

Policy 4219.11: Sexual Harassment

Status: DRAFT

Original Adopted Date: 01/10/2019 | **Last Revised Date:** 12/14/2020 | **Last Reviewed Date:** 09/09/2026

The district does not discriminate on the basis of sex in any of its programs or activities and complies with Title IX of the Education Amendments of 1972 and its implementing regulations.

The Governing Board is committed to providing a safe work environment that is free of discrimination, harassment, and intimidation, including sexual harassment. The Board prohibits sexual harassment, as defined in the accompanying administrative regulation, in district programs and activities by and against district employees. For purposes of this policy and accompanying administrative regulation, employees include interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

Additionally, the Board prohibits retaliatory behavior or action against any person who complains or testifies about conduct that reasonably may constitute sexual harassment, reports such conduct, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy. (Education Code 220.1; 34 CFR 106.71)

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to: (Education Code 231.5; Government Code 12950.1; 2 CCR 11023; 34 CFR 106.8, 106.45)

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to employees and others to whom the policy may apply
3. Publicize as specified in Exhibit (1) 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, the required notifications related to Title IX to employees, applicants for employment, and bargaining units
4. Ensuring prompt, thorough, fair, and equitable investigation of complaints through the appropriate state and/or federal procedures
5. Taking timely and appropriate corrective/remedial action(s)

The Superintendent or designee may periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to harassment policy(ies), complaint procedures, or training, as appropriate and in accordance with law.

Reports and Complaints

Any district employee who has experienced sexual harassment in the district's education program or activity may file a complaint with the district's Title IX Coordinator. (34 CFR 106.8)

Any employee with knowledge of conduct that reasonably may constitute sexual harassment by or against another district employee, a student, or a third party in a district education program or activity shall notify the Title IX Coordinator within one workday.

Once notified, the Title IX Coordinator shall ensure that the complaint alleging sexual harassment is addressed through Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures or Administrative Regulation 4030 - Nondiscrimination in Employment, as applicable. Additionally, the Title IX Coordinator shall ensure that any implementation of Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, concurrently meets the requirements of Administrative Regulation 4030 - Nondiscrimination in Employment.

Before or after the filing of a formal complaint or where no formal complaint has been filed, the Title IX Coordinator shall offer and coordinate supportive measures to be provided to the complainant and the respondent, as deemed appropriate under the circumstances. (34 CFR 106.30, 106.44)

Upon investigation of a sexual harassment complaint, any district employee found to have engaged or participated in sexual harassment or to have aided, abetted, incited, compelled, or coerced another to commit sexual harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

2 CCR 11006-11086

Description

Discrimination in employment

2 CCR 11009

[Employment discrimination](#)

2 CCR 11021

[Discrimination in employment - retaliation](#)

2 CCR 11023

[Harassment and discrimination prevention and correction](#)

2 CCR 11024

[Required training and education on harassment based on sex, gender identity and expression, and sexual orientation](#)

2 CCR 11034

[Terms, conditions, and privileges of employment](#)

5 CCR 4900-4965

Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

Ed. Code 200-280

[Prohibition of discrimination](#)

Ed. Code 220.1

Prohibition of retaliation related to educational equity

Ed. Code 220.3

No requirement to disclose information related to student's sexual orientation, gender identity, or gender expression

Ed. Code 220.5

Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression

Gov. Code 11135

[Prohibition of discrimination](#)

Gov. Code 12900-12996

[Fair Employment and Housing Act](#)

Gov. Code 12940

[Unlawful discriminatory employment practices](#)

Gov. Code 12950

[Sexual harassment](#)

Gov. Code 12950.1

[Sexual harassment training](#)

Lab. Code 1101

[Political activities of employees](#)

Lab. Code 1102.1

Discrimination: sexual orientation

Lab. Code 1197.5

[Wages, hours, and working conditions](#)

Federal

20 USC 1681-1688

[Title IX of the Education Amendments of 1972; discrimination based on sex](#)

29 CFR 1636

[Implementation of the Pregnant Workers Fairness Act](#)

