

# Salinas Union High School District

## **SEXUAL HARASSMENT**

As a part of the Salinas Union High School District's policy of providing a work environment that is free of discrimination, the following administrative regulations are issued.

### **Definition**

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 another person of the same or opposite gender, in the work or educational setting, when:

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status or progress
2. Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual
3. 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 educational environment
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor, an employee, or a non-employee, in the work or educational setting, include but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, gestures or sexually explicit e-mails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over or impeding normal movements

Prohibited sexual harassment may also include any act of retaliation against an individual who reports a violation of the District's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

# Salinas Union High School District

All Personnel

Regulation #4019.11

---

## **SEXUAL HARASSMENT**

### **Notifications**

A copy of the District's policy on sexual harassment shall: (Education Code 231.5)

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.

(cf. [4112.9/4212.9/4312.9](#) - Employee Notifications)

3. Appear in any school or District publication that sets forth the school's or District's comprehensive rules, regulations, procedures and standards of conduct

All employees shall receive 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 DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR [7287.8](#) for opposing harassment prohibited by law or for filing a complaint with, or otherwise participating in an investigation, proceeding or hearing conducted by DFEH and the EEOC

District

### **Training**

By January 1, 2006, and every two years thereafter, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All newly hired or promoted supervisory employees shall receive training within six months of their assumption of the supervisory position. (Government Code [12950.1](#))

# Salinas Union High School District

## **SEXUAL HARASSMENT**

The District's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state statutory law on the prohibition against and the prevention and correction of sexual harassment and the remedies available to the victims of sexual harassment in employment. The training shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation. (Government Code [12950.1](#))

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