

SEXUAL HARASSMENT

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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 or educational setting, when (Education Code 212.5):

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 him/her;
3. The conduct has the purpose or effect of unreasonably interfering with the other individual's work or academic performance; creating an intimidating, hostile, or offensive work or educational environment; or of adversely affecting the other individual's evaluation, advancement, assigned duties, or any other condition of education, 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, include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions;
2. Unwelcome sexual slurs, 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, stories, drawings, pictures, or gestures;
5. Spreading sexual rumors;
6. Touching an individual's body or clothes in a sexual way;
7. Cornering or blocking of normal movements;
8. Displaying sexually suggestive objects in the educational or work environment;

9. 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.

Notifications

A copy of this policy shall: (Education Code 231.5)

1. 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.

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;
4. The legal remedies and complaint process available through the Fair Employment and Housing Department and Commission;
5. Directions on how to contact the Fair Employment and Housing Department and Commission.