

North Orange County Regional Occupational Program
SEXUAL HARASSMENT
ROP BP 5145.7

BP 5145.7 (a)

Policy

Students

The Governing Board is committed to maintaining a safe learning environment that is free from harassment and discrimination. The Board prohibits sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The ROP strongly encourages any student who feels that they are being or have been sexually harassed in any ROP-sponsored or related activities by another student or an adult, or who has experienced sexual harassment outside of ROP that has a continuing effect in ROP, to immediately contact their instructor, administrator, ROP's Title IX Coordinator, or any other available ROP employee. Any ROP employee who receives a report or observes an incident of sexual harassment shall notify the ROP Title IX Coordinator.

Once notified, the ROP Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 5145.71 – Title IX Sexual Harassment Complaint Procedures or BP/AR 1312.3 – Uniform Complaint Procedures, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3.

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

The Superintendent or designee shall inform students and parents/guardians of the district's sexual harassment policy by publishing it on the ROP web site, and including it in student and staff handbooks. All ROP staff shall be trained regarding the policy.

Instruction/Information

The Superintendent or designee shall ensure that all ROP students receive age-appropriate information on sexual harassment. Such instruction and information shall include:

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1. What acts and behavior constitute sexual harassment; including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence;
2. A clear message that students do not have to endure sexual harassment under any circumstance;
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained;
4. A clear message that student safety is the ROP's primary concern, and that any separate rule violation involved an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved;
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students;
6. Information about the ROP's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made;
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the ROP investigation of a sexual harassment complaint continues; and
8. A clear message that, when needed, the ROP will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment.

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Complaint Process and Disciplinary Actions

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4 – 12, disciplinary action may include suspension and /or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with the law and reported to the California Commission on Teacher Credentialing (CCTC).

Record-Keeping

In accordance with law, the Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable ROP to monitor, address, and prevent repetitive harassing behavior in ROP.