

## SEXUAL HARASSMENT

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite gender, in the work or educational setting, when (Education Code 212.5):

1. Submission to the conduct is made either expressly or by implication, a term or condition of the other's employment-
2. Submission to or rejection of such conduct by the other individual is used as the basis for an employment decision affecting him/her-
3. The conduct has the purpose or effect of unreasonably interfering with the other individual's work or academic performance; creating an intimidating, hostile or offensive work or educational environment; or of adversely affecting the student or employee's performance, other individual's evaluation, advancement, assigned duties, or any other condition of education, employment or career development-
4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs or activities available at or through the district-

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor, a co-worker, or a non-employee, in the work or educational setting, include but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions, graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs; epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit e-mails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

Prohibited sexual harassment may also include any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

### Training

By January 1, 2006, and every two years thereafter, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All newly hired or promoted supervisory employees shall receive training within six months of their assumption of the supervisory position. (Government Code 12950.1)

The district's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state statutory law on the prohibition against and the prevention and correction of sexual harassment and the remedies available to the victims of sexual harassment in employment. The training shall also include practical examples aimed at instructing supervisor in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

In addition, the Superintendent or designee shall ensure that all employees receive periodic training regarding the district's sexual harassment policy, particularly the procedures for filing complaints and employees' duty to use the district's complaint procedures.

### NOTIFICATIONS

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or whenever a new employee is hired.  
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures and standards of conduct.

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing or a copy of district information sheets that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment.
2. The definition of sexual harassment under applicable state and federal law.
3. A description of sexual harassment, with examples.
4. The district's complaint process available to the employee.  
(cf. 4031 – Complaints Concerning Discrimination in Employment)

5. The legal remedies and complaint process available through the Fair Employment and Housing Department (DFEH) and the Equal Employment Opportunity Commission (EEOC).
6. Directions on how to contact the Fair Employment and Housing Department (DFEH) and the Equal Employment Opportunity Commission (EEOC)
7. The protection against retaliation provided by 2 CCR 7287.8 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

Regulation  
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Regulation  
revised: August 6, 2002

Regulation  
revised: September 27, 2005

**CULVER CITY UNIFIED SCHOOL DISTRICT**  
Culver City, California

