

ALL PERSONNEL**Sexual Harassment, Bullying/Abusive Conduct**

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite gender, in the work setting. Items that may constitute sexual harassment or prohibited bullying/abusive conduct include but are not limited to:

1. Submission to the conduct is made, either expressly or by implication, a term or condition of the other's employment;
2. Submission to, or rejection of, such conduct by the other 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 the other individual's work performance; creating an intimidating, hostile or offensive work environment; or of adversely affecting the other individual's evaluation, advancement, assigned duties, or any other condition of employment or career development;
4. Submission to, or rejection of, the conduct by the other individual is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs or activities available at or through the Yuba County Office of Education (YCOE).
5. Repeated use of derogatory remarks, insults and epithets;
6. Verbal or physical conduct that a reasonable person would find threatening, intimidating or humiliating;
7. The gratuitous sabotage or undermining of a person's work performance.

Types of conduct which are prohibited throughout YCOE and YCOE sponsored programs, whether committed by a supervisor or any other employee, and which may constitute sexual harassment or bullying include but are not limited to:

1. Unwelcome leering, sexual flirtations or propositions;
2. Unwelcome sexual slurs, leering, 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, notes, stories, drawings, pictures, or gestures;
5. Spreading sexual rumors;
6. Touching an individual's body or clothes in a sexual way;
7. Purposefully cornering or blocking of normal movements;
8. Displaying sexually suggestive objects in the work environment;
9. Sexual comments, innuendoes, or slurs, oral or in writing, regarding a person's sexual orientation;
10. Any act of retaliation against an individual who reports a violation of YCOE's sexual harassment policy or who participates in the investigation of a sexual harassment complaint;
11. Repeated use of derogatory remarks, insults and epithets;

12. Verbal or physical conduct that a reasonable person would find threatening, intimidating or humiliating;
13. The gratuitous sabotage or undermining of a person's work performance.

Each Program Administrator and supervisor has the responsibility of maintaining a work environment free of sexual harassment. This responsibility includes discussing YCOE's sexual harassment policy and anti-bullying policy with his/her employees and assuring them that they are not required to endure sexually insulting, degrading, or exploitative treatment or any other form of sexual harassment or abusive conduct.

YCOE will make its best effort to investigate and resolve all complaints within five (5) working days of receipt of the complaint.

TRAINING

Every two years, the Superintendent or designee shall ensure that supervisory employees receive training and education regarding sexual harassment and anti-bullying. All newly hired or promoted supervisory employees shall receive training within six months of their assumption of the supervisory position. (Government Code 12950.1)

The district's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state laws on the prohibition against and the prevention and correction of sexual harassment and abusive conduct, and the remedies available to the victims of sexual harassment and abusive conduct in employment. The training shall also include all of the content specified in 2 CCR 7288.0 and practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1; 2 CCR 7288.0)

In addition, the Superintendent or designee shall ensure that all employees receive periodic training regarding the district's sexual harassment and anti-bullying policy, particularly the procedures for filing complaints and employees' duty to use the district's complaint procedures.

NOTIFICATIONS

A copy of the YCOE policy on harassment in employment shall:

1. Be displayed in a prominent location in the main administrative building or other area of the school;
2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or whenever a new employee is hired;
3. Appear in any school or YCOE publication that sets forth the school's or YCOE's comprehensive rules, regulations, procedures and standards of conduct.

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 YCOE information sheets that contain, at a minimum, components on:

1. The illegality of sexual harassment or bullying;
2. The definition of sexual harassment or bullying under applicable state and federal law;
3. A description of sexual harassment or bullying, with examples;
4. YCOE'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.

cf. 4112.9/4212.9/4312.9 - Employee Notifications

DEPARTMENTS OF FAIR EMPLOYMENT AND HOUSING

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28 Civic Center Plaza, Suite 538
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(714) 558-4159

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1900 Mariposa Mall, Suite 130
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