

LA PUENTE VALLEY REGIONAL OCCUPATIONAL PROGRAM

JOINT BOARD POLICIES

I.

Board Policies Covering All Employees

SEXUAL HARASSMENT

First Reading 05-05-92
Adopted 06-09-92
Revised 04-19-05
Revised 07-21-15

BP 4019.11

The Joint Board of Trustees prohibits sexual harassment of ROP employees and job applicants. The board also prohibits retaliatory behavior or action against ROP employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

The superintendent or designee shall take all actions necessary to ensure the prevention, investigation and correction of sexual harassment, including but not limited to:

1. Providing periodic training to all staff regarding the ROP's sexual harassment policy, particularly the procedures for filing complaints and employees' duty to use the ROP's complaint procedures.
2. Providing sexual harassment training and education to new supervisory employees within six months of employment.
3. Providing sexual harassment training and education to its supervisory employees every two years.
4. Publicizing and disseminating the ROP's sexual harassment policy to staff.
5. Ensuring prompt, thorough and fair investigation of complaints.
6. Taking timely and appropriate corrective/remedial actions. This may require interim separation of the complainant and the alleged harasser, and subsequent monitoring of developments.

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or take other subsequent necessary action.

Any ROP employee or job applicant who feels that he/she has been sexually harassed, or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to his/her supervisor, human resources, or the superintendent. A supervisor, human resources or any other ROP administrator who receives a harassment complaint shall promptly notify the superintendent or designee.

Complaints of sexual harassment shall be filed in accordance with BP 6002 - Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Any ROP employee who engages or participates in sexual harassment, or who aids, abets, incites, compels or coerces another to commit sexual harassment against a ROP employee, job applicant or student, is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

Complaint Procedure For All Illegal Harassment

If any employee perceives comments, gestures or actions from any other employee, including supervisors or members of management, to be offensive, the employee should notify the superintendent or designee, or where appropriate, the Joint Board President. No employee is required to file any complaint with the alleged harasser.

The ROP will promptly and thoroughly investigate any complaints of illegal harassment, and will take immediate action to resolve such complaints.

Upon notification or discovery of an illegal harassment complaint, the superintendent or designee will:

1. Inform the complainant of any rights under any relevant complaint procedure or policy;
2. Authorize the investigation of the complaint and supervise and/or investigate the complaint. The investigation will include interviews with: 1) the complainant; 2) the accused harasser; and 3) any other persons who reasonably may have relevant knowledge concerning the complaint, such as witnesses and victims of similar conduct;
3. Review factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment; giving consideration to all factual information, the totality of the circumstances, including the nature of the verbal, physical, or visual aspects of the action and the context in which the alleged incidents occurred;
4. Report the results of the investigation and the determination as to whether harassment occurred to appropriate persons including to the complainant and the alleged harasser;
5. If harassment occurred, take and/or recommend to the Joint Board of Trustees prompt and effective remedial action against the harasser. This action will be commensurate with the severity of the offense and will be communicated to the complainant;
6. Reasonable steps will be taken to protect the victim and other potential victims from further harassment;
7. Reasonable steps will be taken to protect the victim from any retaliation as a result of communicating the complaint; and
8. Appropriate action will be taken whenever possible to alleviate the effects of the harassment.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

7287.8 Retaliation

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy

ASSEMBLY BILL 1825