

This policy addresses discrimination, harassment, and retaliation involving District employees. For discrimination, harassment, and retaliation involving students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.

For the purposes of this policy, the term “employee” includes former employees, applicants for employment, and interns.

Prohibited Conduct

In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined below, even if the behavior does not rise to the level of unlawful conduct. [See DH(LOCAL)]

The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, sex, gender, national origin, age, disability, sexual orientation, gender identity, gender expression, genetic information, or any other basis prohibited by law.

Discrimination

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, sex, gender, national origin, age, disability, sexual orientation, gender identity, gender expression, genetic information, or any other basis prohibited by law, that adversely affects the employee’s employment.

Harassment

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee’s race, color, religion, sex, gender, national origin, age, disability, sexual orientation, gender identity, gender expression, genetic information, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee’s work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee’s performance, environment, or employment opportunities.

[See DH(LOCAL) and DIA(REGULATION)]

Sexual Harassment

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee’s employment;

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2. Submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
3. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

Sexual harassment may include the above conduct between persons of the same gender.

[See DH(LOCAL) and DIA(REGULATION)]

Retaliation

The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation. [See DH(LOCAL) and DIA(REGULATION)]

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding harassment or discrimination is subject to appropriate discipline.

Reporting Procedures

The Superintendent of Schools shall serve as coordinator for purposes of District compliance with all antidiscrimination laws and has designated representatives for receiving discrimination reports. Reports of discrimination or harassment shall be directed to the designated District representative. [See DIA(REGULATION)]

District
Representatives

For the purposes of this policy, District representatives are the Title VII representative, the Title IX representative, the ADA representative, and the Section 504 representative.

Program Development and Training

The District shall provide training to promote awareness of this policy. Counseling will be provided as needed.

Adoption or Last Amendment Date

This policy was last amended on March 26, 2020.