



Capistrano Unified School District
San Juan Capistrano, California

SEXUAL HARASSMENT POLICY

Capistrano Unified School District is committed to maintaining a learning and business environment free of sexual harassment. The District prohibits the unlawful sexual harassment of any student, any employee or other person at school or at any school-related activity.

The Capistrano Unified School District has adopted Board Policies 5183 (Students) and 4119.11 (Personnel) and defines sexual harassment as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic status or progress, (2) submission to, or rejection of, such conduct by an individual is used as the basis for an employment decision or academic decision affecting that person, (3) such conduct has the purpose or effect of having a negative impact on an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment or (4) submission to or rejection of the conduct by the employee or student is used as the basis for any decision affecting the employee or student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

In accordance with Title 34 of the Code of Federal Regulations, Section 160.30, for purposes of Title IX, sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the District conditioning the provision of an aid, benefit, or service provided by the District on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- (3) Sexual assault, dating violence, domestic violence, or stalking, as those terms are defined in law (See 20 U.S.C. § 1902(f)(6)(A)(v), 34 U.S.C. § 12291(a)(10); 34 U.S.C. § 12291(a)(8) and 34 U.S.C. § 12291(a)(30).)

FOR STUDENTS AND EMPLOYEES

If you believe that a violation of policy has occurred, report it to your teacher or supervisor or directly to the District's Title IX Coordinator:

Rich Montgomery
Assistant Superintendent, Human Resource Services
33122 Valle Road
San Juan Capistrano, California 92675
(949) 234-9200