

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION (REGULATION) FFH

- SEXUAL HARASSMENT PROHIBITIONS
- GENERAL RESPONSIBILITIES AND GUIDELINES
- IMPLEMENTATION
- SUPERVISION
- IMMEDIATE ACTION
- SCHOOL RECORD
- CHILD ABUSE
- FALSE ACCUSATIONS
- RETALIATION
1. To ensure compliance with federal and state regulations and Houston Independent School District (HISD) Board policy, District practice includes the following responsibilities and guidelines for sexual harassment of students. See References (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), and (r). Employee complaints or claims of sexual harassment are addressed in Reference (p).
 - a. All principals, assistant principals, teachers, work location supervisors, department heads, and other school District personnel are responsible for implementing References (a), (j), (k), and (l) throughout the District.
 - b. HISD's Human Resources' Equal Employment Opportunity (EEO) office is responsible to the Superintendent for ensuring that the District adheres to References (a), (j), (k), and (l) and this regulation, including implementation of appropriate monitoring to ensure compliance. In addition, HISD's EEO Office oversees and monitors the prompt and thorough investigation of all sexual harassment complaints lodged by students or on behalf of students.
 - c. Students, parents or guardians, HISD employees, or individuals with knowledge of an alleged act of sexual harassment are required to make their complaint(s) immediately following the alleged act. Employees are especially encouraged to immediately report all acts of sexual harassment of students, including sexual harassment of students by students.
 - d. Any HISD employee receiving a complaint of sexual harassment of a student must report it to the school principal or to the appropriate regional superintendent, or a designee.
 - e. Acts of sexual harassment that constitute physical, emotional, or sexual abuse of a minor child will be reported to Harris County Department of Family and Protective Services (DFPS) by the principal. See Reference (q).
 - f. Students, parents or guardians, and employees must be aware that intentionally filing false accusations of sexual harassment may result in disciplinary or legal action (for employee's, disciplinary actions up to and including termination).
 - g. Retaliation against a students who makes a sexual harassment complaints or who assist the District in an in-

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- investigation of a sexual harassment complaint is strictly prohibited. Acts of retaliation will result in disciplinary action that may include termination of employees or discipline of students.
- PARENT NOTIFICATION OF INTERVIEW
- h. Parents or guardians should be notified in advance if their children will be interviewed during an investigation of sexual harassment.
- INTIMIDATION OF WITNESS
- i. Participants in an investigation will not interfere with the investigation by intimidating any potential witness or by withholding information.
- CONFIDENTIALITY
- j. To the extent possible, every effort will be made to maintain confidentiality during an investigation.
- REPORTING AND INVESTIGATING COMPLAINTS OF STUDENT SEXUAL HARASSMENT BY ANOTHER STUDENT
2. Student misconduct alleged to be sexual harassment by one student toward another student should be reported to a campus teacher, counselor, principal, or other adult staff member. The adult who receives the report of student misconduct will follow the procedures in Reference (s) for reporting, investigating, and responding to student misconduct. Students found to have committed such misconduct will be disciplined according to the levels of student misconduct in Reference (s). Students and parents may follow the steps outlined in Reference (s) if they are not satisfied with the resolution reached at the school level.
- REPORTING AND INVESTIGATING COMPLAINTS OF STUDENT SEXUAL HARASSMENT BY AN ADULT
3. A student, parent or guardian, or other individual with knowledge of an alleged act of sexual harassment of a student by an adult is encouraged to report it to a teacher, counselor, nurse, school administrator, principal, or the principal's designee. At any time, including at the time of making the initial complaint, the student, parent or guardian, or other individual with knowledge of the alleged act of sexual harassment may complain directly to the appropriate regional superintendent or a designee, or HISD's EEO Office. Whenever a complaint of sexual harassment of a student by an adult is received, the following steps will be taken:
- FILE COMPLAINT FORM
- a. Efforts will be taken by the person receiving the complaint to obtain all of the facts from the student and to verify these facts. Such efforts may include requesting a written statement from the student, contacting the student's parents or guardian, and obtaining names of witnesses of the alleged acts of sexual harassment. The individual receiving the complaint will complete the Sexual Harassment Complaint Form and retain a copy in the school's files. See Reference (t). The completed com-

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- plaint forms should be sent to HISD's EEO Office and the appropriate regional superintendent or a designee. Copies of this form are available from HISD's EEO Office and may be duplicated by the school administration.
- CONTACT DFPS b. DFPS must be contacted by the principal or by his or her designee.
- INVESTIGATE c. A prompt and thorough investigation must be conducted by the school, the appropriate regional superintendent or a designee, or by HISD's EEO Office. The investigation will begin within five school days of receiving the information from the student, parent or guardian, or other individual with knowledge of the alleged act of sexual harassment.
- INTERVIEW THE ACCUSED PERSON d. A thorough investigation includes an interview with the individual who allegedly committed the sexual harassment to inform the individual of the specific allegations and to provide an opportunity for a response.
- NOTIFY THE COMPLAINANT OF RESOLUTION e. Upon completion of the investigation, the student and parents or guardians should be informed of the resolution of the complaint.
- NOTIFY THE ACCUSED PERSON OF RESOLUTION f. Upon completion of the investigation, the individual who allegedly committed the sexual harassment shall be informed of the resolution of the complaint. The individual may be accompanied by a representative of his or her choice to discuss the resolution of the complaint.
- COMPLETE DOCUMENTATION g. Upon completion of the investigation, the Sexual Harassment Response Form, along with documentation of the complaint, steps taken to investigate the complaint and the proposed resolution will be sent by the school administration to HISD's EEO Office and the appropriate regional superintendent or a designee. Copies of this form are available from HISD's EEO Office and may be duplicated by the school administration. See Reference (u).
- ENFORCE DISCIPLINARY ACTION h. Any disciplinary action against an HISD employee will be proposed and implemented in accordance with References (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (o).
- CONSULTATION 4. This regulation has been through consultation (Administrative: December 6, 2005; Instructional: January 5, 2006; Noninstructional: January 10, 2006).

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MAINTENANCE
RESPONSIBILITY

5. The executive general manager, Human Resources, is responsible for maintenance of this regulation.
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REFERENCES:

- (a) Board Policy DBA(LLEGAL)
 - (b) Board Policy DCA(LLEGAL)
 - (c) Board Policy DFAA(LLEGAL)
 - (d) Board Policy DFAB(LLEGAL)
 - (e) Board Policy DFAC(LLEGAL)
 - (f) Board Policy DFBA(LLEGAL)
 - (g) Board Policy DFBB(LLEGAL)
 - (h) Board Policy DFBB(LOCAL)
 - (i) Board Policy DFCA(LLEGAL)
 - (j) Board Policy DIA(LLEGAL)
 - (k) Board Policy DIA(LOCAL)
 - (l) Board Policy DK(LOCAL)
 - (m) Board Policy FFG(LLEGAL)
 - (n) Board Policy FFH(LLEGAL)
 - (o) Board Policy FFH(LOCAL)
 - (p) DIA2(REGULATION)
 - (q) FFG(REGULATION)
 - (r) Education Amendments of 1972, Title IX
 - (s) The Student Code of Conduct
 - (t) Form – Sexual Harassment Complaint Form
 - (u) Form – Sexual Harassment Response Form
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