

POLICY PROHIBITING HARASSMENT

All employees and applicants for employment of the South Tech Charter Academy, Inc. Board have the right to work in an environment free from discrimination and conduct which can be considered harassing or coercive. Therefore, harassment based on race, color, religion, sex, national origin, age, disability or any other characteristic protected by federal and state law, will not be sanctioned or tolerated. All employees and applicants for employment should be aware of the following:

1. SEXUAL HARASSMENT

- a. Sexual harassment is strictly prohibited. Sexual harassment is defined as: "unwelcome" sexual advances, requests for sexual favors, and/or other verbal, written or physical conduct of a sexual nature when:
 - i. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
 - ii. When submission to or rejection of such conduct is used as the basis of employment decisions affecting such individual; or
 - iii. Such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment
- b. Examples of sexual harassment may include, but are not limited to, the following:
 - i. Gestures, letters, notes, invitations, comments, slurs, jokes or epithets that are suggestive, derogatory or obscene;
 - ii. Unwanted physical contact of a sexual nature, sexual molestation or assault, leering with sexual overtones, or impeding or blocking movement;
 - iii. Display of sexually suggestive objects, posters or cartoons;
 - iv. Continuing to express sexual interest after being informed that the interest is unwelcome;
 - v. Offering favors such as employment benefits, promotions, favorable duties or shifts, recommendations, reclassification, etc., in exchange for sexual favors;
 - vi. Coercive sexual behavior used to control, influence, or affect the career, salary, and/or work environment of another employee;
 - vii. Coercive sexual behavior used to imply or withhold support for an appointment, promotion, or change of assignment;
 - viii. Coercive sexual behavior used to suggest that a poor performance report will be given or probation will be failed; or
 - ix. Engaging in a course of conduct which, under § 784.048 Fla. Stat. constitutes the stalking of a staff member, student, chaperone, or parent in the workplace.

2. OTHER HARASSMENT

- a. Harassment on the basis of any other protected characteristic is also strictly prohibited. This includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, sexual orientation, national origin, age, disability, marital status, citizenship or any other characteristic protected by law and that
 - i. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
 - ii. Has the purpose or effect of interfering with an individual's work performance; or
 - iii. Otherwise, adversely affects an individual's employment
- b. Examples of such harassment include the following:
 - i. Epithets, slurs or negative stereotyping;
 - ii. Threatening, intimidating or hostile acts, such as stalking; or
 - iii. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

3. GRIEVANCE PROCEDURE

- a. Administrators are responsible for assuring that no employee is subjected to conduct that constitutes sexual or any other form of harassment.

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- b. Any employee, who believes that he or she has been the subject of sexual or any other form of harassment by anyone at the school or by any person who does business with the School, should, and is encouraged to, bring the matter to the attention of the Academy President or Management Company Representative/designee. Any employee who is aware of behavior toward another employee that may constitute sexual or any other form of harassment shall also report the matter to the President or Management Company Representative/designee.
- c. A prompt and thorough investigation of the alleged incident will be conducted and appropriate corrective action will be taken, if warranted. To the extent consistent with adequate investigation and appropriate corrective action, any complaints of harassment will be treated as confidential throughout the investigation. Once the investigation is completed, the applicable laws shall determine confidentiality. A person alleging that they are a victim of sexual harassment may request that their records remain confidential as specified in Florida Statute § 119.07(3)(u)
- d. Any individual found to have engaged in sexual or any other form of harassment will be disciplined as appropriate, up to and including termination. Individuals receiving action under this section may appeal such action in accordance with the appropriate grievance procedure or administrative process.
- e. The School will not in any way retaliate against an employee, potential employee or former employee who, in good faith, makes a complaint or report of harassment, or participates in the investigation of such a complaint or report. Retaliation against any individual for good faith reporting of a claim of harassment or cooperating in the investigation will not be tolerated and will itself be subject to appropriate discipline. Incidents of retaliation shall be reported in the manner discussed in Section 3 (b) of this policy.
- f. The Board will take all appropriate steps to enforce this policy.
- g. All employees must file the grievance pursuant to the procedure in Section 3 of this policy. The exception is the Academy President or Management Company Representative, who must file the grievance/complaint with the Board Chair.

Authority: §§ 230.22(2); 230.23(17), (22); 230.23005, Fla. Stat.

Implemented: 42 U.S.C. § 2000e and 20 U.S.C. § 1681

History: New: 7/01/2004; Revised: 7/07/2005; 3/11/2010

Reference: Palm Beach School Board Policy 3.19