

County Board Policy 5145.7: Sex Discrimination and Sex-Based Harassment

Status: ADOPTED

Original Adopted Date: 01/05/2021 | **Last Reviewed Date:** 01/05/2021

The Napa County Board of Education is committed to maintaining a safe school environment that is free from harassment and discrimination. Sexual harassment targeted at any student in a Napa County Office of Education (NCOE) educational program, school, or school-sponsored or school-related activity is prohibited. The County 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 County Board strongly encourages students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced an off-campus sexual harassment incident that involved anyone with whom they may continue to have contact on campus, to immediately contact their teacher, the principal or program administrator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Napa County Superintendent of Schools or the NCOE's designated compliance officer so that steps may be taken to investigate and address the allegation in accordance with law and related County Superintendent regulation.

Complaint Process and Disciplinary Actions

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and NCOE uniform complaint procedures. All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this County Board policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion.

Notifications

A copy of the NCOE'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 main administrative building or other area where notices of NCOE rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)
3. Be posted on NCOE and program/school web sites and, when available, on NCOE-supported social media
4. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
5. Appear in any publication that sets forth the program/school's or NCOE's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
6. Be included in the student handbook
7. Be provided to the County Superintendent for distribution to employees and employee organizations