

Oxford Preparatory Academy

Discrimination, Unlawful Harassment, and Retaliation Policy

Equal Employment Opportunity (Anti-Discrimination)

It is the policy of Oxford Preparatory Academy (“OPA”) to make all employment decisions on the basis of merit. Employment decisions are based on an individual’s qualifications as they relate to the job under consideration. OPA’s policy prohibits unlawful discrimination based on race, religious creed (which includes religious dress and grooming practices), color, national origin, ancestry, physical disability, mental disability, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender expression, gender identity, age, sexual orientation, military or veteran status, medical condition, or any other basis made unlawful federal, state or local laws, ordinances, or regulations. OPA is an equal opportunity employer and strictly prohibits discrimination by any employee involved in the operations of OPA, including managers, supervisors, and co-workers. This policy pertains to all aspects of employment, including, but not limited to, recruitment, hiring, training, promotion, termination, compensation, and benefits. **All such discrimination is unlawful.**

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, OPA will make a good faith effort to provide reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result to OPA. An applicant or employee who believes he or she requires an accommodation in order to perform the essential functions of the job should contact the Coordinator of Administrative Services or the Chancellor and request such an accommodation, specifying what accommodation he or she needs to perform the job. OPA will analyze the situation, engage in an interactive process with the employee, and respond to the employee’s request.

If you believe you have been subjected to discrimination, please follow the complaint procedure outlined below. OPA’s Board of Directors (“Board”) is committed to fostering a safe, healthy and productive work environment. The Board encourages employees to report to your supervisor, an OPA administrator, or any Board member directly, all situations believed to be unlawful discrimination, regardless of whether you are the alleged victim, witness, or otherwise.

Violations of this policy may result in disciplinary action, up to and including termination.

Unlawful Harassment

OPA is committed to providing a work environment free of unlawful harassment. OPA prohibits harassment based on race, religious creed (which includes religious dress and grooming practices), color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, age, sexual orientation, military or veteran status, or any other consideration made unlawful by federal, state or local laws, ordinances, or regulations. All such harassment is unlawful.

This policy pertains to all aspects of employment, including, but not limited to, recruitment, hiring, training, promotion, termination, compensation, and benefits. This policy applies to all

persons involved in the operation of OPA, including supervisors and co-workers. OPA will take all reasonable steps to prevent or eliminate unlawful harassment by non-employees including administrators, vendors, parents, independent contractors, and other third parties.

Conduct that is prohibited under this policy includes, but is not limited to:

- ◆ Verbal conduct such as epithets, derogatory comments, slurs, or unwanted sexual advances, invitations, or comments.
- ◆ Visual conduct such as derogatory posters, photography, cartoons, drawings, e-mails, internet sites, or gestures.
- ◆ Physical conduct such as unwanted touching, blocking normal movement, or interfering with work directed at you because of any protected basis.
- ◆ Threats and demands to submit to sexual requests in order to keep your job or avoid some other loss, and offers of job benefits in return for sexual favors.
- ◆ Other threats and demands based upon any other prohibited basis.
- ◆ Retaliation for having reported or threatening to report unlawful harassment in good faith.
- ◆ The above conduct includes communications via electronic media of any type (including, but not limited to, social media, text messaging, or e-mail).

You have a right to redress for unlawful harassment. If you believe you have been subjected to unlawful harassment, please follow the complaint procedure outlined below. Employees must report conduct prohibited by this policy whether or not they are personally involved.

Violations of this policy may result in disciplinary action, up to and including termination.

Retaliation

OPA prohibits retaliation against any employee because of the employee's opposition to a practice or conduct the employee reasonably believes to be unlawful or because of the employee's lawfully protected participation in an investigation or proceeding. Any retaliatory adverse action because of such opposition or participation may be unlawful and will not be tolerated. **All such retaliation is unlawful.**

If you believe you have been subjected to unlawful retaliation, please follow the complaint procedure outlined below. OPA's Board is committed to fostering a safe, healthy and productive work environment where employees can comfortably report instances of unlawful harassment, discrimination, or retaliation. The Board encourages employees to report to your supervisor, an OPA administrator, or any Board member directly all situations believed to be unlawful retaliation, regardless of whether you are the alleged victim, witness, or otherwise.

