

4.5 EQUAL EMPLOYMENT OPPORTUNITY AND NON-HARASSMENT

Scholars Academy hereby adopts the following Equal Opportunity and Non-Harassment Policy as part of its ongoing commitment toward maintaining both work and school environments free of discrimination and harassment for all employees and students. Its primary purpose is to assure responsive, consistent and timely resolution of individual and group concerns.

I. EQUAL OPPORTUNITY

It is the policy of the Board that all applicants for employment and employees will not be discriminated against on the basis of race, sex, color, religion, gender identity, sexual orientation, age, national origin or disability. This policy applies to all personnel actions, including recruiting, hiring, assignments, promotions, evaluations, transfers, compensation, training, discipline, termination and other terms and conditions of employment.

Moreover, no person shall be discriminated against in any educational program, activity or service based on any of the above classifications.

II. HARASSMENT

The Board forbids harassment of any applicant for employment, employee or student on the basis of race, sex, color, religion, gender identity, sexual orientation, age, national origin or disability.

Harassment is conduct that has the purpose or effect of substantially interfering with an employee's employment or student's educational opportunity, creates an intimidating, hostile or offensive work or school environment, or otherwise affects an employee's employment or student's educational opportunities. Harassment may include, but is not limited to:

- A. Verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, gender identity, sexual orientation, national origin, age or disability or that of his or her relatives, friends or associates;
- B. Epithets, insults, jokes, slurs, negative stereotyping or threatening, intimidating or hostile acts that relate to race, color, religion, gender identity, sexual orientation, national origin, age or disability, or
- C. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender identity, sexual orientation, national origin, age or disability that is placed, disseminated or circulated in the workplace.

III. SEXUAL HARASSMENT

The Board forbids sexual harassment of any applicant for employment, employee or student.

For purposes of this policy, unwelcome sexual advances, requests for sexual favors and other unwelcome conduct of a sexual nature constitute prohibited sexual harassment if:

- A. Submission to or tolerance of such conduct is made either an explicit or implicit condition of employment, job advancement or award of grades or other measures of student achievement;

- B. Submission to or tolerance or rejection of such conduct is used as a basis for an employment decision affecting an employee or any decision affecting a student;
- C. The conduct has the purpose or effect of substantially interfering with an employee's or student's performance;
- D. The conduct creates an intimidating, hostile or offensive work or school environment; or
- E. The conduct otherwise adversely affects an employee's employment or student's educational opportunities.

If for some reason an employee has initially welcomed prior sexual advances or conduct by active participation in or encouragement of such activity, he or she should specifically inform the alleged harasser that such conduct is no longer welcome in order for any subsequent conduct to be deemed unwelcome. Failure to give such notice in no way prevents the school from taking appropriate disciplinary action against the alleged harasser for his or her behavior.

The Board prohibits any conduct of a sexual nature directed toward students by faculty, administrators or employees and shall presume that any such conduct is unwelcome.

IV. REPORTING

It is the policy of the Board to encourage all applicants for employment, employees and students who believe that they have been subjected to discrimination or harassment, including sexual harassment, to report such actions.

When possible, the Board prefers that complaints of this nature be resolved informally by reporting such complaints to the Executive Director or Assistant Director. However, should complaints involve the Administration they may be reported to the Chair of the Board. If informal resolution is not achieved, the complaint will be resolved in accordance with the Employee Discipline and Non-Renewal policy.

V. NON-RETALIATION

The Board requires all employees to cooperate in the reporting and investigation of all Equal Employment Opportunity complaints. Accordingly, any attempt to coerce, intimidate or retaliate against anyone who complains of discrimination or harassment or who assists in an investigation will not be tolerated and will result in disciplinary action, up to and including termination, subject to the Employee Discipline and Non-Renewal policy and any other applicable procedural requirements.

VI. DISCIPLINE

All employees are expected to comply with the requirements and procedures stated in this policy. Any employee found to have engaged in discriminatory conduct or harassment or who has violated this policy in any way will be disciplined, up to and including termination, subject to the Employee Discipline and Non-Renewal policy and any other applicable procedural requirements. Conduct of a sexual nature by an employee directed toward students will also be reported to local law enforcement agencies and to the State Department of Public Instruction or others as may be required by law. Conduct of a criminal, sexual nature directed toward employees will be reported to local law enforcement agencies.

VII. SCOPE OF POLICY

Nothing in this policy is intended to nor does it in any way impose any additional liabilities, requirements or obligations on the Board or the school beyond those liabilities, requirements and obligations imposed by applicable law.

Approved: February 29, 2016