

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. Items that may constitute sexual harassment include:

1. Submission to the conduct is made either expressly or implicitly, a term or condition of the individual's employment;
2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her;
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 individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs or activities available at or through San Joaquin County Office of Education (SJCOE).

Types of conduct which are prohibited at SJCOE and SJCOE-sponsored programs, whether committed by a supervisor, co-worker, or non-employee, in the work or educational setting, which may constitute sexual harassment 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, or gestures; sexually explicit emails; 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 SJCOE sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

Any employee wishing to complain about sexual harassment may do so by filing a complaint pursuant to AR 4031(a) – Complaints Concerning Discrimination/Harassment in Employment.

Training

Every two years 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.

The training and education required by this section shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

Notifications

A copy of the SJCOE 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 staff 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 SJCOE publication that sets forth 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 (DFEH) or a copy of the SJCOE information sheets that contain, at a minimum, components on:

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. SJCOE's complaint process for employees;
5. The legal remedies and complaint process available through the DFEH and the Equal Employment Opportunity Commission (EEOC);
6. Directions on how to contact the DFEH and 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 EEOC.

DEPARTMENTS OF FAIR EMPLOYMENT AND HOUSING

NORTHERN CALIFORNIA	SOUTHERN CALIFORNIA
<p>Sacramento DFEH 2000 "O" Street, Suite 120 Sacramento, CA 95814-5212 (916) 445-5523</p> <p>San Francisco & Oakland DFEH 1515 Clay Street, Suite 701 Oakland, CA 94612 (510) 622-2941</p>	<p>Bakersfield DFEH 4800 Stockdale Hwy, Suite 215 Bakersfield, CA 93309 (661) 395-2729</p> <p>San Jose DFEH 2570 N. First Street, Suite 480 San Jose, CA 95131 (408) 325-0344</p> <p>Fresno DFEH 1320 E. Shaw Avenue, Suite 150 Fresno, CA 93710-7915 (559) 244-4760</p> <p>Los Angeles DFEH 611 W. Sixth Street, Suite 1500 Los Angeles, CA 90017 (213) 439-6799</p> <p>San Diego DFEH 1350 Front Street, Suite 3005 San Diego, CA 92101 (619) 645-2681</p> <p>Santa Ana DFEH 2101 E. 4th Street, Suite 255-B Santa Ana, CA 92705 (714) 558-4266</p>