

Sequoia Union HSD | AR 4031 Personnel

Unlawful Harassment Of Employees

Employee Complaint Procedure

Employees have a right to redress for unlawful harassment. In order to secure this right, affected employees should provide a complaint, preferably but not necessarily in writing, to the Assistant Superintendent, or to the Superintendent, both located at 480 James Avenue, Redwood City, California, telephone 369-1411, as soon as possible, but at least within six months of the date the alleged harassment occurred or within six months of the date the employee first obtained knowledge regarding the alleged harassment. Employee's complaints should include the details of the incident or incidents, the names of the individuals involved and the names of any witnesses. The District will immediately undertake an effective, thorough and objective investigation of the harassment allegations. The investigation will be conducted in a manner that protects the confidentiality on the parties and the facts. This investigation will be completed and a determination regarding the alleged harassment will be made and communicated to the employee within 60 days after the District receives the complaint.

If the District determines that unlawful harassment has occurred, it will take effective remedial action commensurate with the severity of the offense. Appropriate action will also be taken to deter any future harassment. The District will take appropriate action to remedy any employment-related loss to the victim resulting from harassment. The District will not retaliate against the employee for filing a complaint and will not knowingly permit retaliation by management or supervisory employees or co-workers.

The District encourages all employees to report any incidents of harassment forbidden by this policy immediately so that complaints can be resolved quickly and fairly. A complaint may be filed directly with the State Superintendent of Public Instruction in a variety of circumstances. More information on this complaint process may be obtained from the Assistant Superintendent, or the Superintendent, both located at 480 James Avenue, Redwood City, California, telephone 369-1411.

Employees should be aware that the California Department of Fair Employment and Housing (DFEH) also investigates and prosecutes complaints of prohibited harassment in employment. If employees think they have been harassed or retaliated against for resisting or complaining about harassment, employees may file a complaint with DFEH. The nearest DFEH office is listed in the telephone book. DFEH will investigate the complaint. If the complaint has merit, DFEH will attempt to resolve it. If no resolution is possible, DFEH may prosecute the case with its own attorney before the Fair Employment and Housing Commission. The Commission may order the harassment stopped and can require the employer to pay money damages and reinstate the employee or give other appropriate relief. Employees should also be aware that the U.S. Office of Civil Rights investigates complaints of harassment on the basis of sex, race, color, national origin, marital status, sexual orientation, blindness or severely impaired vision or other protected basis in education programs that receive federal financial assistance. If employees think they have been harassed or retaliated against for resisting or complaining about harassment, they may file a complaint with the Office. Information on beginning this complaint process may be obtained from the Assistant Superintendent, or by calling the U.S.

Office of Civil Rights directly.

Legal Reference:

EDUCATION CODE

200-262.3 Prohibition of discrimination

GOVERNMENT CODE

12920-12921 Nondiscrimination

12940-12948 Discrimination prohibited; unlawful practices, generally

TITLE VI, CIVIL RIGHTS ACT OF 1964

TITLE VII, CIVIL RIGHTS ACT OF 1964

TITLE IX, EDUCATION AMENDMENTS OF 1972

SECTION 504, REHABILITATION ACT OF 1973

AGE DISCRIMINATION ACT OF 1975

AMERICANS WITH DISABILITIES ACT

Regulation SEQUOIA UNION HIGH SCHOOL DISTRICT

approved: December 10, 1997 Redwood City, California