

## DISCIPLINE: HARASSMENT

## I. Discriminatory Harassment

- A. Harassment is any verbal, visual, or physical conduct that is sufficiently severe, persistent or pervasive that it adversely affects, or has the purpose or logical consequence of interfering with the student's educational program or creates an intimidating, hostile, or offensive school atmosphere. Harassment, whether it is by students, staff, or third parties in the school community, is strictly prohibited, and will subject the perpetrator to disciplinary action. Harassment, regardless of its basis, is prohibited.
- B. In determining whether the conduct is sufficiently severe, persistent, or pervasive, the conduct should be considered from both a subjective and objective perspective of reasonableness, in light of all relevant circumstances. For example, the following circumstances, among others, may be considered: the degree to which the conduct affected one or more students' education, the type, frequency and duration of the conduct, the identity and relationship between the alleged harasser and the subject of the harassment, the number of individuals involved, and the age and status of the alleged harasser and the target of the harassment.
- C. Prohibited sexual harassment may include, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, visual, or physical conduct of a sexual nature from students, peers, or any other person on school property or at a school sponsored event when:
  - 1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or education, or as a basis for academic or employment decisions affecting the individual, or is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the school; or
  - 2. The conduct is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an educational program or to create an intimidating, hostile, or offensive educational or work environment.
- D. Although certain individual acts may be sufficiently egregious to constitute harassment by themselves, harassment typically consists of a pattern of behavior. The more distinct the pattern, the stronger the evidence of an

intent to harass. Behavior that continues after an individual is informed of its offensiveness may also constitute evidence of an intent to harass.

- E. While many types of conduct may show evidence of harassment, common types include, but are not limited to: unwanted touching, blocking a person's normal movements, threats, slurs, epithets, verbal abuse, derogatory comments, drawings, pictures, or gestures, unwelcome jokes, teasing, or propositions, graphic comments about an individual's body, spreading rumors about a person, purposefully limiting a person's access to educational tools, displaying sexually suggestive objects in the educational environment, or any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigations of a sexual harassment complaint. Retaliatory behavior against any complainant or any participant in the complaint process is prohibited and is considered to be a type of harassment.
- F. The expression of ideas or attitudes that some may find offensive is not, by itself, harassment, and is constitutionally protected. Harassing behavior, however, is not protected simply because it occurs in the form of verbal or written expression. Additionally, certain conduct may create a hostile school environment even though a person targeted for that conduct does not complain. Conversely, conduct which a reasonable person would not find offensive may not be the basis of harassment.

## II. Grievance Complaint Procedure

- A. It is the principal's responsibility to take actions as necessary to protect students and district personnel from harassment by students or staff.
- B. Any student, male or female, who feels that he/she is a victim of harassment should immediately contact his/her teacher and/or principal, unless the principal or teacher is believed to be part of the harassment, in which case contact should be made with the appropriate assistant regional superintendent.
- C. Any district employee who receives a harassment complaint from a student or observes harassing conduct shall notify the principal. The principal shall ensure that the complaint is promptly and appropriately investigated, and will ensure that there is an opportunity to present witnesses and other evidence. If the investigation is not conducted promptly, the appropriate assistant regional superintendent should be contacted.
- D. Retaliatory behavior against any complainant or any participant in the complaint process is prohibited.

- E. Harassment in any form against students by either a student or a district employee is grounds for severe disciplinary action. For students, it may be the basis for suspension/expulsion in accordance with the existing disciplinary procedures. For staff, it may result in disciplinary action up to and including dismissal.
- F. The principal shall take appropriate actions to reinforce this regulation. These actions should include the following:
  - 1. Remove vulgar or offensive graffiti, pictures, or objects.
  - 2. Provide staff in-service on the policy.
  - 3. Provide proper notification to students.
  - 4. Conduct an investigation into allegations using the procedures set forth in Regulation 4110.
  - 5. Refer the incident to the school police, if appropriate.
  - 6. Take immediate and appropriate disciplinary or remedial action as needed.
  - 7. Take appropriate follow-up actions in an attempt to ensure there are no further incidents or retaliation.
  - 8. Inform parties of the disposition of the complaint.

### III. Notification of Students and District Employees

A copy of this policy shall be:

- A. Included in the notifications that are sent to parents/guardians and district employees at the beginning of each school year.
- B. Displayed in a prominent location in each school or work site. The grievance complaint procedures should be written in language appropriate to the age of students.
- C. Provided as part of any orientation program conducted for students and district employees.
- D. Published in any school or district publication that sets forth the school or district's comprehensive rules, regulations, procedures, and standards of conduct.

Review Responsibility:	Instructional Division
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Pol Gov Rev:	6/28/01