

## VAN NUYS MIDDLE SCHOOL FACULTY HANDBOOK

### SEXUAL HARASSMENT POLICY

It is the policy of the Los Angeles Unified School District to maintain a working and learning environment that is free from sexual harassment. Sexual harassment of or by employees or students is a form of gender discrimination in that it constitutes differential treatment on the basis of gender, and, for that reason, is a violation of state and federal laws and a violation of this policy.

The District considers sexual harassment to a major offense which can result in disciplinary action too the offending employee or the suspension or expulsion of the offending student. Suspension or expulsion as a disciplinary consequence for sexual harassment shall not apply to students enrolled in Kindergarten and grades one through three, inclusive.

Any student or employee of the District who believes that she or he has been a victim of sexual harassment is urged to bring the problem to the attention of the proper authority (whether in an office or a school) 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. Any such complainant is further advised that civil law remedies, including, but not limited to, injunctions, restraining orders, or other orders may also be available to them. Complaints will be promptly investigated in a way that respects the privacy of the parties concerned.

The California Education Code Section 212.5 defines sexual harassment as any verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting, under the following conditions:

- Submission to the conduct is explicitly or implicitly made a term or 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.

Sexual harassment includes, but is not limited to:

- Verbal conduct such as suggestive comments, derogatory comments, sexual innuendos, slurs, or unwanted sexual advances, invitations, or

comments, or spreading rumors about or rating others as to sexual activity or performance.

- Visual conduct such as displays or sexually suggestive objects, pictures, posters, written material, cartoons, or drawings, graffiti of a sexual nature, or use of obscene gestures.
- Physical conduct such as unwanted touching, pinching, kissing, patting, hugging, blocking of normal movement, assault, or interference with work or study directed at an individual because of the individual's gender.
- Threats and demands or pressure to submit to sexual requests in order to keep a job or academic standing or to avoid other loss, and offers of benefits in return for sexual favors.
- Retaliation for opposing, reporting, threatening to report or participate in an investigation or proceeding on a claim of sexual harassment.

For further assistance (with student concerns), contact Deanne Neiman, Director, Educational Equity Compliance, at (213) 229-5900.

For further assistance (with employee concerns), contact Equal Opportunity Section, at (213) 633-7735.