

SANTA ANA UNIFIED SCHOOL DISTRICT

AR 4119.11/4219.11/4319.11 (a)

All Personnel

Sexual Harassment

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors or other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite gender, in the work or educational setting when: (E.C. 212.5; CCR 4916)

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work or educational environment; or of adversely affecting the 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 him/her regarding benefits, services, honors, programs or activities available at or through the district.

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

1. Verbal Conduct such as sexual slurs, epithets, derogatory comments or unwanted sexual advances, propositions, flirtations or comments, or jokes, or graphic verbal comments about an individual's body, or overly personal conversation, or pressure for sexual activities or spreading rumors.
2. Visual Conduct such as sexually derogatory posters, cartoons, drawings, jokes or gestures, graffiti or displaying sexually suggestive objects, or sexually explicit e-mails or using sexual computer screen savers.
3. Physical Conduct such as assault, cornering or blocking normal movement, unwelcome sexual leering, or interfere with work directed at an employee because of the employee's gender or touching an individual's body or clothes in a sexual way.
4. Threats and demands to submit to sexual requests to keep a job or avoid some other loss and offers of job benefits in return for sexual favors.
5. Retaliation for reporting harassment or threatening to report harassment or for participating in the investigation of a complaint of sexual harassment.

It is unlawful for males to sexually harass females or other males, and for females to harass males or other females.

Notifications

A copy of the district's policy and this administrative regulation shall: (E.C. 231.5)

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

1. Be displayed in a prominent location in the main administrative building or other area of the school where notices of district rules, regulations, procedures and standards of conduct are posted.
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. (cf. 4112.9/4212.9/4312.9-Employee Notifications)
3. Appear in any school or district publication that sets forth the school or district's comprehensive rules, regulations, procedures and standards of conduct. (E.C. 212.6)

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 that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment.
2. The definition of sexual harassment under applicable state and federal law.
3. A description of sexual harassment, with examples.
4. The district'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. (Government Code 12950)