
400: Personnel/Employment**Anti-Harassment / Discrimination /
Retaliation Prevention**

Approved by Executive Director:

O6/17/2016

ADOPTED

Board Policy:

- A.** CORE Butte Charter School is an equal opportunity employer and is committed to providing a work environment free of harassment, discrimination, retaliation and disrespectful, bullying, or other unprofessional conduct based on sex (including pregnancy, childbirth, breastfeeding or related medical conditions), race, religion (including religious dress and grooming practices), color, gender (including gender identity and gender expression), national origin (including language use restrictions and possession of a driver's license issued under Vehicle Code section 12801.9), ancestry, physical or mental disability, medical condition, genetic information, marital status, registered domestic partner status, age, sexual orientation, military and veteran status or any other basis protected by federal, state or local law or ordinance or regulation.
- B.** CORE prohibits discrimination, harassment, disrespectful, bullying or unprofessional conduct based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.
- C.** In addition, the school prohibits retaliation against individuals who raise complaints of discrimination or harassment or who participate in workplace investigations.

All such conduct violates CORE Butte Charter School's anti-harassment / discrimination and retaliation policy.

Harassment Prevention

- A.** CORE Butte Charter School's policy prohibiting harassment applied to all persons involved in the operation of the school. CORE Butte Charter School prohibits harassment, disrespectful, bullying or unprofessional conduct by any employee of the school, including supervisors, managers and co-workers as well as parents, vendors, independent contractors, unpaid interns, volunteers, persons providing services pursuant to a contract and any other persons with whom you come into contact while working.
- B.** Prohibited harassment, disrespectful, bullying or unprofessional conduct includes, but is not limited to, the following behavior:
- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, comments, posts or messages;
 - Visual displays such as derogatory and/or sexually-oriented posters,

photography, cartoons, drawings or gestures;

- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment; and
- Communication via electronic media of any type that includes any conduct that is prohibited by state and/or federal law or by school policy.

- A. Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. Prohibited harassment is not just sexual harassment but harassment based on any protected category.

No Discrimination

- A. CORE Butte Charter School is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in the school's operations. The school prohibits unlawful discrimination against any job applicant, employee, volunteer, unpaid intern or independent contractor by any employee of the school, including supervisors and coworkers.
- B. Pay discrimination between employees of the opposite sex performing substantially similar work, as defined by the California Fair Pay Act and federal law, is prohibited. Pay differentials may be valid in certain situations as defined by law. Employees will not be retaliated against for inquiring about or discussing wages. However, the school is not obligated to disclose the wages of other employees.

No Retaliation

- A. CORE Butte Charter School will not retaliate against you for filing a complaint or participating in any workplace investigation and will not tolerate or permit retaliation by management, employees or co-workers.

Reasonable Accommodation

- A. Discrimination can also include failing to reasonably accommodate religious practices or qualified individuals with disabilities where the accommodation does not pose an undue hardship.
- B. To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the school will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

- C. Any job applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact a school representative with day-to-day personnel responsibilities and discuss the need for an accommodation. The school will engage in an interactive process with the employee to identify possible accommodations, if any, that will help the applicant or employee perform the job. An applicant, employee or unpaid intern who requires an accommodation of a religious belief or practice (including religious dress and grooming practices, such as religious clothing or hairstyles) should also contact a school representative with day-to-day personnel responsibilities and discuss the need for an accommodation. If the accommodation is reasonable and will not impose an undue hardship, the school will make the accommodation.
- D. The School will not retaliate against you for requesting a reasonable accommodation and will not knowingly tolerate or permit retaliation by management, employees or co-workers. All requests for accommodations will be kept confidential to the extent necessary to effectuate the accommodation.

