



## **iLEAD HYBRID**

# **HARASSMENT, DISCRIMINATION AND RETALIATION PREVENTION POLICY**

**Board Approved: 1/28/2020**

## **HARASSMENT, DISCRIMINATION AND RETALIATION PREVENTION POLICY**

It is the policy of iLEAD Hybrid (“iLEAD” or the “School”) to create and maintain a work environment where employees are treated with dignity, decency and respect. It is also the policy of iLEAD to maintain an environment that encourages and fosters appropriate conduct among all persons and respect for individual values. Accordingly, it is committed to enforcing this Harassment, Discrimination and Retaliation Prevention Policy at all levels in order to create an environment free from all forms of discrimination, harassment and retaliation. Discrimination, harassment or retaliation based on race, religious creed (including religious dress and grooming practices), color, national origin (including language use restrictions), ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy or childbirth), gender, gender identity, gender expression, age, sexual orientation, military and veteran status (including state and federal active and reserve members as well as those ordered to duty or training), immigration/citizenship status or related protected activities (which includes undocumented individuals and human trafficking victims), or any other legally protected category is unlawful and undermines the character and purpose of the School. These categories include a perception that the individual has any of these characteristics or is associated with a person who has (or is perceived to have) any of these characteristics. Such discrimination, harassment or retaliation violates policy and will not be tolerated. This policy applies to anyone an employee who comes into contact, including coworkers, third parties, supervisors, and managers.

Any form of retaliation against anyone who has opposed the practices prohibited by this policy, complained of or formally reported prohibited discrimination or harassment or has participated in an investigation of such a complaint, regardless of whether the complaint relates to the complaining person or someone else, will not be tolerated and violates this policy and the law.

### **Definitions**

**Adverse Employment Action:** As used in this policy, “adverse employment action” may include, but is not necessarily limited to, the following: demotion; suspension; reduction in pay; denial of a merit salary increase; failure to hire or consider for hire; refusal to promote or consider for promotion; denial of employment opportunities; change of an employee’s work assignments; failure to provide a workplace accommodation when required (i.e., disability, pregnancy, religion, transgender); failure to provide a leave of absence when required (i.e., medical, pregnancy, workers’ compensation, military, domestic violence); or any other unequal treatment based on the individual’s protected category resulting in an adverse employment action.

**Discrimination:** Discrimination means taking any adverse employment action against an employee or applicant in any aspect of employment, solely or in part based on the individual’s protected category. Discrimination may include, but is not necessarily limited to, factoring an individual’s protected category in hiring, promotion, compensation, or other terms and conditions of employment unless otherwise permitted by law.

**Harassment:** Harassment is unwelcome verbal or physical conduct prohibited by law directed toward, or differential treatment of, an employee because of his/her membership (or perceived membership) in any protected group or on any other prohibited basis. The harasser can be the employee's supervisor, a manager, a co-worker or someone who is not an employee of the school, such as a vendor, parent, or student.

Examples of such conduct include, but are not limited to:

- Offensive or degrading remarks, verbal abuse, or other hostile behavior such as insulting, teasing, mocking, degrading or ridiculing another person or group
- Racial slurs, derogatory remarks about a person's accent, or display of racially offensive symbols
- Unwelcome or inappropriate physical contact, comments, questions, advances, jokes epithets or demands
- Physical assault or stalking
- Displays or electronica transmission of derogatory, demeaning or hostile materials
- Unwillingness to train, evaluate, assist or work with an employee

**Sexual Harassment:** Sexual harassment is a form of harassment based on sex, including sexual harassment, gender harassment and harassment based on pregnancy, childbirth or related medical conditions. It generally involves unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of violations:

- Unwanted sexual advances
- Offering employment benefits in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances
- Visual conduct: leering, making sexual gestures, displaying of suggestive objects or pictures, cartoons or posters
- Verbal conduct: making or using derogatory comments, epithets, slurs and jokes
- Verbal sexual advances or propositions
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations
- Physical conduct: touching, assault, impeding or blocking movements

#### Reporting Discrimination, Harassment or Retaliation

Any employee who believes that he or she has been the victim of discrimination, harassment or retaliation prohibited by this policy, or any employee who has witnessed such discrimination, harassment or retaliation, must immediately report the circumstances in accordance with the procedure set forth below. Complaints should be specific and should include the names of the individuals involved and the names of any witnesses, and should preferably be in writing. The identity of the complainant and the investigation will be kept confidential by the School to the extent possible, but note that the investigation will not be completely confidential.

An employee may make a complaint, written or oral, to any of the individuals listed below:

- The employee's direct supervisor
- Any other supervisor
- The iLEAD Employee Services Department

Complaints may be submitted to the School Leadership

- By phone
- By email
- By mail

If the person to whom the complaint is directed has a personal relationship with the accused individual or otherwise has a conflicting interest, he or she will forward it to an employee within the Employee Services Department.

Employee Services Department by any of the following methods:

- By phone at 661-441-6883
- By email at [employeeservices@ileadschools.org](mailto:employeeservices@ileadschools.org)
- By mail at 29477 The Old Road, Castaic, CA 91384

Any supervisor that receives any complaints of misconduct, or personally observe, learn about from others, or reasonably suspect has occurred, shall report the same to the Employee Services Department, so that the School may attempt to resolve the claim internally.

Employees who believe that they have been unlawfully discriminated against, harassed, or retaliated against may also file a complaint with the local office of the California Department of Fair Employment and Housing ("DFEH") or the Equal Employment Opportunity Commission ("EEOC"). The DFEH and the California Fair Employment and Housing Council ("FEHC") as well as the EEOC can also order an employer to hire, reinstate, or promote a victim of discrimination, harassment, and/or retaliation or make other changes in the employer's policies. The address and phone number of the local DFEH and EEOC offices can be found in the government sections of your local telephone directory or online. Sexual harassment online training courses are available on the DFEH's website at: <https://www.dfeh.ca.gov/resources/>.

### Investigation and Disposition of Complaints

The School will conduct a prompt, thorough and impartial investigation that provides all parties appropriate due process, will reach reasonable conclusions based on the evidence collected, and will take remedial action where appropriate. The investigation, conducted by qualified personnel, will include, as appropriate, interviews and review any relevant documents.

The School will strive to complete its investigation as efficiently as possible in light of the allegations. If the School determines that unlawful conduct or a violation of applicable policies has occurred, appropriate remedial measures will be taken in accordance with the circumstances involved. Appropriate action will also be taken to deter future conduct. Any employee determined by the School to be responsible for unlawful discrimination, harassment, and/or

retaliation will be subject to appropriate disciplinary action, up to and including termination. Discipline for a violation of this policy is not progressive, so a first violation of this policy may warrant suspension or discharge. This policy does not alter the at-will status of the employment relationship with the School.