Complaint Procedure—Discrimination, Unlawful Harassment, and Retaliation

OPA encourages employees to report all incidents believed to be unlawful discrimination, harassment, or retaliation, regardless of whether they are the alleged victim, a witness, a bystander, or otherwise. If you believe that you have been subjected to any form of unlawful conduct, or if you have knowledge of such unlawful conduct, submit a complaint, preferably writing, to your supervisor or any other OPA administrator. If these individuals are not available, or in the event that you believe that one of these individuals has engaged in inappropriate behavior in violation of OPA policies, submit a complaint to any other supervisor or the Executive Director, or any OPA Board member if appropriate, and report your complaint as soon as possible. In addition, supervisors

must report any and all conduct of which they are made aware, which violates, or may violate, this policy to the Chancellor, Managing Director, or Director of Human Resources.

All complaints submitted pursuant to this policy should be done in writing, but they may be done verbally. Your complaint should be specific, should include the names of individuals involved and the names of any witnesses. All complaints will be handled as confidentially as possible and information will be disclosed only as it is necessary to complete the investigation and resolve the matter.

Upon notice of such a complaint, OPA will attempt to resolve the situation by promptly undertaking an effective, thorough, and objective investigation through the use of “qualified personnel” and using methods that provide all parties with “appropriate due process.” During the investigation, OPA will provide regular progress updates, as appropriate, to those directly involved. OPA will strive to complete its investigation as efficiently as possible in light of the allegations and will reach any conclusions based on the evidence collected.

If the Executive Director (or assigned designee) or Board, when appropriate, determines that unlawful conduct or a violation of OPA policy has occurred, OPA will take appropriate remedial measures commensurate with the severity of the offense. Any employee determined by OPA to be responsible for unlawful discrimination, harassment, and/or retaliation will be subject to appropriate disciplinary action, up to and including termination. Action will also be taken to deter any future violations of OPA policy and ensure a work environment free from unlawful discrimination, harassment, and retaliation.

There will be no retaliation against any employee who brings a complaint in good faith or who honestly assists in investigating such a complaint, even if the investigation produces insufficient evidence that there has been a violation, or if the charges cannot be proven.

Employees who believe that they have been unlawfully discriminated against, harassed, and/or retaliated against can also file a complaint with the California Department of Fair Employment and Housing (“DFEH”) and/or the Federal Equal Employment Opportunity Commission (“EEOC”). These agencies may accept, investigate, prosecute, and remedy complaints. The address and telephone numbers for these agencies are listed in the government sections of your telephone directory or online.

Student Policy

Discrimination

All students shall have equal opportunities in admission and access to OPA's educational programs, guidance and counseling programs, athletic programs, testing procedures, and all other school activities. School staff and volunteers shall carefully guard against segregation, bias, and stereotyping in instruction, guidance, and supervision.

In physical education, when objective standards have an adverse effect on students because of their gender, race, ethnic group or disability, other standards shall be used to measure achievement and create comparable educational opportunities.

OPA has adopted a Uniform Policy in compliance with Education Code § 49010 seq., which prohibits the charging of any student fees for participation in any educational activity. OPA's Board and community adopted this policy in order to promote and instill a professional and healthy learning environment, eliminate bullying and social stigmas that can be attributed to student attire, and to minimize distractions to allow students to focus on learning.

Unlawful Harassment

OPA's Board prohibits intimidation or harassment of any student by any employee, student or other persons associated with OPA. All staff and volunteers shall be alerted and directed to immediately respond to student conduct that may interfere with another student's ability to participate in or benefit from school services, activities, or privileges.

