

Employees of the District shall not discriminate on the basis of or engage in harassment motivated by age, race, color, ancestry, national origin, sex, handicap or disability, marital status, religion, veteran status, political affiliation, sexual orientation, gender identity, and/or gender expression. A substantiated charge of harassment against a student or employee shall result in disciplinary action.

Definition

The term "harassment" includes repeated, unwelcome, and offensive slurs, jokes, or other oral, written, graphic, or physical conduct relating to an individual's race, color, religion, ancestry, national origin, disability or handicap, age, sex, marital status, veteran status, political affiliation, sexual orientation, gender identity, and/or gender expression that creates an intimidating, hostile, or offensive educational or work environment.

Reporting

Employees who believe they have been harassed shall be encouraged to promptly report such incidents to the campus principal or supervisor. If the campus principal or supervisor is the subject of a complaint, the employee shall report the complaint directly to the Superintendent.

An employee who suspects or knows that a student is being harassed by a school employee or by another student shall inform his or her principal or immediate supervisor.

Investigation

Any allegations of harassment of students or employees shall be investigated and addressed.

Oral complaints shall be reduced to writing to assist in the District's investigation. To the greatest extent possible, complaints shall be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation.

Protection from Retaliation

The District shall not retaliate against an employee who in good faith reports perceived harassment.

Complaint Process

An employee may appeal the decision of the principal or supervisor regarding the investigation into the allegations in accordance with DGBA(LOCAL).

Workplace Bullying

The District considers workplace bullying to be unacceptable and shall not tolerate it under any circumstances.

Workplace bullying is defined as engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs in the workplace that:

1. Has the effect or will have the effect of physically harming another employee, damaging the employee's property, or placing the employee in reasonable fear of harm to the employee's person or of damage to the employee's property;
2. Is so sufficiently severe, persistent, and pervasive that the action or threat creates an intimidating, threatening, or abusive work environment for the employee;
3. Exploits an imbalance of power between the employee perpetrator and the employee victim through written or verbal expression or physical conduct; or
4. Interferes with the victim's employment or substantially disrupts the operation of the work location.

Workplace bullying does not include the legitimate exercise of employee management, including task assignment, employee coaching, and work-related employee discipline.

Allegations of workplace bullying shall be handled in accordance with DIA3(REGULATION).

Sexual Harassment

Employee to
Employee

Employees shall not engage in conduct constituting sexual harassment of other employees. Employees who believe they have been sexually harassed by other employees shall be encouraged to come forward with complaints. District officials or their agents shall promptly investigate all allegations of sexual harassment of employees by other employees, and officials shall take prompt and appropriate disciplinary action against employees found to have engaged in conduct constituting sexual harassment of employees.

Complaint
Procedure

An employee who believes he or she has been or is being subjected to any form of sexual harassment shall bring the matter to the attention of the principal, immediate supervisor, or Title IX coordinator for employees in accordance with the procedures in the District's employee complaint policy [see DGBA(LOCAL)]. However, no procedure or step in that policy shall have the effect of requiring the employee alleging harassment to present the matter to a person who is the subject of the complaint; nor shall a sexual harassment complaint be dismissed because it is not filed within the time lines set out in DGBA(LOCAL).

Employee to
Student

Employees shall not engage in conduct constituting sexual harassment or sexual abuse of students. Sexual harassment includes any welcome or unwelcome sexual advances, requests for sexual favors, and other verbal (oral or written), physical, or visual conduct of a sexual nature. Romantic relationships between District employees and students constitute unprofessional conduct and are prohibited.

All allegations of sexual harassment or sexual abuse of students by employees shall be reported to parents and investigated. Information about sexual harassment or sexual abuse of a student that may reasonably be characterized as known or suspected child abuse or neglect shall be reported to appropriate authorities, as required by law. [See FFG(LEGAL)]

In considering and investigating allegations that an employee has sexually harassed or sexually abused a student [see DIA(LEGAL)], the investigation shall proceed from the presumption that the employee's conduct was unwelcome.

Consequences

Sexual harassment is prohibited on District property, at District-related events or activities, and in any other circumstance where the conduct affects the alleged victim's employment. Violations of this policy shall result in disciplinary action, up to and including termination.

Retaliation against employees or students who report sexual harassment or who assist in the investigation of a sexual harassment complaint is strictly prohibited. Acts of retaliation may result in disciplinary action up to and including termination.

[See also FFH(LOCAL), which contains the complaint procedure for students alleging sexual harassment or sexual abuse by an employee.]

Effective Date

This policy shall be effective as of the adoption date, August 15, 2014.