

Sexual Harassment

The Morgan Hill Unified School District is committed to providing students with an educational environment that is free of sexual harassment, including harassment based on gender and sexual orientation. It is the policy of the District that sexual harassment of any student--by another student, employee, or agent with whom the District has a business or service relationship, or other individual--is unacceptable conduct and will not be tolerated. The District shall strive to maintain a school environment in which students are treated with dignity and respect at all times.

The Board considers sexual harassment of a student to be a major offense. Sexual harassment in violation of this policy constitutes cause for disciplinary action, up to and including dismissal for employees and suspension or expulsion for students. This policy is intended to supplement, and not replace, state and federal laws prohibiting sexual harassment. Complaints under those laws shall be processed through the procedures established by appropriate state and/or federal agencies.

The Superintendent shall adopt, and may periodically revise, administrative regulations necessary to implement and enforce this policy. The regulations shall ensure adequate communication of this policy to all students, parents and employees; provide appropriate complaint and resolution procedures; and establish due process for persons accused of student sexual harassment.

**Cross References:**

- BP 4121 Harassment (Personnel)
- BP 4123 Complaint Procedure
- BP 5130 Student Suspension & Expulsion

**Legal References:**

**EDUCATION CODE**

- § 200 State policy; purpose
- § 212.5 Sexual harassment
- § 212.6 Educational institutions; written policy on sexual harassment
- § 220 Extent of prohibition
- § 230 Particular practices prohibited
- § 262.3 Appeals; civil law remedies; notice
- §48900.2 Sexual Harassment as ground for suspension or expulsion

**TITLE IX, 1972 EDUCATION AMENDMENTS**

- § 106.8 Prohibition on student sexual harassment

ORIGINAL ADOPTION:	October 11, 1993
Most Recent Revision:	June 22, 1998
Revised	March 26, 2001