

Administrative Regulation

Policy Prohibiting Unlawful Harassment, Discrimination, and Retaliation

GCCS

AR 4030

Personnel

All complaints of alleged unlawful discrimination should be reported pursuant to this policy to the position identified below. Supervisors and managers are required to report any alleged incidents of discrimination, retaliation, or harassment.

Chief Human Resources Officer
San Luis Obispo County Office of Education
3350 Education Drive
San Luis Obispo, CA 93405
805-543-7732

Measures to Prevent Discrimination, Harassment, and Retaliation

To prevent unlawful discrimination, harassment, and retaliation in GCCS employment, the Principal or designee shall implement the following measures:

1. Display in a prominent and accessible location at every work site where GCCS has employees, and post electronically in a conspicuous location on computers for employee use, up-to-date California Civil Rights Department (“CRD”) posters on the prohibition of workplace discrimination and harassment, the rights of transgender employees, and the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth.
2. Publicize GCCS's policy and regulation, including the complaint procedures and contact information to report complaints, by:
 - a. Including them in each announcement, bulletin, or application form that is used in employee recruitment.
 - b. Posting them in the school and offices, including staff lounges and other prominent locations.
 - c. Posting them on GCCS's web site and providing easy access to them through GCCS-supported social media, when available.
3. Disseminate GCCS’s nondiscrimination policy and administrative regulation to all employees by one or more of the following methods:
 - a. Printing and providing a copy to all employees, with an acknowledgment form for each employee to sign and return.

- b. Sending a copy via email with an acknowledgment return form.
 - c. Posting a copy on the GCCS website (Employee Annual Notifications) with a tracking system ensuring all employees have read and acknowledged receipt of the policies.
 - d. Discussing the policy and regulation with employees upon hire and/or during a new hire orientation session.
 - e. Any other way that ensures employees receive and understand the policy.
4. Provide to employees a handbook which contains information that clearly describes GCCS's nondiscrimination policy, procedures for filing a complaint, and resources available to employees the victim of any discriminatory or harassing behavior.
 5. Provide training regarding GCCS's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident GCCS may also provide bystander intervention training to employees which includes information and practical guidance on how to recognize potentially problematic behaviors and action when they observe such behaviors. The training and education may include exercises to provide employees with the skills and confidence to intervene as appropriate and to provide upon that support their intervention.
 6. Periodically review GCCS's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure GCCS compliance with law.

Complaint Procedure

Complaints of sexual harassment shall be investigated and resolved in accordance with the School's Title IX Sex Discrimination Policy and Complaint Procedures if the alleged conduct meets the definition of sexual harassment pursuant to 34 CFR 106.30.

Any other complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** A complainant may inform a direct supervisor, another supervisor, the coordinator, the Principal or, if available, a complaint hotline or an ombudsman. The complainant's direct supervisor may be bypassed in filing a complaint when the supervisor is the subject of the complaint. Any complaints regarding the Principal should be reported to the GCCS Board of Directors.

The complainant may first attempt to resolve the situation informally with the complainant's supervisor before filing a written complaint.

A supervisor or manager who has received information about an incident of discrimination

or harassment, or has observed such an incident, shall report it to the coordinator, whether complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, any available evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. Investigation Process: Human Resources shall promptly initiate an impartial investigation of an allegation of discrimination or harassment, regardless of whether a written complaint has been filed or whether the written complaint is complete.

Human Resources shall meet with the complainant to describe GCCS's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. Human Resources shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. Human Resources shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

If Human Resources determines that a detailed fact-finding investigation is necessary, the investigation shall begin immediately. As part of this investigation, the investigator should interview the accused, and other persons who could be expected to have relevant information.

Human Resources shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out the investigation or to protect employee safety, Human Resources may discuss the complaint with the Principal or designee.

Human Resources shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed in order to prevent further incidents. Human Resources shall ensure that such interim measures do not constitute retaliation.

3. Written Report on Findings and Remedial/Corrective Action: Upon conclusion of the investigation, Human Resources or designee will prepare a written report of the findings. The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report shall also include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented. GCCS is committed to remediating any

instances where investigation findings demonstrate unlawful harassment, discrimination, or retaliation has occurred. The report shall be presented to the Principal or designee.

4. Appeal to the Governing Board: The complainant or the person accused may appeal any findings to the Governing Board within 10 business days of receiving the written report of the School's findings. The Principal or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a GCCS employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

Other Remedies

In addition to filing a discrimination or harassment complaint with GCCS, a person may file a complaint with either CRD or the Equal Employment Opportunity Commission (EEOC).