

Policy 5145.7: Sexual Harassment

Status: DRAFT

Original Adopted Date: 08/09/2017 | **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 maintaining a welcoming, safe, and supportive school environment that is free from discrimination and harassment. The Board prohibits at district or at district-sponsored or district-related activities, sexual harassment, as defined in the accompanying administrative regulation, targeted at any student.

Additionally, the Board prohibits retaliatory behavior or action against any person who reports, files a complaint, testifies about, assists with, or otherwise supports a complainant in alleging sexual harassment, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy. (Education Code 220.1, 221.8; 34 CFR 106.71)

The district strongly encourages students who feel that they are being or have experienced sexual harassment on district grounds or at a district-sponsored or district-related activity, or off-campus when the conduct has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee.

Any employee who receives a report or observes an incident of sexual harassment by or against a student in a district education program or activity shall report the incident to 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 5145.71 - Title IX Sexual Harassment Complaint Procedures or Board Policy/Administrative Regulation 1312.3 - Uniform Complaint Procedures, as applicable. Additionally, the Title IX Coordinator shall ensure that any implementation of Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures concurrently meets the requirements of Board Policy/Administrative Regulation 1312.3 - Uniform Complaint Procedures.

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

The Superintendent or designee shall inform students and parents/guardians of this policy in the manner specified in the accompanying administrative regulation.

The Superintendent or designee shall ensure that all district staff are trained regarding this policy, and that employees required to receive training related to their duties under Title IX receive training as specified in Administrative Regulation 4119.11/4219.11/4319.11 - Sexual Harassment. (Government Code 12950.1; 2 CCR 11023, 11024; 34 CFR 106.45)

Instruction/Information

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

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 when the alleged victim of the harassment has not complained

4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving 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 action shall be taken to respond to the harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedures 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 district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will implement supportive 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

Disciplinary Actions

Upon completion of an investigation of sexual harassment, 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 completion of an investigation of sexual harassment, any employee found to have engaged in sexual harassment or sexual violence toward any student shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Record-Keeping

The Superintendent or designee shall maintain records in accordance with law, including in accordance with Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures, and district policies and regulations, of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

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	Description
5 CCR 432	Student records
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Civ. Code 1714.1	Liability of parent/guardian for act of willful misconduct by a minor
Civ. Code 51.9	Liability for sexual harassment; business, service and professional relationships
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

State

Ed. Code 220.5
Ed. Code 35292.5
Ed. Code 48900
Ed. Code 48900.2
Ed. Code 48904
Ed. Code 48980
Ed. Code 48985
Ed. Code 49060-49079
Gov. Code 11135
Gov. Code 12950.1

Federal

20 USC 1092
20 USC 1221
20 USC 1232g
20 USC 1681-1688
34 CFR 106.1-106.82
34 CFR 99.1-99.67
34 USC 12291
42 USC 1983
42 USC 2000d-2000d-7
42 USC 2000e-2000e-17

Management Resources

Court Decision
Court Decision
Court Decision
Court Decision
Court Decision
Court Decision
Court Decision
CSBA Publication

Federal Register

U.S. DOE, Office for Civil Rights Publication

Website
Website
Website

Description

Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression
[School restrooms; all-gender restrooms](#)
[Grounds for suspension or expulsion](#)
[Additional grounds for suspension or expulsion; sexual harassment](#)
[Liability of parent/guardian for willful student misconduct](#)
[Parent/Guardian notifications](#)
[Notices to parents/guardians in language other than English](#)
[Student records](#)
[Prohibition of discrimination](#)
[Sexual harassment training](#)

Description

[Definition of sexual assault](#)
[Application of laws](#)
[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)
[Title IX of the Education Amendments of 1972; discrimination based on sex](#)
[Nondiscrimination on the basis of sex in education programs or activities](#)
[Family Educational Rights and Privacy](#)
[Definition of dating violence, domestic violence, and stalking](#)
[Civil action for deprivation of rights](#)
[Title VI, Civil Rights Act of 1964](#)
Title VII, Civil Rights Act of 1964, as amended

