

Sexual Harassment

The following list illustrates conduct which will not be permitted in the school district and which may constitute the basis for disciplinary action up to and including dismissal:

1. Making unwanted sexual advances.
2. Making or threatening reprisals after a negative response to a sexual advance.
3. Offering employment benefits in exchange for sexual favors.
4. Visual conduct, e.g. , leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons, or posters.
5. Verbal conduct, e.g., making derogatory comments, epithets, slurs, jokes, unwanted verbal sexual propositions, verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes, or invitations.
6. Physical conduct, e.g., assault, touching, impeding, or blocking one's movement.

Any employee who believes that he/she has been sexually harassed or has been discriminated against because of his/her sexual orientation should report such incidents to the immediate supervisor of the accused employee, in accordance with District complaint procedures for investigation and corrective action as appropriate. Confidentiality shall be maintained.

No employee shall suffer any retaliation or discrimination by reason of his/her participation in the filing of a complaint of sexual harassment.

Sexual Harassment Complaint Procedure

1. Applicants and employees are encouraged to assist the District in eliminating sexual harassment by promptly reporting any instance of alleged or potential harassment.
2. All complaints of sexual harassment will be investigated seriously by the District. Complaints will be processed in a manner which protects the complainant, and maintains the individual's confidentiality, to the greatest possible extent.
3. Applicants should report instances of alleged discrimination or harassment to the District's Equal Employment Opportunity Officer, Director of Personnel, or Superintendent.
4. Employees should use appropriate complaint resolution procedures established by Board policy, or as set forth in the employment agreement pertinent to the individual's particular job classification.
5. In any instance in which the relevant complaint procedure requires (or may involve) an individual the complainant believes or suspects may be involved in the alleged sexual harassment, the complainant is relieved of any obligation to exhaust that stage of the complaint procedure. In such an event, the complainant is encouraged to report the situation to the next higher level of authority.

Sexual Harassment

Legal References:

EDUCATION CODE

- 200 et al. Prohibition of discrimination on the basis of sex
- 212.5 Sexual harassment defined
- 230 Particular practices prohibited, including sexual harassment

GOVERNMENT CODE

- 12940 et.seq. Discrimination prohibited; unlawful practices, generally

TITLE VII CIVIL RIGHTS ACT, as amended by
Title IX, Equal Opportunity Act

Meritor Savings Bank, FSB v. Vinson et al (1986) 477 U.S.
57, 106 S.Ct. 2399