



Long Valley Charter School

Imagine-Achieve-Inspire

Sexual Harassment Policy

Approved by: Board of Directors

Date: May 1, 2001

Number: 1003

Student Policies:

Purpose: Clearly state what sexual harassment is and that it will not be tolerated.

Definitions: Sexual harassment is discrimination. LVCS is a discrimination free environment.

Procedures:

Long Valley Charter School (LVCS) is committed to providing a work environment free of invidious discrimination. In keeping with this commitment, LVCS prohibits sexual harassment of LVCS employees and applicants for employment in the working environment. This policy applies to all of the LVCS employees. It prohibits harassment of any form, including verbal, physical, and visual harassment of a sexual nature.

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal, physical, or visual conduct of a sexual nature made by someone from or in the work or educational setting when:

1. Submission to the conduct is either explicitly or implicitly made a term or condition of any individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the individual.
3. The conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or educational environment or of adversely affecting the student or employee's performance, evaluation, advancement, assigned duties, or any other condition of education, employment or career development.
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, honors, programs, or activities available at or through the educational institution.

Other examples of sexual harassment, whether committed by a supervisor or any other employee, are:

1. Unwelcome leering, sexual flirtations, or propositions.
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions.
3. Graphic verbal comments about an individual's body, or overly personal conversation.
4. Sexual jokes, stories, drawings, pictures or gestures.
5. Spreading sexual rumors.
6. Touching an individual's body or clothes in a sexual way.
7. Cornering or blocking normal movements.
8. Displaying sexually suggestive objects in the educational or work environment.
9. Any act of retaliation against an individual who reports a violation of LVCS' sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

Employees who permit or engage in such harassment will be subject to discipline up to and including termination of employment.

Each supervisor has the responsibility of maintaining an education and work environment free of sexual harassment. This responsibility includes discussing LVCS's sexual harassment policy with his/her students and/or employees and assuring them that they are not required to endure sexually insulting degrading, or exploitive treatment or any form of sexual harassment.

Any employee who believes he or she has been harassed by a co-worker or manager of LVCS should promptly report the facts of the incident or incidents and the names of the individuals involved on the complaint form attached to this policy, and file a complaint with his or her supervisor, the Director, or the Board of Directors. Such claims will be investigated and all information forwarded to the Board of Directors for appropriate action.

LVCS prohibits retaliatory behavior against any participant in the complaint process. Each complaint shall be investigated in a way that respects the privacy of all parties.

Legal Reference:

EDUCATION CODE

200-240 Prohibition of discrimination on the basis of sex, especially:

212.5 Sexual Harassment defined

212.6 Sexual Harassment policy

230 Particular practices prohibited

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

UNITED STATES CODE, TITLE 42

2000d and 2000e et seq. Title VI & Title VII, Civil Rights Act of 1964 as amended

2000h-2 et seq. Title IX, 1972 Education Act Amendments

Meritor Savings Bank, v. Vinson et al

106 Sup. Ct. Rptr. 2399

\ Notifications:

A copy of LVCS's policy on Harassment in Employment shall:

1. Be displayed in a prominent location in the LVCS office.
2. Be provided to each certified employee, all members of the administrative staff, and all members of the support staff at the beginning of the first trimester of the school year, or whenever a new employee is hired.
3. Appear in any LVCS publication that sets for the LVCS's rules, regulations, procedures, and standards of conduct.

Pursuant to Government Code Section 12950, all employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing or a copy of the LVCS information sheets that contain, at a minimum, components on:

1. The illegality of sexual harassment.
2. The definitions of sexual harassment under applicable state and federal law.
3. A description of sexual harassment with examples.
4. LVCS's complaint process available to the employee.
5. The legal remedies and complaint process available through the Fair Employment and Housing Department and Commission.
6. Directions on how to contact the Fair Employment and Housing Department and Commission.

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Adopted: 5/1/2001

Revised: