

**DaVinci Academy of Science and The Arts**

**Policy Number: 107**

**Policy Section: 100- Administration**

**POLICY TITLE: Prohibited Conduct Policy (SEXUAL HARASSMENT)**

**Revision History**

Effective Date	Action Date	Revised
	New Policy	August 2019

## Prohibited Conduct (SEXUAL HARASSMENT POLICY)

Effective Date:

**References:**

- Title VI of Civil Rights Act of 1964
- Utah Code Ann. Title 34A Chapter 5—Utah Anti-discrimination Act
- Utah Administrative Code—Rule 606

***A Statement of Zero Tolerance*** – DaVinci Academy of Science and the Arts is committed to providing a workplace free from sexual harassment. As such, DaVinci Academy will not tolerate harassment of any of our employees or independent contractors by supervisors, co-workers, customers, vendors, agents and any other third parties.

***A Description of Conduct That Constitutes Harassment*** - Sexual harassment is unwelcome sexual conduct that is a term or condition of employment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Any of the following could, if part of a pervasive pattern of abuse, constitute sexual harassment:

- Jokes, innuendos or gestures of a sexual nature;
- Sexually-charged computer programs, emails or messages;
- Language or behavior demeaning to a particular sex (women or men);
- Compliments about a person's body of a sexual nature;
- Repeated requests for a date despite refusals;
- Unwelcome sexual advances;
- Requests for sexual favors;
- Questions or comments about personal or intimate sexual matters;
- Hugs, kisses, neck rubs, or back rubs;
- Deliberately brushing up against someone else;
- Sexual epithets or name-calling;
- Sexually intimidating behavior or ridicule;
- Objects, pictures, photographs, or cartoons of a sexual nature; or
- Other verbal or physical harassment of a sexual nature.

***A Complaint Procedure*** - If an employee believes that he or she or any other individual has been subjected to harassment in violation of this policy, whether by an employee or a third party, the employee must promptly report the facts and names of the individuals involved to **their direct supervisor, the executive administrator, or to the board secretary**. Any employee who learns of, observes, or has reason to be concerned about sexually harassing conduct in violation of this policy must immediately inform **supervisor, the executive administrator, or to the board secretary**. Complaints do not need to be made in writing, but can be made through the uniform complaint form, or harassment forms (see appendix D—forms).

**A Statement That the Employer Will Investigate Complaints Thoroughly and Promptly** - DaVinci Academy takes complaints of sexual harassment very seriously. As a result, all complaints of sexual harassment made pursuant to this policy will be thoroughly and promptly investigated.

**A Statement Regarding the Confidential Nature of the Investigation** - In the course of any such investigation, DaVinci Academy will take appropriate measures to maintain the confidentiality of the participants to the extent possible. Although it may be necessary to divulge some information to ensure that a fair investigation is conducted, DaVinci Academy will limit information to only those persons with a need to know of the complaint or of the investigation.

**A No-Retaliation Statement** - All parties contacted in the course of a sexual harassment investigation will be expressly reminded that DaVinci Academy will not tolerate retaliation in any form against any employee who believes or is concerned that sexual harassment has occurred and reports such conduct pursuant to this policy. Moreover, DaVinci Academy will protect any employee who participates in any sexual harassment investigation from any resulting retaliatory conduct. If an employee believes that he or she is experiencing retaliation as a result of having made a complaint pursuant to this policy or having participated in a sexual harassment investigation, he or she must promptly report the facts and names of the individuals involved to **their direct supervisor, the executive administrator, or to the board secretary.**

**Disciplinary Statement** - If an investigator concludes that conduct in violation of this policy has occurred, the offending individual(s) will be subject to corrective action, including formal discipline, up to and including termination of employment. Please note that DaVinci Academy Sexual Harassment Policy may be construed to be more protective of employees than the law requires. Regardless, DaVinci Academy will discipline any individual who violates this policy even if such conduct does not rise to the level of a violation of the law.

**Formal Training** - To ensure that DaVinci Academy's employees remain educated about their obligations under this policy, DaVinci Academy will require all employees to periodically receive training regarding our zero tolerance for sexual harassment at work.

**Formal Employee Acknowledgement and Consent** - By signing this policy, I acknowledge that I have received this Sexual Harassment Policy and understand its contents. I further acknowledge that I have been instructed to contact the chief executive officer should I have any questions about this policy, and I agree to do so.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Training Date