



# THE ACADEMY

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## Harassment Policy

All persons, whether employed by, under contract with or attending classes at South Bay Regional Public Safety Training Consortium (SBRPSTC), shall adhere to a standard of conduct that is respectful, professional and consistent with guidelines set forth by SBRPSTC. SBRPSTC expressly forbids harassment, in any form, by or towards employees, students or members of the general public. All inappropriate conduct brought to SBRPSTC's attention will be investigated and remedied in a prompt and appropriate manner.

## HARASSMENT

SBRPSTC is committed to providing a work environment free of unlawful or prohibited harassment in any form, including but not limited to sexual harassment, intimidation and exploitation, hazing, bullying or stalking. SBRPSTC policy also prohibits sexual harassment, and harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation or any other basis protected by federal, state, or local law, ordinance or regulation. All such harassment is unlawful.

Prohibited unlawful sexual harassment includes, but is not limited to, the following behaviors:

- a) Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- b) Visual conduct such as derogatory or sexually-oriented posters, photographs, cartoons, drawings or gestures;
- c) Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis;
- d) Threats and demands to submit to sexual requests as a condition of employment, advancement, education, or to avoid some other loss, and offers of employment benefits in return for sexual favors;
- e) Retaliation for having reported or threatened to report harassment; and
- f) Has the purpose or effect of unreasonably interfering with an individual's education or work performance and creating an intimidating, hostile, or offensive educational or working environment.

Harassment also includes, but is not limited to, physical or non-physical behavior, such as assault, stalking, hazing, intimidation, and bullying.

- 1.) *Assault* is nonconsensual physical contact that places someone in fear or apprehension of immediate harm. Relationship violence may also be categorized as assault.
- 2.) *Stalking* refers to a pattern of behavior where an individual willfully, maliciously and repeatedly follows another in his/her course of daily activities in such a way that the stalker's action can reasonably be found to interfere with another person's ability to perform his/her regular duties or causes that person to feel frightened, intimidated, harassed, threatened or molested which may risk emotional or physical harm.
- 3.) *Hazing* is the practice of rituals and other activities involving harassment, abuse, embarrassment or humiliation used as a way of initiating a person into a group or team.
- 4.) *Intimidation* is spoken, written or physical conduct directed toward an individual or individuals that unreasonably interferes with his/their full participation in the work or educational process or that is intended to create or reasonably determined to have created a threatening or hostile environment.
- 5.) *Bullying* is unwelcome or unreasonable behavior, either physical or verbal, that demeans, intimidates or humiliates a person, often with the intent to exclude people from a group.

#### **PROCEDURE FOR REPORTING ANY FORM OF HARASSMENT**

If you believe that you have been unlawfully harassed, or have witnessed actions which you reasonably believe may have been inappropriate, provide a verbal or written complaint, as soon as possible after the incident, to your direct or any other SBRPSTC supervisor, or to the Director of Administrative Services, who is the Affirmative Action representative for SBRPSTC. Your complaint should include details of the incident or incidents, names of the individuals involved, and names of any witnesses. Supervisors will refer all harassment complaints to the Director of Administrative Services who will apprise the SBRPSTC President. SBRPSTC will immediately undertake an effective, thorough and objective investigation of the harassment allegations.

Supervisors should monitor employee/student interactions to assure that they are free of conduct which could be perceived as unwelcome or offensive and/or which pose the potential of becoming disruptive to the work/learning environment.

Claims of sexual harassment will be judged from the perspective of the victim. Conduct, therefore, may be unlawful sexual harassment even when the harasser does not realize his/her conduct was objectionable.

If SBRPSTC determines that unlawful harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by SBRPSTC to be responsible for unlawful harassment or negligent in responding to incidents of harassment, will be subject to appropriate disciplinary action, up to and including termination. A SBRPSTC representative will advise all parties concerned of the results of the investigation. SBRPSTC will not retaliate against any person for filing a complaint and will not tolerate or permit retaliation by management, employees, co-workers, or students for having filed a claim of harassment.

SBRPSTC encourages all students and employees to immediately report any incidents of harassment so that complaints can be quickly and fairly resolved. SBRPSTC will report incidents of conduct that could amount to criminal behavior to the appropriate law enforcement agency. It should also be pointed out that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment and employment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency. The nearest office is listed in the telephone directory.

Instructors may be held responsible for acts of sexual harassment in the classroom. Violation of this policy may result in disciplinary action or immediate termination of assignment.

All violations of this policy shall be reported to the President/CEO of the South Bay Regional Public Safety Training Consortium who will apprise the JPA Governing Board.

### **Acknowledgement**

I have reviewed a copy of SBRPSTC's Harassment Policy and agree to abide by the terms therein as a condition of employment or course attendance.

Print Name: \_\_\_\_\_

**Signature:** \_\_\_\_\_

Date: \_\_\_\_\_