34 CFR 106.1-106.82

[Nondiscrimination on the basis of sex in education programs or activities](#)

42 USC 2000e-2000e-17

Title VII, Civil Rights Act of 1964, as amended

42 USC 2000gg-2000gg-6

[Pregnant Workers Fairness Act](#)

Management Resources

Court Decision	Tennessee v. Cardona (2024) 737 F.Supp.3d 510
Court Decision	Olmstead v. L.C. ex rel. Zimring (1999) 527 U.S. 581
Court Decision	John T. D. v. River Delta Joint Unified School District (2021) WL 5176356
Court Decision	Burlington Industries v. Ellreth (1998) 118 S.Ct. 2257
Court Decision	Department of Health Services v. Superior Court of California (2003) 31 Cal.4th 1026
Court Decision	Faragher v. City of Boca Raton (1998) 118 S.Ct. 2275
Court Decision	Gebser v. Lago Vista Independent School District (1998) 118 S.Ct. 1989
Court Decision	Meritor Savings Bank, FSB v. Vinson et al. (1986) 447 U.S. 57
Court Decision	Oncale v. Sundowner Offshore Serv. Inc. (1998) 118 S.Ct. 998
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, May 19, 2020, Vol. 85, No. 97, pages 30026-30579
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Enforcement of Title IX under the provisions of the 2020 Title IX Rule, February 4, 2025
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	California Civil Rights Department
Website	U.S. Department of Education, Office for Civil Rights
Website	U.S. Equal Employment Opportunity Commission

Description

Cross References

0410	Nondiscrimination In District Programs And Activities
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1240	Volunteer Assistance
1240	Volunteer Assistance
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E PDF(1)	Uniform Complaint Procedures
1313	Civility
3530	Risk Management/Insurance
3530	Risk Management/Insurance
3600	Consultants
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4033	Lactation Accommodation
4040	Employee Use Of Technology
4040	Employee Use Of Technology
4040-E PDF(1)	Employee Use Of Technology
4112.9	Employee Notifications
4112.9	Employee Notifications

Description

Cross References

4112.9-E PDF(1)
4117.7
4118
4118
4119.12
4119.12-E PDF(1)
4119.21
4119.21-E PDF(1)
4119.22
4131
4131
4144
4144
4212.9
4212.9
4212.9-E PDF(1)
4219.21
4219.21-E PDF(1)
4219.22
4231
4244
4244
4300
4300
4312.9
4312.9
4312.9-E PDF(1)
4317.7
4319.21
4319.21-E PDF(1)
4319.22
4344
4344
5145.3
5145.3
5145.7
5145.7
5145.71
5145.71-E PDF(1)

Description

[Employee Notifications](#)
[Employment Status Reports](#)
[Dismissal/Suspension/Disciplinary Action](#)
[Dismissal/Suspension/Disciplinary Action](#)
[Title IX Sexual Harassment Complaint Procedures](#)
[Title IX Sexual Harassment Complaint Procedures](#)
[Professional Standards](#)
[Professional Standards](#)
[Dress And Grooming](#)
[Staff Development](#)
[Staff Development](#)
[Complaints](#)
[Complaints](#)
[Employee Notifications](#)
[Employee Notifications](#)
[Employee Notifications](#)
[Professional Standards](#)
[Professional Standards - Code Of Ethics Classified Employees](#)
[Dress And Grooming](#)
[Staff Development](#)
[Complaints](#)
[Complaints](#)
[Administrative And Supervisory Personnel](#)
[Administrative And Supervisory Personnel](#)
[Employee Notifications](#)
[Employee Notifications](#)
[Employee Notifications](#)
[Employment Status Reports](#)
[Professional Standards](#)
[Professional Standards](#)
[Dress And Grooming](#)
[Complaints](#)
[Complaints](#)
[Nondiscrimination/Harassment](#)
[Nondiscrimination/Harassment](#)
[Sexual Harassment](#)
[Sexual Harassment](#)
[Title IX Sexual Harassment Complaint Procedures](#)
[Title IX Sexual Harassment Complaint Procedures](#)