

SEXUAL HARASSMENT COMPLAINTS

Complaints may be filed in writing with the County Superintendent or his designee.

Contents of Complaint

The complaint shall:

1. Identify the offending person or persons;
2. Include reference to specific examples of offensive conduct;
3. Identify the remedy sought;
4. Describe the informal efforts made to correct the situation.

Review and Disclosure of Complaint

The County Superintendent or designee shall review the complaint and, as soon as reasonably possible after receipt of the complaint, the student, employee, or other person who is accused of sexual harassment should be informed of the contents of the communication.

All matters related to a complaint or parties thereto shall be kept confidential. Only those individuals directly involved in resolving the complaint shall be informed of the complaint.

Retaliation is Prohibited

The initiation of a complaint of sexual harassment will not cause any reflection on the complainant nor will it affect such person's future dealings with the County Office, his or her employment, compensation or work assignments; or, in the case of students, grades, class section or other matters pertaining to his or her status as a student of any County Office program.

Informal Complaints

Employees are encouraged to resolve complaints informally. Formal complaint procedures shall not be initiated unless informal efforts to resolve the complaint have been exhausted and the complainant has provided a written description of such efforts.

Investigation

As soon as the County Superintendent and/or designee receives a complaint from school personnel, he/she shall investigate the complaint thoroughly, promptly and in a confidential manner. The investigation shall be completed within twenty (20) working days in accordance with BR 1312.03 - General Complaints Procedures.

SEXUAL HARASSMENT COMPLAINTS (continued)**Complaints Against Students**

Upon completion of the investigation of a complaint filed against a student, the County Superintendent and/or designee shall determine whether harassment has occurred and whether any corrective action is appropriate. Corrective action may include counseling, warning, or the initiation of disciplinary procedures against the student.

Complaints Against Other Individuals

Upon completion of the investigation of a complaint filed against an individual who is neither a student nor an employee, the County Superintendent and/or designee shall determine whether harassment has occurred and whether any corrective action is appropriate. Corrective action may include counseling, warning, or such penalties or sanctions against other individuals or parties as may be available to the County Office given the nature of the contractual or business relationship that may exist with such parties or individuals. Such individuals include visitors to the County Office and those who have business relations with the County Office.

Appeal Procedure

All decisions made under this procedure may be appealed by the aggrieved person to the County Board.

Administrative Regulations

The County Superintendent shall adopt, and from time to time may revise, further procedures as may be necessary to implement this administrative regulation and provide for a means of enforcing this administrative regulation. Such further procedures may include the following:

1. Posting and other means of distributing this administrative regulation;
2. A process under which complaints of sexual harassment will be handled;
3. An explanation of possible civil proceedings and potential legal consequences of sexual harassment.

The County Superintendent may initiate training and education programs to enable all persons, and in particular, supervisors to better understand the problem of sexual harassment.

In compliance with AB 1825 (Reyes), the County Office shall conduct a minimum of two hours of training and education to all supervisory employees every two years for the duration of employment. Training shall provide an opportunity for employee interaction whereby specific questions may be addressed.

SEXUAL HARASSMENT COMPLAINTS (continued)

In addition, the County Superintendent shall designate appropriate employees to enforce or administer this administrative regulation within Mendocino County Office of Education school programs.

Purpose of Administrative Regulation

This administrative regulation is intended to supplement, and not replace, any applicable state and federal laws and regulations. Formal complaints under those laws and regulations shall be processed through the procedures established by applicable state and federal agencies.

Special Assistance

It is expected that questions may arise concerning the interpretation of the prohibition against sexual harassment, the methods and procedures to be followed in the investigation of complaints, and the appropriateness of specific solutions in disposition of complaints. For assistance in these matters, an aggrieved person may contact the County Superintendent designees as follows:

- Executive Director of Human Resources/Technology regarding personnel/employment complaints
- Executive Director of Student Programs and Support Services regarding student complaints

MENDOCINO COUNTY BOARD OF EDUCATION

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