

Employee Sexual Harassment Policy

Rocketship Public Schools (“Rocketship”) is committed to maintaining a working environment that is free from harassment. Rocketship prohibits sexual harassment of Rocketship employees by anyone, in any manner, and shall not tolerate retaliatory behavior or action against a Rocketship employee or other person who complains, testifies, assist or otherwise participates in the complaint process established pursuant to this policy. For the purposes of this policy, Rocketship employees shall include applicants for employment at Rocketship. This policy was written in accordance with California Board Policy and Administrative Regulation 4119.11.

I. Definition

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite gender in the work or educational setting when:

- Submission to the conduct is explicitly or implicitly made a term or condition of an individual’s employment.
- Submission to or rejection of the conduct by an individual is used as the basis for employment decisions affecting the individual.
- The conduct has the purpose or effect of having a negative impact on the individual’s academic or work performance, or of creating an intimidating, hostile, or offensive educational or work environment, or adversely affecting the individual’s evaluation, advancement, assigned duties, or any other condition of education, employment, or career development.
- Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available or through Rocketship.

Examples of conduct that is prohibited and which may constitute sexual harassment include, but are not limited to:

- Unwelcome leering, sexual flirtations, or propositions
- Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
- Graphic verbal comments about an individual's body or overly personal conversation
- Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
- Spreading sexual rumors
- Teasing or sexual remarks about students enrolled in a predominantly single-sex class
- Massaging, grabbing, fondling, stroking, or brushing the body
- Touching an individual's body or clothes in a sexual way
- Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
- Displaying sexually suggestive objects

- Sexual assault, sexual battery, or sexual coercion

II. Reporting Process and Complaint Investigation and Resolutions

Any employee who believes that he/she has been subjected to sexual harassment or who has witnessed sexual harassment is strongly encouraged to report the incident to his/her manager or Rocketship's Director of Human Resources. Within one school day of receiving such a report, the manager shall forward the report to the Director of Human Resources. In addition, any employee who observes an incident of sexual harassment involving an employee shall, within one school day, report his/her observation to the Director of Human Resources. The employee shall take these actions, whether or not the alleged victim files a complaint. In any case of sexual harassment involving the Director of Human Resources or any other person to whom the incident would ordinarily be reported or filed, the report may instead be submitted to Rocketship's Chief Executive Officer or designee.

When a report of sexual harassment is submitted, the Director of Human Resources shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with Rocketship's uniform complaint procedures.

III. Investigation of Complaints at School Site Level

The Director of Human Resources or designee shall promptly (within 24 hours) investigate all complaints of sexual harassment. In so doing, he/she shall talk individually with:

- The employee who is complaining
- The person accused of harassment
- Anyone who saw the harassment take place
- Anyone mentioned as having related information

The employee who is complaining shall have an opportunity to describe the incident, present witnesses and other evidence of the harassment, and put his/her complaint in writing.

The Director of Human Resources shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation, the Director of Human Resources also may discuss the complaint with the following persons:

- The Superintendent or designee
- An employee whose knowledge of the parties involved may help in determining who is telling the truth
- Rocketship legal counsel

When the employee who complained and the alleged harasser so agree, the Director of Human Resources may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator or trained mediator. The employee who complained shall never be asked to work out the problem directly with the accused person unless such help is provided.

In reaching a decision about the complaint, the Director of Human Resources may take into account:

- Statements made by the persons identified above
- The details and consistency of each person's account
- Evidence of how the complaining student reacted to the incident
- Evidence of past instances of harassment by the alleged harasser
- Evidence of past harassment complaints that were found to be untrue

To judge the severity of the harassment, the Director of Human Resources may take into consideration:

- How the misconduct affected one or more employees' work
- The type, frequency and duration of the misconduct
- The number of persons involved
- The age and sex of the person accused of harassment
- The subject(s) of harassment
- The place and situation where the incident occurred
- Other incidents in the workplace, including incidents of harassment that were not related to gender.

The Director of Human Resources shall write a report of his/her findings, decision, and reasons for the decision and shall present this report to the student who complained and the person accused.

IV. Confidentiality

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action.

However, when a complainant or victim of sexual harassment notifies Rocketship of the harassment but requests confidentiality, the Director of Human Resources shall inform him/her that the request may limit Rocketship's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, Rocketship will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

When a complainant or victim of sexual harassment notifies Rocketship of the harassment but requests that Rocketship not pursue an investigation, Rocketship will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students.

V. Response Pending Investigation

When an incident of sexual harassment is reported, the Director of Human Resources shall determine whether interim measures are necessary pending the results of the investigation. The Director of Human Resources shall take immediate measures necessary to stop the harassment and protect employees

and/or ensure their access to a safe working environment. Rocketship should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to adjust workplace arrangements as appropriate. Rocketship should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when an employee chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

VI. Notifications

A copy of Rocketship's sexual harassment policy shall:

- Be displayed in a prominent location in the main administrative building or other area of the school
- Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the school year, or whenever a new employee is hired
- Appear in any Rocketship publication that sets forth the school's comprehensive rules, regulations, procedures, and standards of conduct

VII. Disciplinary Actions

Any Rocketship employee who permits, engages or participates in sexual harassment or sexual violence of another Rocketship employee or student shall be in violation of this policy and is subject to disciplinary action, up to and including dismissal. An employee shall be deemed to have permitted sexual harassment if he/she observes such harassment and fails to report to the appropriate authorities, whether or not the victim makes a complaint.

VIII. Prevention

The Director of Human Resources shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

- Providing periodic training to all staff regarding Rocketship's sexual harassment policy, particularly the procedures for registering complaints.
- Publicizing and disseminating Rocketship's sexual harassment policy
- Ensuring prompt, thorough investigation of complaints in a way that respects the privacy of all parties concerned, to the extent necessary
- Taking timely and appropriate corrective/remedial actions after completion of investigation.

IX. Record Keeping

The Director of Human Resources or designee shall maintain a record of all reported cases of sexual harassment to enable Rocketship to monitor, address, and prevent repetitive harassing behavior in the schools.