

**GRIZZLY CHALLENGE CHARTER SCHOOL
P.O. BOX 3209
SAN LUIS OBISPO, CA 93403-3209**

(AR) #4341 – Sexual Harassment of Employees

I. Purpose

Grizzly Challenge Charter School (GCCS) is committed to a work environment in which all employees are treated with respect and dignity. Each employee has the right to work in a professional atmosphere that promotes equal employment opportunity, and is free from discriminatory practices.

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964, California Education Code Sections 210 through 214, inclusive, and Government Code Sections 12900 et seq (Fair Employment and Housing Act).

Therefore, GCCS strongly condemns, opposes, and prohibits sexual harassment of employees or applicants by any person whether verbal, physical, or environmental.

Any employee who violates this policy may be subject to discipline, up to and including termination.

II. Definition

As used in this policy and regulation, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

1. Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment.
2. Submission to, or rejection of, the conduct by the individual is used as the basis of employment decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work performance, or of creating an intimidating, hostile, or offensive work environment.
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honor, programs, or activities available at or through GCCS.

III. Dissemination of Policy

This policy and related regulations will be disseminated to all employees at the beginning of the school year and shall be provided to each new employee.

Additionally, this policy will be posted in a prominent place in the GCCS office, and will become a part of every employee handbook.

All administrators and supervisors shall be knowledgeable of this policy and their responsibilities for its implementation.

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing or a copy of district information sheets which set forth, at a minimum, the following information:

1. The illegality of sexual harassment.
2. The definition of sexual harassment under applicable state and federal law.
3. A description of sexual harassment, utilizing examples.
4. GCCS's complaint procedure available to employees.
5. The legal remedies and complaint process available through the Department of Fair Employment and Housing.
6. Directions on how to contact the Department of Fair Employment and Housing.

IV. Complaint Procedure

1. Informal Resolution Process - To accommodate the unique nature of sexual harassment complaints, an informal process is provided for the primary resolution of a complaint at the earliest possible date. This process shall, at a minimum, include the following elements:
 - a. Employees shall first present their complaint to their immediate supervisor. If an employee's immediate supervisor is the alleged harasser, the employee may present his or her complaint to the next level of supervision. Upon receiving a sexual harassment complaint the appropriate supervisor shall:
 - i. Counsel the alleged victim and outline the options available.
 - ii. Obtain a factual written statement of the complaint.

- iii. Assist in follow-up investigation, interviewing the accused, witnesses, and supervisor, as appropriate, and recommending the disposition of the complaint.
- b. The immediate supervisor or other appropriate supervisor/administrator will review the factual information collected to determine whether the alleged conduct constitutes sexual harassment, giving consideration to the record as a whole and the totality of the circumstances, including the nature of the sexual advances and the context in which the alleged incidents occurred, and will take and/or authorize appropriate action.

2. Formal Resolution Process

- a. If the complaint is not resolved by the informal process to the satisfaction of the alleged victim, the following formal procedures are available:
 - i. The complaint shall be reduced to writing and sent to the Chief Human Resources Officer of the San Luis Obispo County Office of Education (SLOCOE), not the employee's immediate supervisor, within 10 working days of the completion of the informal process.
 - ii. The Chief Human Resources Officer shall investigate the complaint and respond within 10 working days after receiving the complaint.
 - iii. If the complaint is not satisfactorily resolved at the level of the Chief Human Resources Officer, the employee, within 10 days of receipt of the Chief Human Resources Officer's response, may request that the complaint be reviewed by the County Superintendent of Schools.
 - iv. The County Superintendent of Schools shall then take action deemed appropriate to resolve the situation including but not limited to, discipline, training, or other remedial measures.
 - v. An effort will be made to protect the privacy of the parties involved in a complaint. Files which pertain to complaints handled under the informal process shall be kept confidential and will not be made available to the general public.
 - vi. Time limits may be extended by mutual agreement of the alleged victim and the person to whom the complaint is addressed at the respective level(s).
 - vii. No retaliation of any kind will occur because an employee has made a sexual harassment complaint.

V. Obligations of All Employees

1. All employees shall report to their immediate supervisor any conduct on the part of other employees or non-employees, such as sales representatives or service vendors, who sexually harass any employee of the GCCS. Immediately following notification of the supervisor, the employee shall submit, in writing, a detailed and specific account of the incident, which will be used in investigating the allegation.
2. All employees shall cooperate with any investigation of an alleged act of sexual discrimination/ harassment conducted by GCCS or by an appropriate State or Federal Agency.
3. No employee of GCCS shall take any action to discourage a victim of harassment from reporting such an instance.
4. Because different procedures apply after a formal governmental administrative charge or complaint is filed, any employee receiving such a charge or complaint is directed to deliver it to the County Superintendent of Schools immediately.

APPROVED BY GCCS PRINCIPAL:

6/28/12

Date