

Employee Behavior

The Superintendent shall ensure that employees perform their duties in a professional manner, in an environment free from discrimination, harassment, intimidation, and/or retaliation. No form of workplace discrimination, harassment or intimidation shall be tolerated.

Upon employment, each new employee shall be provided with written materials describing the requirements for employment, including standards of behavior, and shall be required to sign an affirmation that he/she has read and understands the requirements. Throughout employment, employees shall be provided with periodic training concerning workplace behavior.

Employees shall be informed that discrimination, harassment, intimidation and/or retaliation are prohibited workplace behaviors and will not be tolerated. Employees shall be further informed that such behaviors based upon any protected basis, including age, ancestry, citizenship, color, genetic information or characteristics, marital or parental status, national origin, political affiliation, pregnancy, race, religion, sex or gender, perceived sex or gender, sexual orientation or perceived sexual orientation, military or veterans' status, physical or mental disability, or medical condition unrelated to the job may be a violation of federal and/or state law and subject to criminal prosecution.

Harassment based upon any of the protected categories listed above is unlawful. Harassment means any unwelcome verbal, visual, or physical conduct, or unwelcome sexual advances by someone from or in the work or educational setting under any of the following conditions:

- a. Submission of the conduct is explicitly or implicitly made a condition of an employee's or student's employment, academic status, or progress.
- b. Submission to or rejection of the conduct by the individual is used as the basis for academic or employment decisions affecting the individual.
- c. The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or learning environment.
- d. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding the benefits, services and activities at or through the education institution.

Harassment includes, but is not limited to:

- **Verbal Harassment**—Offensive or derogatory comments of a personal or sexual nature, epithets, jokes, slurs, or spreading sexual rumors.
- **Visual Harassment**—Display of offensive or sexually suggestive posters, pictures, cards, cartoons, graffiti, drawings, objects, or gestures; suggestive or obscene letters, notes, or invitations.
- **Physical Harassment**—Unwelcome or offensive touching, intentionally blocking normal movement, or assault.

- **Sexual Favors**—Unwelcome sexual flirtations, advances, or propositions as a condition of promotion, continued employment, better grades than earned, opportunities for extra credit, recommendations, or other benefits in return for sexual favors.

Any employee, prospective employee, student, parent, or other member of the public who feels that he/she has been subject to prohibited behavior by an employee shall follow the complaint procedures established by the Superintendent. There shall be no retaliation against any person for using these complaint procedures.

Legal References:

California Fair Employment and Housing Law (FEHA)
Title VII of the Civil Rights Act of 1964 (amended 1991)
Age Discrimination in Employment Act (ADEA)
Americans with Disabilities Act (ADA)

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