Description

Tennessee v. Cardona (2024) 737 F.Supp.3d 510
[Davis v. Monroe County Board of Education \(1999\) 526 U.S. 629](#)
[Doe v. Petaluma City School District \(1995, 9th Cir.\) 54 F.3d 1447](#)
[Gebser v. Lago Vista Independent School District \(1998\) 524 U.S. 274](#)
[Oona by Kate S. v. McCaffrey \(1998, 9th Cir.\) 143 F.3d 473](#)
[Reese v. Jefferson School District \(2001, 9th Cir.\) 208 F.3d 736](#)
[Donovan v. Poway Unified School District \(2008\) 167 Cal.App.4th 567](#)
[Flores v. Morgan Hill Unified School District \(2003, 9th Cir.\) 324 F.3d 1130](#)
[Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011](#)
[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](#)
[Dear Colleague Letter: Enforcement of Title IX under the provisions of the 2020 Title IX Rule, February 4, 2025](#)
[CSBA District and County Office of Education Legal Services](#)
[California Department of Education](#)
[CSBA](#)

Management Resources

Website

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[U.S. Department of Education, Office for Civil Rights](#)

Cross References

0410

[Nondiscrimination In District Programs And Activities](#)

0450

[Comprehensive Safety Plan](#)

0450

[Comprehensive Safety Plan](#)

1114

[District-Sponsored Social Media](#)

1114

[District-Sponsored Social Media](#)

1312.1

[Complaints Concerning District Employees](#)

1312.1

[Complaints Concerning District Employees](#)

1312.3

[Uniform Complaint Procedures](#)

1312.3

[Uniform Complaint Procedures](#)

1312.3-E PDF(1)

[Uniform Complaint Procedures](#)

1313

[Civility](#)

3515.4

[Recovery For Property Loss Or Damage](#)

3515.4

[Recovery For Property Loss Or Damage](#)

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[Risk Management/Insurance](#)

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[Risk Management/Insurance](#)

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[District Records](#)

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[District Records](#)

4117.7

[Employment Status Reports](#)

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[Dismissal/Suspension/Disciplinary Action](#)

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[Dismissal/Suspension/Disciplinary Action](#)

4119.11

[Sexual Harassment](#)

4119.11

[Sexual Harassment](#)

4119.12

[Title IX Sexual Harassment Complaint Procedures](#)

4119.12-E PDF(1)

[Title IX Sexual Harassment Complaint Procedures](#)

4119.24

[Maintaining Appropriate Adult-Student Interactions](#)

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[Staff Development](#)

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[Staff Development](#)

4218

[Dismissal/Suspension/Disciplinary Action](#)

4219.11

[Sexual Harassment](#)

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[Maintaining Appropriate Adult-Student Interactions](#)

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[Staff Development](#)

4317.7

[Employment Status Reports](#)

4319.11

[Sexual Harassment](#)

4319.11

[Sexual Harassment](#)

4319.24

[Maintaining Appropriate Adult-Student Interactions](#)

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[Student Records](#)

Cross References**Description**

5125	Student Records
5131	Conduct
5131-E PDF(1)	Conduct - Elementary Plan
5131.2	Bullying
5131.5	Vandalism And Graffiti
5132	Dress And Grooming
5132	Dress And Grooming
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.2	Freedom Of Speech/Expression
5145.2	Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications
5145.6-E PDF(1)	Parent/Guardian Notifications
5145.6-E PDF(2)	Parent/Guardian Notifications
5145.71	Title IX Sexual Harassment Complaint Procedures
5145.71-E PDF(1)	Title IX Sexual Harassment Complaint Procedures
5145.9	Hate-Motivated Behavior
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6143	Courses Of Study
6143	Courses Of Study
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.2	Athletic Competition
6163.4	Student Use Of Technology
6163.4-E PDF(1)	Student Use Of Technology