual nature which may have a negative impact upon the victim's academic or work performance or creates an intimidating, hostile, or offensive educational/work environment. Sexual harassment may include, but is not limited to:

1. Unwelcome written, verbal, physical, and/or visual contact with sexual overtones such as slurs, jokes, touching, blocking movement, sexual cartoons or drawings, and obscene language.
2. Continuing to express sexual interest after being informed that the interest is unwelcome.
3. Sexting (sending sexually explicit photos or text), or postings electronic messages with sexual overtones on social media or email.

3. Sexual Harassment by a Student: Action Steps for Victims and Witnesses

If a student or staff member is sexually harassed by a student, the victim may tell the student who engaged in harassment to stop, if the victim feels comfortable doing so. But the victim may also report the misconduct to staff without speaking to the harassing student. In addition, any student or school staff member who has been sexually harassed by a student, and any student or staff member who has witnessed a student engaging in sexual harassment, must report the incident immediately to any school staff member. All sexual harassment reports shall immediately be referred to a school administrator.

4. Punishment for Students Who Engage in Sexual Harassment

A student who engages in sexual harassment may be punished. The punishment will depend upon the severity of the harassment and whether the student has previously engaged in serious misbehavior. Punishment may include counseling, conferencing with the student and parent/guardian, a written apology, a referral to student court, restorative justice (Note: does not include mediation, meetings, or other contact with the victim) detention or in-school suspension, suspension, expulsion, and a police report.

5. Sexual Harassment by an Adult: Action Steps for Victims and Witnesses

Any student or staff member who has been sexually harassed by any adult and any student or staff member who has witnessed an adult engaging in sexual harassment must report the incident immediately to a responsible adult (vice principal or principal).

6. Punishment for Adults Who Engage in Sexual Harassment

Discipline for a staff member who has engaged in sexual harassment can include personnel action including a verbal and written reprimand, a referral to counseling, reassignment, termination of employment, or other disciplinary action, a suspension or revocation of professional credentials, and a police report. In addition, an adult who engages in sexual harassment can face civil and criminal consequences.

7. Support for Victims of Sexual Harassment

It is a punishable violation of law to retaliate against a student or staff member who reports that they have been sexually harassed or reports witnessing harassment. Reasonable efforts will be made to maintain the confidentiality of anyone who reports sexual harassment. Students who have been sexually harassed can get support from the school counselor and/or a school mental health provider. Staff members who have been sexually harassed can get support through CUSD's Employee Assistance Program.

Individuals who have been sexually harassed have a right to file a formal complaint with CUSD. Complaints can be filed with the school Principal or with the District's Title IX Coordinator in Student Services: 619-522-8900, ex. 1032.

8. Resources

Equal Rights Advocates: www.equalrights.org

National Women's Law Center: www.nwlc.org

Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr/sexharassresources.html>

Title IX: www.titleIX.info

Cyber-safety: onguardonline.gov