

HUMAN RESOURCES

ALL EMPLOYEES

CONDUCT – HARASSMENT/DISCRIMINATION

The Corona-Norco Unified School District is committed to offering employment opportunity based on ability and performance in a productive climate free of discrimination. Accordingly, unlawful harassment or discrimination by employees will not be tolerated. In addition, the district will endeavor to protect employees, to the extent possible, from reported unlawful harassment by non-employees in the workplace.

- A. The conditions of employment in the district, including wages, hours, terms and benefits, shall be applied without regard to actual or perceived ancestry, age, color, disability, medical condition, gender, gender identity, gender expression, nationality, immigration status, race or ethnicity, religion, sex, sexual orientation, marital or parental status, political belief, or association with a person or group with one or more of these actual or perceived characteristics. Employees shall observe all laws, policies and regulations prohibiting discrimination or harassment.

District shall not unlawfully discriminate against employees or job applicants on the basis of actual or perceived ancestry, age, color, disability, medical condition, gender, gender identity, gender expression, nationality, immigration status, race or ethnicity, religion, sex, sexual orientation, marital or parental status, political belief, or association with a person or group with one or more of these actual or perceived characteristics.

Equal opportunity shall be provided by employees and applicants in all aspects of personnel policy and practice. District shall not discriminate against handicapped persons who, with reasonable accommodation, can perform the essential functions of the job.

- B. Ethnic or racial slurs and other verbal or physical conduct relating to a person's actual or perceived ancestry, age, color, disability, medical condition, gender, gender identity, gender expression, nationality, immigration status, race or ethnicity, religion, sex, sexual orientation, marital or parental status, political belief, or association with a person or group with one or more of these actual or perceived characteristics constitute harassment when they interfere with the person's work performance or create an intimidating work environment.
- C. Sexual harassment has been defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual favors, display of derogatory posters, cartoons or drawings, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is either explicitly or implicitly made a term or condition of employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the person; or,
3. Such conduct has the purpose or effect of interfering with a person's work performance or creating an intimidating, hostile or offensive working environment.

Private, personal conduct may at some point become unwelcome. Employees placed on notice that the co-employee now believes the conduct to be unwelcome shall cease such conduct immediately. Any conduct of a sexual nature following such notice may be determined to be sexual harassment. Such conduct is subject to investigation by the employer on the complaint of an individual who believes it to be unwelcome.

Employees who participate in a consensual relationship, and at some point wish to discontinue the relationship, must clearly state to the other participant that the conduct is no longer consensual or welcome, and that all such conduct must cease.

Any employees who have knowledge of conduct by another employee, volunteer, or individual in the school community which may constitute sexual harassment of students are required to immediately report such conduct to any of the individuals specified in this policy. In addition, any manager, or supervisor who is aware of conduct in violation of this policy shall immediately report such conduct to a designated administrator.

Employees are hereby placed on notice that if they engage in acts which the district determines to be acts of sexual harassment, such acts are outside of the scope and course of their employment. Such conduct may result in the employee having to obtain his or her own legal counsel, and sexual harassment or unlawful discrimination may result in a money judgment against the employee personally.

It is the purpose of this policy to ensure that all employees may file allegations of discrimination or sexual harassment without fear of retaliation. All allegations of discrimination or sexual harassment will be investigated in a timely and confidential manner.

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Resolution of Complaints of Unlawful Harassment/Discrimination

A. Informal Channel

To accommodate the unique nature of discrimination or unlawful harassment complaints, an informal process is provided for the primary purpose of resolution of a complaint at the earliest possible date.

1. The Assistant Superintendent, Human Resources/designee has been designated to receive discrimination or unlawful harassment complaints. The Deputy Superintendent, Instructional Support or Associate Superintendent, Educational Services, may be contacted instead of the Assistant Superintendent, Human Resources/designee if there is a conflict. The responsibility of the designated person will be to:
 - a. Counsel the employee and outline the options available.
 - b. Obtain a factual written statement of the complaint for the Superintendent/Superintendent's designee and accused employee.
 - c. Assist in the follow-up investigation, to include: Interview the accused, witnesses, and supervisor(s) as appropriate, and recommend the disposition of the complaint.
2. The Assistant Superintendent, Human Resources/designee will review the factual information collected to determine if the alleged conduct constitutes discrimination or unlawful harassment and take appropriate action. Consideration will be given to the employment histories and the totality of circumstances, including the nature of the allegation and the context in which the alleged incident occurred.
3. Every effort will be made to protect the privacy of the parties involved in a complaint. Files which pertain to complaints handled under the informal process will be kept confidential and will not be made available to the general public.

B. Formal Channel

If the complaint is not resolved to the satisfaction of the employee in the informal process, the following formal procedures are available.

1. The employee is responsible for filing a written complaint with the Assistant Superintendent, Human Resources/designee within ten (10) working days of the completion of the informal process.
2. The Assistant Superintendent, Human Resources/designee will investigate the complaint and respond within ten (10) working days after receipt of the complaint.

Any employee determined by impartial investigation to have discriminated against or unlawfully harassed another employee or applicant for employment will be subject to appropriate disciplinary procedures up to and including termination.

A non-employee who subjects an employee to sexual harassment in the workplace will be informed of the District Harassment/Discrimination Policy by the employee's supervisor or the Assistant Superintendent, Human Resources/designee; action will be taken as appropriate.

Revised: August 21, 2018 (1/12/93; position title and names of division corrected 1/03;
Board Policy Adopted 10/20/92)