

Bellevue-Santa Fe Charter School

SEXUAL HARASSMENT POLICY

Introduction

It is the policy of Bellevue-Santa Fe Charter School to afford all persons, regardless of their sex, equal rights and opportunities, and to provide a work and educational environment free from sexual harassment. The entire BSFCS administration, staff, student body and student family members, at all levels, share in the responsibility of ensuring a work environment and learning environment free of sexual harassment.

Sexual harassment is illegal. Bellevue-Santa Fe Charter School will take all reasonable steps necessary to prevent sexual harassment from occurring, including, but not limited to: awareness training, employee and student education, and the development of appropriate investigative processes, remedial actions and sanctions when sexual harassment has been alleged.

Purpose

This policy serves as due notice of the prohibition against sexual harassment as a form of sexual discrimination and to advise persons victimized by such behavior of available remedies.

This policy is intended to supplement, but in no way substitute for, any applicable state and federal laws and regulations.

Definition of Sexual Harassment

For purposes of this policy, “sexual harassment” means unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature made by someone from or in the work or educational setting, under any of the following conditions:

- Submission to such conduct is explicitly or implicitly made a condition of an employee’s or student’s academic status or progress;
- Submission to or rejection of the conduct by the individual is used as the basis for 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 learning 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 institutions (quid pro quo).

Such conduct, committed by an agent of the school, an employee or student in the school, or student family members on or about school property or as involved in school affairs, is prohibited.

This policy is not to be construed as prohibiting mutually welcome social relationships between adults which have no bearing on employment decisions or benefits.

Reporting Incidents of Sexual Harassment

Students who believe that they have been subjected to sexual harassment should immediately report the incident to the principal of the school.

Under certain circumstances, sexual harassment may also constitute sexual abuse under the Child Abuse and Neglect Reporting Act (Penal Code Section 11164 et seq.), and in all such cases the school will comply with the statute and take immediate action to protect the victim of the alleged abuse by reporting same.

Employees who feel that they are victims of sexual harassment shall report such allegations to the principal/administrator of the school. In the event that this represents a conflict of interest, the aggrieved party may file a petition for a hearing with the Governing Board of the school, as set forth in the BSFCS Grievance Policy and Procedure.

Investigation of complaints will be immediate and confidential to the extent possible. The aggrieved individual and/or their guardians will be notified of the results in a timely fashion. In the event that the aggrieved party is not in agreement with the principal/administrator's investigation, assessment and action, the aggrieved party may pursue their complaint as set forth in the BSFCS Grievance Policy and Procedure.

Retaliation Strictly Forbidden

Retaliation against any individual or their representative who lodges a complaint, or against any individual because they have testified, assisted or participated in any manner in an investigation proceeding, or hearing involving a sexual harassment complaint is strictly prohibited and will be cause for discipline up to and including employment discharge in the case of employees, suspension or expulsion in the case of students and civil action in the case of student family members or individuals at large.