Students who harass or discriminate against other students shall be subject to appropriate counseling and discipline, up to and including expulsion. An employee who permits or engages in discrimination or harassment may be subject to disciplinary action, up to and including dismissal.

Any student who feels that he or she is being harassed or discriminated against should immediately contact any OPA staff member. Further, students and parents should not hesitate to report any alleged incidents of harassment or any other related concern to any Board member. Any alleged incidents of harassment or discrimination will be reported to the Dean or Chancellor. The student and/or parent may file a complaint in writing pursuant to OPA's complaint procedure outlined below. Ensuring OPA students have a safe and healthy learning environment free of discrimination, intimidation, and bullying behavior is of critical importance to the Board.

Intimidation and Bullying

OPA will not tolerate behavior that infringes on the safety of any student, staff member, or any other member of the OPA community. OPA has many policies and programs in place that help create an environment that is proactive in preventing— and addressing, as needed— harassment, intimidation, and bullying. These include the implementation of OPA's Behavior Policy, Student Suspension and Expulsion Policy, Anti- Discrimination policies and teacher in-service training to raise the awareness of children and school staff regarding harassment, intimidation and bullying. Additionally, each Professor at OPA implements a classroom management plan that addresses inappropriate behavior including bullying. Teachers discuss/review their plans with their students throughout the year.

No student shall intimidate, harass, or bully another student through words or actions. Such behavior includes: direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation. This applies to students when attending activities related to school occurring at any time including, but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to or coming from a school-sponsored activity. For additional information on specific inappropriate acts subject to disciplinary action, please see each of OPA's site's Student Suspensions and Expulsions Policies in their Charter Petitions.

OPA expects students and staff to immediately report incidents of bullying to a Playground/Champion Village Proctor, Classroom Professor, Dean, or Chancellor. Students and parents should not hesitate to also report any alleged incidents of bullying or any other related concern to any Board member. Additionally, staff who are witnesses to such acts must take immediate steps to intervene when safe to do so. Each complaint of bullying will be promptly investigated.

In order to alleviate acts of intimidation, harassment, and bullying:

- Students are expected to immediately report incidents of intimidation, harassment and/or bullying to a Playground/Champion Village Proctor, their Classroom Professor, Dean, or Chancellor.
- Students can rely on staff to promptly investigate each complaint in a thorough and confidential manner.
- If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the Dean or Chancellor. Oxford Preparatory Academy prohibits retaliatory behavior against any complainant or any participant in the complaint process.
- Any student who engages in harassment, intimidation, and/or bullying will be subject to disciplinary action up to and including expulsion.

Students at OPA have a right to a safe and healthy school environment. Part of a healthy environment is the freedom to openly disagree. With this freedom comes the responsibility to discuss and resolve disagreements with respect for the rights and opinions of others. Students are to resolve their disputes without resorting to violence. Students needing help in resolving a disagreement, or students observing conflict, should contact school personnel.

Intimidation and Bullying Complaint Procedure

Any student, school employee, parent, volunteer, or member of the OPA community who feels he or she has been a victim of harassing behavior, intimidation or bullying, or has witnessed or who has reliable information that a student, school employee, or volunteer has been subjected to bullying or harassing behavior shall immediately report such conduct to a Playground/Champion Village Proctor, their Classroom Professor, Dean, or Chancellor. Students and parents are also encouraged to report such incidents of harassing behavior, intimidation, bullying or any other related concern to any OPA Board member.

Complaints, preferably in writing, should include the name of the reporting person, the specific nature and date of the misconduct, the names of the alleged victim of the misconduct, the names

of any witnesses and any other information that would assist in the investigation of the complaint.

The complaint shall be investigated promptly. Parents will be notified of the nature of any complaint involving their student. The OPA official conducting the investigation shall notify the alleged victim and parents as appropriate when the investigation is completed and a decision regarding disciplinary action, as warranted, is determined.

Board Approved: 4/30/2013

Revised/Approved:

4/11/2016

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