

# Centre Learning Community Charter School

SECTION: PUPILS

TITLE: UNLAWFUL HARASSMENT

ADOPTED: January 20, 2010

REVISED: September 15, 2014

## 241. UNLAWFUL HARASSMENT

**Any and all harassment grievances or complaints shall be brought immediately by a school administrator to the Board's attention.**

The Board strives to provide a safe, positive learning climate for students in the schools. Therefore, it shall be the policy of the Centre Learning Community Charter School to maintain an educational environment in which harassment in any form is not tolerated.

The Board prohibits all forms of unlawful harassment of students and third parties by all Centre Learning Community Charter School students and staff members, contracted individuals, vendors, volunteers, and third parties in the schools.

The Board encourages students and third parties who have been harassed to promptly report such incidents to the designated employees.

The Board directs that complaints of harassment shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the Centre Learning Community Charter School's legal and investigative obligations.

Any and all harassment grievances or complaints shall be brought immediately to the Board's attention.

No reprisals nor retaliation shall occur as a result of good faith charges of harassment.

The term **harassment** includes but is not limited to repeated, unwelcome and offensive slurs, jokes, or other verbal, graphic or physical conduct relating to an individual's race, color, religion, ancestry, gender, sexual orientation, national origin, age or handicap/disability that create an intimidating, hostile or offensive educational environment.

**Because sexual harassment has multiple facets, a brief, non exhaustive definition is provided:**

**Sexual harassment** shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of a student's academic status.
2. Submission to or rejection of such conduct is used as the basis for academic or work decisions affecting the individual.
3. Such conduct deprives a student of educational aid, benefits, services or treatment.
4. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the student's school performance or creating an intimidating, hostile or offensive educational environment.

Examples of conduct that may constitute **sexual harassment** include but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with a student's ability to work or learn or creates an intimidating, hostile or offensive learning or working environment.

The school shall annually inform students, staff, parents, independent contractors and volunteers that unlawful harassment of students will not be tolerated.

Each staff member shall be responsible to maintain an educational environment free from all forms of unlawful harassment.

Each student shall be responsible to respect the rights of their fellow students and to ensure an atmosphere free from all forms of unlawful harassment.

Students shall be informed that they may choose to report harassment complaints to teachers, counselors, and administrators.

All employees who receive harassment complaints from a student shall report such to the CEO.

If a teacher is the subject of a complaint, the student shall report the complaint directly to the CEO or Business Manager.

When a student believes that s/he is being harassed, the student should immediately inform the harasser that the behavior is unwelcome, offensive or inappropriate. If the unwelcome, offensive or inappropriate behavior continues, the student shall follow the established complaint procedure.

Complaint Procedure

1 A student shall report a complaint of harassment, orally or in writing, to the teacher, CEO or Business Manager, who shall inform the student of his/her rights and of the complaint process.

2 The teacher immediately shall notify the CEO or Business Manager who shall conduct an impartial, thorough and confidential investigation of the alleged harassment.

In determining whether alleged conduct constitutes harassment, the totality of the circumstances, nature of the conduct, and context in which the alleged conduct occurred shall be investigated.

1 The administrator shall prepare a written report summarizing the investigation and recommending disposition of the complaint. Copies of the report shall be provided to the complainant, the accused and others directly involved, as appropriate.

2 If the investigation results in a substantiated charge of harassment, the school shall take prompt corrective action to ensure the harassment ceases and will not recur.

**Step 4 – Centre Learning Community Charter School Action**

A substantiated charge against a school staff member shall subject such staff member to disciplinary action, including discharge.

A substantiated charge against a Centre Learning Community Charter School student shall subject such student to disciplinary action, consistent with the Student Conduct Code, and may include educational activities and/or counseling services related to unlawful harassment.

If it is concluded that a student has knowingly made a false complaint, such student shall be subject to disciplinary action, consistent with the Student Conduct Code.

Disciplinary actions shall be consistent with the Student Code of Conduct, Board policies and Centre Learning Community Charter School procedures, and state and federal laws.

Appeal Procedure

1. If the complainant or accused is not satisfied with the decision, the student may file a written appeal to the school's Review Board, comprised of an Administrator and two teachers not involved in the investigation and decision.
2. The Review Board shall review the initial investigation and report and may also conduct a reasonable investigation. The Review Board shall prepare a written response to the appeal. Copies of the response shall be provided to the complainant, the accused, and others directly involved, as appropriate.

REPORT FORM FOR COMPLAINTS OF UNLAWFUL HARASSMENT

Name of Person Filing Report: \_\_\_\_\_

\_\_\_\_\_ I have received a copy of the administrative regulations

**DESCRIPTION OF INCIDENT:**

Date of Alleged Incident(s): \_\_\_\_\_ Time of incident: \_\_\_\_\_

Name(s) of Harassed: \_\_\_\_\_

Place where incident occurred: \_\_\_\_\_

Describe the incident as clearly as possible, including what force, if any, was used; verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved. Attach additional pages if necessary: \_\_\_\_\_

\_\_\_\_\_

List any witnesses who were present: \_\_\_\_\_

\_\_\_\_\_

**HAS THE INCIDENT BEEN REPORTED BEFORE? TO WHOM:** \_\_\_\_\_

What was the resolution:

\_\_\_\_\_

Please submit this form to at least one of the following: Classroom Teacher Kosta Dussias, Business Manager, CEO

This complaint is based on my honest belief that \_\_\_\_\_ has harassed me or another person. I certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

Complainant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Action taken:

\_\_\_\_\_

Administrator: \_\_\_\_\_