



**LAKE COUNTY**  
BOARD OF COUNTY COMMISSIONERS  
*County Policy*

**Title: SEXUAL MISCONDUCT**

Number: LCC-82

Cancel: New

Approved: 11/25/08

**I. OBJECTIVE**

To express Lake County's commitment to preventing and maintaining a working environment for employees, volunteers and citizens that is free from any form of sexual misconduct.

**II. REFERENCES**

Florida Statute 794.027 - Duty to report sexual battery; penalties  
Florida Statute 753.05 - Referrals involving child sexual abuse  
Florida Statute Chapter 39, Part II - Reporting Child Abuse

**III. DEFINITIONS**

Sexual Misconduct - any actual or attempted criminal sexual assault, sexual abuse, sexual exploitation, indecent or sexual solicitation or public indecency, as defined by state and local laws.

**IV. APPLICABILITY**

This policy and procedure applies to all employees of Lake County Board of County Commissioners (BCC) and employees from other Lake County agencies covered by the County's Liability and Risk Insurance program.

**V. DIRECTIVES**

Lake County will not tolerate any behavior by its employees (and volunteers) which constitutes Sexual Misconduct. "Sexual Misconduct" means any actual or attempted criminal sexual assault, sexual abuse, sexual exploitation, indecent or sexual solicitation, or public indecency, as defined by state and local laws. Sexual misconduct toward Lake County employees shall also not be tolerated.

Sexual misconduct can occur during interactions and/or relationships between individuals of the same gender or different gender, and between adults and minors.

"Sexual Misconduct" does not include "Sexual Harassment".

## VI. **PROCEDURE**

### A. Reporting

It is the expressed policy of Lake County to encourage individuals alleging Sexual Misconduct to come forward with such claims. In order to conduct an immediate investigation, any incident of Sexual Misconduct must be reported as quickly as possible.

Employees are required to report any known or suspected incidents of sexual misconduct to their immediate Supervisor, Employee Services & Quality Improvement Director, any Department Director, or County Manager. Employees are not required to report known or suspected cases to their immediate supervisor first. If the supervisor to whom an employee reports is the offending person, the report should be made to the next higher level of management or individuals listed above. In all cases, the County Manager and the Employee Services & Quality Improvement Director shall be notified.

Incidences of alleged sexual misconduct shall also be immediately reported to local law enforcement in accordance with Florida Statute 794.027 (Duty to report sexual battery; penalties), Florida Statute 753.05 (Referrals involving child sexual abuse) and Florida Statute Chapter 39, Part II (Reporting Child Abuse).

The supervisory/management representative receiving the initial report (as described above) shall be responsible for contacting local law enforcement, if not done so already.

### B. Retaliation

No management personnel, supervisor or other employee shall place an employee at a disadvantage or retaliate against an employee for having reported a complaint of sexual misconduct under this policy and procedure. Any retaliation will result in corrective action up to and including termination.

### C. Investigation & Confidentiality

All complaints will be given a full, impartial and timely investigation. During such investigation, every effort will be made to protect the privacy rights of all parties, although confidentiality cannot be guaranteed.

### D. Corrective Action

Any employee who is determined to have engaged in sexual misconduct in violation of this policy and procedure will be subject to corrective action, up to and including termination of employment.

Knowingly false accusations regarding sexual misconduct will not be tolerated, and any person knowingly making a false accusation will be subject to corrective action, up to and including termination of employment.

E. Acknowledgement

Employees shall be advised of the contents of this policy and procedure and be required to acknowledge receipt of this policy and procedure. This acknowledgement shall be placed in the personnel record.

F. Maintenance of Records and Documents

The Office of Employee Services and Quality Improvement shall maintain records and documentation related to this policy and procedure, including documents related to procedures for hiring-screening, employee code of conduct, training, acknowledgement forms, incident reporting and disciplinary action under the Board of County Commissioners.

G. Other Agencies

Other agencies covered by Lake County's liability coverage, including the volunteer program of the Board of County Commissioners, shall implement and maintain all sections and provisions of this (or similar) policy and procedure for their organization.

**VII. RESERVATION OF AUTHORITY**

The authority to issue or revise this policy is reserved to the Lake County Board of County Commissioners.

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Welton G. Cadwell  
Chairman, Board of County Commissioners  
Lake County