

## **SEXUAL HARASSMENT POLICY**

The Ocean View School District (OVSD) is committed to providing a working and learning environment free from unlawful sexual harassment. The District prohibits sexual harassment of or by employees, students, or persons doing business with or for the District on the basis of actual or perceived sex, sexual orientation, gender, gender identity or gender expression. Failure to follow this policy is a violation of state and federal law.

Sexual is defined by California Education Code § 212.5 as any unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting, under any of the following conditions:

- Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress
- Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual
- 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
- 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

Upon witnessing an act of discrimination, harassment, intimidation and/or bullying based on actual or perceived characteristic of a protected category (as enumerated above), school personnel are required to take immediate steps to intervene when it is safe to do so. Reporting such conduct to an administrator can be an appropriate intervention. Once a school or office has notice of discriminatory, harassing, intimidating or bullying conduct, whether carried out by employees, students, or third parties, it should take immediate and appropriate steps to investigate or otherwise determine what occurred. School personnel are to take prompt and effective steps reasonably calculated to end the conduct, eliminate a hostile environment, if one has been created, and prevent the conduct from occurring again. These steps should be taken whether or not an individual makes a complaint or asks the school or office to take action. This policy applies to all acts related to school activity or school attendance within any school or office under the jurisdiction of the Superintendent of the Ocean View School District.

Any student or employee of the District who believes that she or he has been a victim of sexual harassment should bring the problem to the attention of the school-site administrator or the Assistant Superintendent of Human Resources so that appropriate action may be taken to resolve the problem. The District prohibits retaliatory behavior against anyone who files a sexual harassment complaint or any participant in the complaint investigation process. Complaints must be promptly investigated in a way that respects the privacy of the parties concerned.

**For inquires about District policies and procedures related to sexual harassment, including how to file a sexual harassment complaint contact your school's administrator or Felix Avila, Assistant Superintendent, Human Resources at (714) 847-2551.**

**For inquires or complaints related to employee-to-employee, student-to-employee, or work/employment related discrimination or harassment, contact Felix Avila, Assistant Superintendent, Human Resources at (714) 847-2551.**