Complaint Process

- A. If you believe that you have been the subject of harassment, discrimination, retaliation or other prohibited conduct, report your complaint to your supervisor or to: any other school administrator, the HR Manager, the business manager, or Executive Director as soon as possible after the incident. You can bring your complaint to any of these individuals. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact the Human Resources Department or Executive Director. Please provide all known details of the incident or incidents, names of individuals involved and names of any witnesses. It is preferred that you report your complaint in writing, but this is not mandatory.
- B. The School encourages all individuals to report any incidents of harassment, discrimination, retaliation or other prohibited conduct forbidden by this policy as soon as possible so that your complaint can be resolved in a fair and timely manner.
- C. You may also file a complaint with the Equal Employment Opportunity Commission (EEOC) and/or the California Department of Fair Employment and Housing (DFEH) who will investigate and prosecute complaints of prohibited harassment, discrimination and retaliation in employment. The nearest office can be found by visiting the agency websites at www.dfeh.ca.gov and www.eeoc.gov.
- D. Supervisors and/or managers must refer all complaints involving harassment, discrimination, retaliation or other prohibited conduct to the Human Resources Department or Executive Director of the school so CORE Butte Charter School can resolve the complaint.
- E. When the school receives a complaint of misconduct, it will immediately undertake a fair, timely, thorough and objective investigation of the allegations in accordance with all legal requirements. The school will reach reasonable conclusions based on the evidence collected.
- F. The school will maintain confidentiality to the extent possible. However, CORE Butte Charter School cannot promise complete confidentiality. The employer's duty to investigate and take corrective action may require the disclosure of information to individuals with a need to know.
- G. Complaints will be:

- Responded to in a timely manner
- Kept confidential to the extent possible
- Investigated impartially by qualified personnel in a timely manner
- Documented and tracked for reasonable progress
- Given appropriate options for remedial action and resolution
- Closed in a timely manner

H. If the school determines that harassment, discrimination, retaliation or other prohibited conduct has occurred, appropriate and effective corrective and remedial action will be taken in accordance with the circumstances involved. The school also will take appropriate action to deter future misconduct.

I. Any employee determined by CORE Butte Charter School to be responsible for harassment, discrimination, retaliation or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. Employees should also know that if they engage in unlawful harassment, they can be held personally liable for the misconduct.

Administrative Regulation:

- A. The School Director/designee shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities.
- B.
 - 1. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision.
 - 2. Staff shall be alert and immediately responsive to student conduct which may interfere with another student's ability to participate in or benefit from school services, activities or privileges.
 - 3. Intimidation or harassment of any student by any staff member, student or other person in the school is prohibited.
 - 4. A staff member who permits or engages in discrimination may be subject to disciplinary action, up to and including dismissal.
- C.
 - 1. Students who harass other students shall be subject to appropriate discipline, up to and including counseling, suspension and/or expulsion.
 - 2. Any student who observes an incident of harassment should report the harassment to a school employee, whether or not the victim files a complaint.
- D. The School Director/designee shall be designated to handle complaints regarding discrimination and inquiries regarding policies.
- E.
 - 1. Any student who feels that he/she is being harassed should immediately contact their teacher and/or ACE.
 - 2. School Employees who become aware of an act of harassment shall report the incident immediately to their Supervisor.
 - 3. Upon receiving a complaint of discrimination or harassment, the complaint shall be immediately investigated.
 - 4. If harassment has occurred, prompt, appropriate action shall be taken to end the harassment and address its effects on the victim.
 - 5. The victim shall be advised of any other remedies that may be available.
 - 6. A report shall be filed with the School Director/designee who shall refer the matter to law enforcement where required.

500: Students**Nondiscrimination/Harassment**

04/17/2008

04/18/2008

05/20/2009

Approved by Board of Directors:

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Board Policy:

- A. The Board of Directors is committed to equal opportunity for all students.
- B. School programs and/or activities shall be free from discrimination, including harassment, on the basis of a student's:
- Disability
 - Ethnicity
 - Gender
 - Gender Orientation
 - Nationality
 - Race or Ethnicity
 - Religion
 - Sexual Orientation
 - Victims of stalker status
 - Association with individuals with one (1) or more of the above characteristics