



Employee Harassment, Discrimination, and Retaliation Prevention Policy
Board Approved: January 29, 2020
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It is the policy of iLEAD Online (“iLEAD Online” 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 Online to maintain an environment that encourages and fosters appropriate conduct among all persons and respect for individual values. Accordingly, the School 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 (traits associated with race, such as hair texture or hairstyle), religious creed (including religious dress and grooming practices), color, national origin (including language use restrictions and possession of a driver’s license issued to undocumented immigrants), ancestry, physical or mental disability (including developmental, mental health/psychiatric, and HIV/AIDS), medical condition (genetic characteristics, cancer, or a record or history of cancer), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy or childbirth), reproductive health decision making, gender, gender identity, gender expression, age, sexual orientation, military and veteran status, or any other legally protected category is unlawful and undermines the character and purpose of the School. Such discrimination, harassment or retaliation violates School policy and will not be tolerated. This policy applies to anyone an employee comes into contact, including coworkers, third parties, supervisors, managers and students.

Any form of retaliation against anyone who has complained or formally reported 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

Discrimination: Discrimination is the adverse treatment of any employee based on the protected class or category of persons to whom they belong with respect to the terms, conditions, or privileges of employment including, but not limited to hiring, firing, promoting, disciplining, scheduling, training, or deciding how to compensate that employee.

Harassment: Harassment is unwelcome verbal or physical conduct prohibited by law directed toward, or differential treatment of, an employee because of their 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 electronic 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

Hostile Work Environment: A hostile work environment results from harassing conduct that has the purpose or effect of unreasonably interfering with an employee's work performance, or creates an intimidating, hostile or offensive work environment.

Retaliation: Retaliation is any adverse action taken against an individual (applicant or employee) because they filed a charge of discrimination, complaint to the School or another agency about discrimination on the job or participated in an employment discrimination proceeding (such as an internal investigation or lawsuit), including as a witness. Retaliation also includes adverse action taken against someone who is associated with the individual opposing the perceived discrimination.

Reporting Discrimination, Harassment or Retaliation

Any employee who believes that they have been the victim of discrimination, harassment or retaliation prohibited by this policy, or any employee who has witnessed such discrimination, harassment or retaliation, should immediately report the circumstances in accordance with the procedure set forth below. The School will investigate any conduct that violates this policy, even in the absence of a complaint, and take remedial action where appropriate.

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 Human Resources Department

Complaints may be submitted to the Human Resources by any of the following methods:

- By phone at 661-214-5520
- By email at hr@ileadcalifornia.org
- By mail at 29477 The Old Road, Castaic, CA 91384

If the person to whom the complaint is directed has a personal relationship with the accused individual or otherwise a conflicting interest, they will forward it to a neutral party.

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 Human Resources Department, so that the School may attempt to resolve the claim internally.

Complaints may also be submitted to the U.S. Equal Opportunity Commission (EEOC) or the California Civil Rights Department (CRD).

Investigation and Disposition of Complaints

The School will conduct a prompt, thorough and impartial investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected. The investigation, conducted by a qualified investigator(s), will include an interview with the alleged employee-victim. It may also include interviews with the person who made the initial report, the complainant (if not the alleged victim), the alleged wrongdoer and/or any other person who may have information regarding the incident, each of whom are encouraged to cooperate with any investigation. The investigator may also review any relevant documents.

The School will endeavor to complete its investigation within thirty (30) days of a report of discrimination or harassment.

Confidentiality of the complaint and investigation will be kept by the School to the extent possible, but note that the investigation will not be completely confidential.

The investigator will report their findings to the Director and/or Human Resources Department. Where the investigator concludes that a violation of this policy has occurred, the Director and/or Human Resources Department will take prompt and appropriate remedial action, including disciplinary action. Depending upon the circumstances, disciplinary action may include, but is not limited to: reprimand/verbal counseling, training, censure, removal of privileges, letters of warning or suspension, and 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.

Every complaint will trigger the creation of an investigatory file. The investigatory file will consist of the initial complaint, the final investigative report, including a record of remedial action to be taken, if any, and all documents created, used or reviewed during the investigation. The investigatory file will be maintained with the Human Resources Department. The progress of the investigation shall be monitored by Human Resources through a periodic review of the investigatory file during the investigation.

HARASSMENT/DISCRIMINATION/RETALIATION COMPLAINT FORM

It is the policy of the School that all of its employees be free from harassment, discrimination, and retaliation. This form is provided for you to report what you believe to be harassment, discrimination, or retaliation so that the School may investigate and take appropriate disciplinary or other action when the facts show that there has been harassment, discrimination, or retaliation.

If you are an employee of the School, you may file this form with the School Director or the School's Board of Directors.

Please review the School's policies concerning harassment, discrimination, and retaliation for a definition of such unlawful conduct and a description of the types of conduct that are considered unlawful.

iLEAD Online will undertake every effort to handle the investigation of your complaint in a confidential manner. In that regard, the School will disclose the contents of your complaint only to those persons having a need to know. For example, to conduct its investigation, the School will need to disclose portions of your factual allegations to potential witnesses, including anyone you have identified as having knowledge of the facts on which you are basing your complaint, as well as the alleged offender.

In signing this form below, you authorize the School to disclose to others the information you have provided herein, and information you may provide in the future. Please note that the more detailed information you provide, the more likely it is that the School will be able to address your complaint to your satisfaction.

Charges of harassment, discrimination, and retaliation are taken very seriously by the School both because of the harm caused by such unlawful conduct, and because of the potential sanctions that may be taken against the offender. It is therefore very important that you report the facts as accurately and completely as possible and that you cooperate fully with the person or persons designated to investigate your complaint.

Your Name: _____ Date: _____

Address: _____

Phone: _____ Email: _____

Date of Alleged Incident(s): _____

Name of Person(s) you believe harassed, or discriminated or retaliated against, you or someone else:

List any witnesses that were present: _____

Where did the incident(s) occur? _____

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

I acknowledge that I have read and that I understand the above statements. I hereby authorize the School to disclose the information I have provided as it finds necessary in pursuing its investigation.

I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief.

Signature of Complainant

Date: _____

Print Name

To be completed by the School:

Received by: _____ Date: _____