

# **SEXUAL HARASSMENT POLICY**

## **Statement of Policy**

Sexual harassment violates federal civil rights laws and Nevada Outdoor School's nondiscrimination policy. Nevada Outdoor School is committed to providing and promoting an atmosphere in which employees can realize their maximum potential in the workplace. Toward this end, all members of the Nevada Outdoor School's community (including staff, all Americorps volunteers, BTCV volunteers and volunteers within the community) must understand that sexual harassment will not be tolerated, and that they are required to abide by the following policy.

### **A. Sexual Harassment Defined**

This policy prohibits "quid pro quo" and "hostile environment" sexual harassment as defined below.

#### **1. Quid Pro Quo Sexual Harassment**

Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature by one in a position of power or influence constitutes "quid pro quo sexual harassment" when 1) submission by an individual is made either an explicit or implicit term or condition of employment, or 2) submission to or rejection of such conduct is used as the basis for academic or employment decisions affecting that employee. As defined here, "quid pro quo sexual harassment" normally arises in the context of an authority relationship. This relationship may be direct as in the case of a supervisor and subordinate or volunteer may be indirect when the harasser has the power to influence others who have authority over the victim.

#### **2. Hostile Environment Sexual Harassment**

Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature constitute "hostile environment sexual harassment" when such conduct is directed toward an individual because of his or her gender and has the purpose or effect of 1) creating an intimidating, hostile, or offensive work or academic environment, or 2) unreasonably interfering with another's work or academic performance. Generally, a single sexual joke, offensive epithet, or request for a date does not constitute hostile environment sexual harassment; however, being subjected to such jokes, epithets or requests repeatedly may constitute hostile environment sexual harassment.

In determining whether alleged sexual harassing conduct warrants corrective action, all relevant circumstances, including the context in which the conduct occurred, will be considered. Facts will be judged on the basis of what is reasonable to persons of ordinary sensitivity and not on the particular sensitivity or reaction of an individual.

## **B. Reporting of Sexual Harassment Allegations**

Persons who believe they have been victims of sexual harassment should report the incident(s) immediately to appropriate administrative officials as set forth below. Delay in reporting makes it more difficult to establish the facts of a case and may contribute to the repetition of offensive behavior.

### **1. Confidentiality**

Nevada Outdoor School will do everything consistent with enforcement of this policy and with the law to protect the privacy of the individuals involved and to ensure that the complainant and the accused are treated fairly. Information about individual complaints and their disposition is considered confidential and will be shared only on a "need to know" basis.

### **2. Assurance Against Retaliation**

This policy seeks to encourage staff, Americorps volunteers' BTCV volunteers and volunteers from our community, to express freely, responsibly, and in an orderly way opinions and feelings about any problem or complaint of sexual harassment. Retaliation against persons who report or provide information about sexual harassment or behavior that might constitute sexual harassment is also strictly prohibited. Any act of reprisal, including internal interference, coercion, and restraint, by a Nevada Outdoor School employee or by one acting on behalf of Nevada Outdoor School, violates this policy and will result in appropriate disciplinary action.

This sexual harassment policy shall not, however, be used to bring frivolous or malicious complaints against employees or volunteers. If a complaint has been made in bad faith, as demonstrated by clear and convincing evidence, disciplinary action may be taken against the person bringing the complaint.

### **3. Responsibilities of Supervisory Personnel**

All members of the Nevada Outdoor School community have a general responsibility to contribute in a positive way to an environment that is free of sexual harassment. Supervisory personnel, however, have additional responsibilities. Supervisory personnel are not only responsible for educating and sensitizing employees in their units about sexual harassment issues, but they are also directed to take all appropriate steps to prevent and stop sexual harassment in their areas of responsibility.

### **4. Complaint Procedures**

All complaints involving cases of sexual harassment should follow the same procedures as outlined in Nevada Outdoor School's Grievance Policy, with the upmost regard for confidentiality as previously

defined in this document. If at any time, the complainant or their supervisor feels the Grievance Policy is not sufficient to resolve the issue, the Executive Director should be engaged to develop some other incident specific formal procedure.

### **C. Disciplinary Sanctions**

As with all Nevada Outdoor School policies, employees and National Service Members who are found to have acted in violation of this policy or in a manner not consistent with professional behavioral expectations will be disciplined accordingly as outlined in the Nevada Outdoor School Code of Conduct and Discipline Policy. Volunteers and Program Participants who violate this policy may be dismissed from any programs they are involved in and in extreme cases not permitted to participate in future NOS activities.