

STUDENT SEXUAL HARASSMENT POLICY

The Sebastopol Independent Charter School Board of Directors is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at School or at School-sponsored or School-related activities, 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 sexual harassment, or who otherwise supports a complainant in alleging sexual harassment.

The Board designates the School's Executive Director as the responsible employee to coordinate its efforts to investigate and resolve sexual harassment complaints under the School's Uniform Complaint Procedures, and the School's Title IX Coordinator to investigate and resolve sexual harassment complaints under the School's Title IX Sexual Harassment Complaint Procedures:

Executive Director and/or Title IX Coordinator  
Sebastopol Independent Charter School  
1111 Gravenstein Hwy N  
Sebastopol, CA 95472  
Phone Number: 707-824-9700

The Board strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who has experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact his/her teacher, the Executive Director, the Title IX Coordinator, or any other available School employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator. Once notified, the Title IX Coordinator shall ensure that the complaint is addressed through Title IX Sexual Harassment Complaint Procedures or Uniform Complaint Procedures, as applicable, and shall offer supportive measures to the complainant.

The Executive Director is responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under the School's Title IX Sexual Harassment Complaint Procedures and/or the Uniform Complaint Procedures and where to obtain a copy of the procedures. All SICS staff shall be trained regarding the policy.

Sexual Harassment Defined

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 School program or activity.

#### Examples of Conduct that May Constitute Sexual Harassment

- Verbal: unwelcome conduct such as the use of suggestive, derogatory or vulgar comments; the use of sexual innuendo or slurs; making unwanted sexual advances, invitations, or comments; pestering for dates; making threats; and/or spreading rumors about or rating others as to their sexual activity or performance; unwelcome epithets, comments or slurs of a sexual nature.
- Visual: unwelcome conduct such as the display of sexually suggestive objects, pictures, derogatory posters, written material, cartoons, or drawings; the use of graffiti and/or computer-generated images of a sexual nature; and/or the use of obscene gestures or leering.
- Physical: unwelcome conduct such as unwanted touching, pinching, kissing, patting or hugging; the impeding or blocking of normal movement; stalking; assault; and/or physical interference with work or school activities or movement when directed at an individual on the basis of the individual's sex, sexual orientation or gender.
- Threats, demands or pressure: to submit to sexual requests in order to keep academic standing or to avoid other loss and/or offers of benefits in return for sexual favors.

Sexual harassment regulated by this policy pertains to behavior of a sexual nature while students are under the jurisdiction of the School, including on campus or the school grounds, on any properties controlled or owned by the School and off-campus, if such activity is sponsored by the School or is conducted by School sponsored organizations. Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of School policy if it has a continuing effect on campus or creates a hostile school environment for the complainant or victim of the conduct.

#### Reporting Process and Complaint Investigation

Any student who believes that he/she has 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 his/her teacher, the Executive Director, the Title IX Coordinator, or any other available School employee. Within one school day of receiving such a report, the School employee shall forward the report to the Title IX Coordinator. In addition, any School employee who observes an incident of sexual harassment involving a student shall, within one school day, report his/her observation to the 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-campus conduct, the Title IX Coordinator shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If he/she 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 at School.

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 the applicable SICS complaint procedures. The Title IX Coordinator shall provide the student or parent/guardian with a copy of the School's relevant complaint form.

All complaints of sexual harassment by and against students shall be investigated and resolved in accordance with law and SICS procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedures for responding to the complainant. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with SICS's Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to SICS's Uniform Complaint Procedures.

### Disciplinary Action

When an allegation of sexual harassment is supported by the investigation and disciplinary action is necessary, the Executive Director and/or Title IX Coordinator will determine what course of action is appropriate, depending upon whether the harasser is a student, staff member, or agent of the School. Employees who violate this policy may be subject to discipline up to and including dismissal. Such disciplinary action shall be in accordance with applicable policies, laws, and/or collective bargaining agreements. Students who violate this policy may be subject to discipline up to and including expulsion. Such disciplinary action shall be in accordance with board policy and state law. Agents of the School who violate this policy may be subject to penalties and sanctions as may be available to the School, including termination of business relationships and contracts or the privilege of volunteering on campus.

### Information and Instruction

Students may receive age-appropriate training and/or instruction on the prohibition of sexual harassment at the School.

### Notifications

A copy of the School's student sexual harassment policy shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year;
2. Be displayed in a prominent location in the main administrative building or other area where notices of School rules, regulations, procedures, and standards of conduct are posted;
3. Be provided as part of any orientation program conducted for new students at the beginning

of each quarter, semester, or summer session;

4. Appear in any School publication that sets forth the School's comprehensive rules, regulations, procedures, and standards of conduct;

5. Be posted in a prominent location on the SICS's website in a manner that is easily accessible to parents/guardians and students. This shall include the name or title, office address, email address, and telephone number of the employee(s) designated as SICS's Title IX Coordinator; and

6. Be included in any handbook provided to students, parents/guardians, employees, or employee organizations.

Adopted: 2018.04.09

Amended: 2020.12.07