



SEXUAL HARASSMENT

Sexual harassment in the workplace is a form of discrimination and violates provisions of the Fair Employment and Housing Act, specifically, Government Code Sections 12940(a), (h) and (i). The Governing Board prohibits unlawful sexual harassment of or by any student, staff member or anyone in or associated with GCC.

Any student, staff member, or parent who feels that harassment of any kind has occurred should immediately contact the Principal, Human Resources Department, Assistant Superintendent or Superintendent/CEO or designee. If a situation involving sexual harassment is not promptly remedied by the Principal, Human Resources Department, Assistant Superintendent or Superintendent/CEO or designee, a complaint of harassment can be filed. This may be initiated at the school site or by directly contacting the Human Resources Department to file a complaint. The forms, process and procedures can be found on the GCC website, www.gcccharters.org under the Staff page.

Sexual Harassment Definition

- Sexual harassment is any unwelcome sexual advance, request for sexual favor or verbal or physical conduct of a sexual nature.
- Sexual harassment is behavior that is not only unwelcome, but in most cases repeated.
- Sexual harassment is defined from the victim's point of view, not the harasser's.
- The goal of sexual harassment is not sexual pleasure, but gaining power over another.
- Sexual harassment is against the law.

Unwelcome sexual advances, request for sexual favors, or other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- 1) Submission to such conduct is made either explicitly, or implicitly a term or condition of an individual's employment or eligibility for services.
- 2) Submission to or rejection of such conduct by an individual is used as the basis for employment or program eligibility decisions affecting such individuals,
- 3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or
- 4) It creates a hostile, intimidating, or offensive working environment.

This policy applies to the employee's relationship with his or her students, co-workers, including supervisors and non-supervisory employees.

Any incident of harassment, including work-related harassment by any company personnel or any other person, should be reported promptly to an administrator who is responsible for investigating the matter. GCC emphasizes that an employee is not required to complain first to an administrator if that administrator is the individual who is harassing the employee. In such a case, the employee should report the incident to any other GCC school administrator, the Human Resources Department, Assistant Superintendent, Superintendent/CEO or designee.

When GCC learns of an incident of alleged harassment, GCC will conduct a thorough, objective, and complete investigation of the complaint, in a manner that is confidential. Information obtained during the investigation will be disclosed only on a need-to-know basis. Normally, investigation of a complaint will include interviews with the complainant, the accused and any named or apparent witnesses. The accused may be placed on paid administrative leave while GCC conducts the investigation.

At the conclusion of the investigation, GCC will ordinarily make a determination about whether unlawful harassment has occurred. Our policy is to communicate findings to the accused, the complainant, and, when appropriate, to other persons who are directly concerned.

If the investigation confirms that the harassment has occurred, GCC will take timely and effective remedial action commensurate with the severity of the offense. This action will include disciplinary action against the harasser, up to and including termination.

The GCC takes all harassment complaints seriously and wants the opportunity to resolve any problems that may arise. No employee will be retaliated against or otherwise disciplined for reporting an incident of harassment, or for participating in an investigation. GCC will provide sexual harassment training to employees every 2 years to ensure compliance of by law and by the Board approved sexual harassment policy (BP 13-09)