

**North Orange County Regional Occupational Program**  
**SEXUAL HARASSMENT**  
**ROP AR 5145.7**

**AR 5145.7 (a)**

## **Administrative Regulation**

### **Students**

The North Orange County Regional Occupational Program (NOCROP) designates the following individual as the responsible employee to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 and California Education Code 234.1, in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The Title IX Coordinator/ compliance officer may be contacted at:

Assistant Superintendent, Educational Services or designee  
385 N. Muller Street  
Anaheim, CA 92801  
(714) 502-5877  
[dlynch@nocrop.us](mailto:dlynch@nocrop.us)

The ROP shall notify students, parents/guardians, employees, and applicants for employment of the name or title, office address, email address, and telephone number of the ROP's Title IX Coordinator. (34 CFR 106.8)

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, under any of the following conditions:

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any ROP program or activity.

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For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a ROP site exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)

1. A ROP employee conditioning the provision of ROP aid, benefit, or service on the student's participation in unwelcome sexual conduct,
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to NOCROP's education program or activity,
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291.

Examples of types of conduct which are prohibited in NOCROP's programs and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions;
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions;
3. Graphic verbal comments about an individual's body or overly personal conversation;
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature;
5. Spreading sexual rumors;
6. Massaging, grabbing, fondling, stroking, or brushing the body;
7. Touching an individual's body or clothes in a sexual way;
8. Impeding or blocking movements or any physical interference with ROP activities when directed at an individual on the basis of sex;
9. Displaying sexually suggestive objects;
10. Sexual assault, sexual battery, or sexual coercion;

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11. Electronic communications containing comments, words, or images described above; and/or,
12. Teasing or sexual remarks about students enrolled in a predominantly single-sex class.

Any prohibited conduct that occurs outside of ROP-related or ROP-sponsored programs or activities will be regarded as sexual harassment in violation of NOCROP's policy if it has a continuing effect on or creates a hostile learning environment for the complainant or victim of the conduct.

### **Reporting Process and Complaint Investigation and Resolution**

Any student who believes that they have been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to their instructor, the Administrator of Instructional Programs, NOCROP's Title IX Coordinator, or any other available ROP employee.

Within one program day of receiving such a report, the ROP employee shall forward the report to the Administrator of Instructional Programs, or NOCROP's Title IX Coordinator identified in AR 1312.3. In addition, any ROP employee who observes an incident of sexual harassment involving a student shall, within one program day, report their observation to the Administrator, Instructional Programs, or NOCROP's Title IX Coordinator. The employee shall take these actions, whether or not the alleged victim files a complaint.

When a report or complaint of sexual harassment involves off-site conduct, the Title IX Coordinator shall assess whether the conduct may create or contribute to the creation of a hostile learning environment. If the Title IX Coordinator determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred during a NOCROP program.

When a verbal or informal report of sexual harassment is submitted, the Title IX Coordinator shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with NOCROP's applicable complaint procedures.

### **Complaint Procedures**

All complaints and allegations of sexual harassment by and against students shall be investigated and resolved in accordance with law and NOCROP procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 5145.71 - Title IX

Revised: May 10, 2022  
Approved: February 27, 2002

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**AR 5145.7 (d)**

Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to BP/AR 1312.3 - Uniform Complaint Procedures.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee, shall take prompt action to stop the sexual harassment, prevent recurrence, implement remedies, and address any continuing effects.

**Notifications**

The Superintendent or designee shall notify students and parents/guardians that NOCROP does not discriminate on the basis of sex as required by Title IX and that inquiries about the application of Title IX to the ROP may be referred to NOCROP's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

NOCROP shall notify students and parents/guardians of the name or title, office address, email address, and telephone number of NOCROP's Title IX Coordinator. (34 CFR 106.8)

A copy of the ROP's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)
2. Be displayed in a prominent location in the Education Center or other area where notices of ROP rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)
3. Be summarized on a poster which shall be prominently displayed in each ROP classroom. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate NOCROP employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of NOCROP. (Education Code 231.6)
4. Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on NOCROP's website in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6; 34 CFR 106.8)

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5. Be provided as part of any orientation program conducted for new and continuing students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
6. Appear in any NOCROP publication that sets forth NOCROP's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
7. Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to students or parents/guardians (34 CFR 106.8)

The Superintendent or designee shall also post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the ROP's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)