

TVCS Board Policy: Sexual Harassment, Discrimination and Harassment Policy

Temecula Valley Charter School (the “School”) is committed to providing a school environment free of harassment, discrimination, retaliation, and disrespectful or other unprofessional conduct based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), sex stereotypes, race, religion (including religious dress and grooming practices), color, gender (including gender identity, gender expression, and transgender), national origin (including language use restrictions and possession of a driver's license issued under Vehicle Code section 12801.9), ancestry, physical or mental disability, medical condition, genetic information, marital status, registered domestic partner status, age, sexual orientation, military, and veteran status or any other basis protected by federal, state or local law or ordinance or regulation. It also prohibits discrimination, harassment, and disrespectful or unprofessional conduct based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

In addition, the School prohibits retaliation against individuals who raise complaints of discrimination or harassment or who participate in school investigations.

All such conduct violates School policy.

Pursuant to Ed. Code section 234.1, this policy applies to all acts related to school activity or school attendance occurring within the school and all acts of the governing board and its Superintendent, Executive Director or CEO in enacting policies and procedures that govern this local educational agency.

Harassment Prevention

The School's policy prohibiting harassment applies to all students and employees of the School. The School prohibits harassment, disrespectful or unprofessional conduct by and among students and by and among any employee of the School, including supervisors, managers, and co-workers. The School's anti-harassment policy also applies to vendors, customers, independent contractors, unpaid interns, volunteers, persons providing services pursuant to a contract, and other persons with whom you come into contact while working.

Prohibited harassment, disrespectful or unprofessional conduct includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, comments, posts, or messages;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings, or gestures;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement, or interfering with school because of sex, race, or any other protected basis;

- Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment; and
- Communication via electronic media of any type includes any conduct that is prohibited by state and/or federal law or by company policy.
- Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward another person because of his/her gender can amount to sexual harassment, regardless of whether the treatment is motivated by sexual desire.

Prohibited harassment is not just sexual harassment but harassment based on any protected category.

Non-Discrimination

The School prohibits unlawful discrimination by and among students, and by and among employees, interns and volunteers, and students of the School.

Anti-Retaliation

The School will not retaliate against you for filing a complaint or participating in any workplace or school investigation or complaint process and will not tolerate or permit retaliation by management, employees, co-workers, or students.

Complaint Process

If you believe that you have been the subject of harassment, discrimination, retaliation, or other prohibited conduct, you may file a Uniform Complaint Form or a Title IX Complaint Form, and the School must follow the Uniform Complaint Procedures found in 5 CCR sections 4600-4687 and/or applicable Title IX procedures. The School's Complaint Form can be found online at: <https://www.tvscougars.com/contact>

You may also request a copy of the Uniform Complaint Form from a school administrator. Please follow the instructions on the Uniform Complaint Form to submit your complaint to the appropriate designated UCP Coordinator or the Title IX Coordinator.

If you need assistance with your complaint, or if you prefer to make a complaint in person, contact the UCP or Title IX Coordinator (your teacher or supervisor can assist you with this process). Please provide all known details of the incident or incidents, names of individuals involved, and names of any witnesses. It would be best to communicate your complaint in writing, but this is not mandatory.

The School encourages all individuals to report any incidents of harassment, discrimination, retaliation, or other prohibited conduct forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

Supervisors must refer all complaints involving harassment, discrimination, retaliation, or other prohibited conduct to the Principal or designee of the School so the School can try to resolve the complaint.

When the School receives allegations of misconduct, it will immediately undertake a fair, timely, thorough, and objective investigation of the allegations in accordance with all legal requirements. The School will reach reasonable conclusions based on the evidence collected.

The School will maintain confidentiality to the extent possible. However, the School cannot promise complete confidentiality. The School's duty to investigate and take corrective action may require the disclosure of information to individuals with a need to know.

Complaints will be:

- Responded to in a timely manner
- Kept confidential to the extent possible
- Investigated impartially by qualified personnel in a timely manner
- Documented and tracked for reasonable progress
- Given appropriate options for remedial action and resolution
- Closed in a timely manner

If the School determines that harassment, discrimination, retaliation, or other prohibited conduct has occurred, appropriate and effective corrective and remedial action will be taken in accordance with the circumstances involved. The School also will take appropriate action to deter future misconduct.

Any employee determined by the School to be responsible for harassment, discrimination, retaliation, or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. Employees should also know that if they engage in unlawful harassment, they can be held personally liable for the misconduct.

Any student determined by the School to be responsible for harassment, discrimination, retaliation, or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including suspension and/or expulsion.