

# Bayhill High School Sexual Harassment Policy for Students

EFFECTIVE: 08/01/2011

## DEFINITION:

It is the policy of Bayhill High School to prohibit the harassment of employees or students by employees, supervisors or students.

The purpose of this policy is not to regulate our student's personal morality. It is to assure that, in school, no one is harassed by unwelcome sexual advances, or by verbal or physical conduct of a sexual nature. Harassment is considered an act of misconduct and a violation of the school rules resulting in disciplinary action up to and including suspension and/or expulsion. In addition, this school prohibits retaliation against students for complaining about the conduct described above. Bayhill High School will not tolerate sexual harassment of any kind in the work place. All school personnel are responsible for implementing and monitoring compliance with this policy.

Pursuant to Education Code 212.5, Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature made by someone in the work or educational setting under any of the following conditions:

- a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status or progress.
- b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Additionally, sexual harassment is defined as unwelcome or unsolicited sexual conduct either verbal, physical or visual, which interferes with a student's school performance or which creates an intimidating, hostile or offensive environment. Some examples of what may be considered harassment, depending upon the facts and circumstances, include but are not limited to the following:

## **PHYSICAL HARASSMENT:**

1. Unwelcome sexual demands.
2. Unnecessary or unwelcome touching.
3. Assault, impeding or blocking movements, gestures, or any physical interference with normal school work or movement.

## **VERBAL HARASSMENT**

1. Threats, demands or suggestions that a student's status or advancement requires agreement to sexual activity.
2. Derogatory or vulgar comments, epithets or slurs regarding a person's sex.
3. Unwelcome requests for sexual favors.

**VISUAL FORMS OF HARASSMENT**

1. Distribution of written or graphic materials, derogatory posters, letters, poems, graffiti, cartoons, or drawings of a sexual nature.
2. Any other verbal or physical conduct of a sexual nature.

All Bayhill High School students are subject to the sexual harassment policy and all of its provisions. Students are encouraged to make any concerns known to the school staff.

1. Students will be protected from retaliation against them, if they file an alleged complaint of sexual harassment.

Students who believe they have been the subject of sexual harassment should promptly notify the Executive Director, principal, teacher, therapist or any other staff member with whom they feel comfortable discussing the situation. All such discussions will be promptly investigated. Any substantial sexual harassment is subject to disciplinary action up to and including termination of employment.

1. Staff who become aware of sexual harassment, whether it involves student-to-student or staff-to-student conduct, must promptly report the matter to the Executive Director.
2. An investigation will immediately occur conducted by the Executive Director or his/her designee. Disciplinary action, whether to a staff or student may result.

Student Name: \_\_\_\_\_

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent Name: \_\_\_\_\_

Parent Signature: \_\_\_\_\_ Date: \_\_\_\_\_