



DATE: 08-18-2021

MOTION: FY2022-08-02 Harassment and Sexual Harassment

The School seeks to create and maintain an environment that promotes learning, dignity, and respect. This environment is interfered with when a student or any other individual is harassed or discriminated against. As a result, the School strictly prohibits any type of harassment, sexual harassment, or offensive conduct that has the purpose or effect of interfering with the school setting, creates a threatening; intimidating; hostile; discriminatory, or hostile learning environment, or impedes; disrupts; or hinders the School's educational process.

Harassment takes many forms and includes, but is not limited to, conduct that has the purpose or effect of intimidating, teasing, bullying, threatening, or discriminating against another because of race, ethnicity, color, religion, disability, age, sexuality, and/or all other categories protected by law.

Sexual Harassment includes, but is not limited to unwelcome insults, advancements, requests for sexual favors, verbal and/or physical conduct of a sexual nature.

Harassment of any kind is not tolerated. Any student who is found to have harassed a fellow student or staff member will be subject to discipline as established in the School's policies.

Incidents of harassment of a student or staff member shall be reported to any teacher, the Head Administrator, or the Administrator's Designee. Reports may be made using Form 5080.1, Reporting Acts of Harassment. Upon receiving a report, the report recipient shall promptly inform the Head Administrator, his/her designee, or a Governing Authority Member, who will investigate the report and take the appropriate action.

The School may provide counseling to victim of sexual harassment or sexually related conduct.

Ohio: R.C. 3319.47

Cross Reference: Policy No. 4104, Policy on Harassment, Intimidation, and Bullying; Policy No. 4105, Anti-Hazing Policy; Policy No. 4106, Policy on Gang Activity & Other Prohibited Groups



Policy No. 4104

MOTION: FY2018-1-21 DATE: 1-17-2018
Policy on Harassment, Intimidation, and Bullying

The School seeks to create and maintain an environment that promotes learning, dignity and respect. This environment is interfered with when one is physically or emotionally harmed. The school recognizes the seriousness of harassment, intimidation, or bullying, electronic or otherwise. Therefore, the School prohibits acts of harassment, intimidation, or bullying of any student on school property, on a school bus, or at school-sponsored events. School-sponsored events may be conducted on or off School property and/or on school-related vehicles that are recognized or authorized by the Governing Authority.

This policy was developed in consultation with parents, guardians, school employees, school volunteers, students, and other community members in order to combat acts of harassment, intimidation, or bullying.

Any student found responsible for harassment, intimidation, bullying or “bullying by electronic act” will be subject to discipline including suspension and/or expulsion.

“Harassment, intimidation, or bullying” is defined as either:

- any intentional written, verbal, electronic, or physical act that a student has exhibited toward another particular student more than once and the behavior both: (1) causes mental or physical harm to the other student and (2) is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student; or
- violence within a dating relationship.

“Electronic act” or “bullying by electronic act” or “cyber bullying” are defined as an act committed through use of a cellular or mobile telephone, computer, pager, personal communication device, or other electronic communication device.

Promoting Civility

In an effort to promote civility in the school environment, the School seeks to recognize school administrators, faculty, staff, and volunteers that promote civility and stand up to harassment, intimidation, and bullying.

Procedure for Reporting, Investigating & Documenting Harassment and Bullying

The procedure for reporting harassment, intimidation, and bullying varies by one’s affiliation with the School. Students, school personnel, and volunteers *must* report incidents to the Head

Administrator or his/her designee. All other individuals are strongly encouraged to report prohibited incidents to the Head Administrator or his/her designee.

Reports may be made in two ways. First, the report may be made using the Form **5080.1**, Reporting Acts of Harassment. The Form shall be submitted to any staff member, teacher, or administrator. Upon receiving the report, the staff member must immediately send the report to the Head Administrator. Second, students, parents or guardians, and school personnel may make informal complaints to a school staff member or administrator. Informal complaints must be described with specificity as to the action, the persons involved, the number of times the alleged conduct occurred, where it occurred, and the individuals targeted. The staff member that receives the informal report must immediately document it using Form **5080.1**, Reporting Acts of Harassment. Anonymous complaints may be made as an individual finds necessary.

Upon receiving the report, the Head Administrator or his/her designee shall promptly and thoroughly investigate the alleged incident and then prepare a report documenting the alleged incident. Upon completing the investigation, a determination shall be made. If the investigation substantiates the claim, the School shall notify all custodial parents or guardians involved in the incident. The custodial parent or guardian of any student involved in a confirmed act will be notified and will have access to any written reports pertaining to the confirmed act to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974,"(20 U.S.C. 1232g), as amended.

On a semiannual basis, the Head Administrator shall provide the President of the Governing Authority with a summary of all reported acts and post the summary on its web site, if the district has a web site, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," (20 U.S.C. 1232g).

Procedure for Responding to and Disciplining Acts

Acts of harassment, intimidation, and bullying, electronic or otherwise, vary in scope and seriousness. As a result, each incident requires its own discipline. The extent of the discipline is to be determined at the sole professional discretion of the Head Administrator. The Head Administrator may consider the following types of intervention for confirmed acts.

Non-disciplinary intervention may be appropriate when acts are identified early or do not require a disciplinary response. Such forms of non-disciplinary intervention include:

- *Counseling.* A student may be counseled as to the definition of harassment, intimidation or bullying, its prohibition and the student's duty to avoid any conduct that could be considered harassing, intimidating, or bullying.

- *Peer Mediation.* Peer mediation may be used when a conflict arises between students or groups. Peer mediation, however, may be inappropriate and should be used cautiously as a power imbalance may make the process intimidating for the victim. This could be true if the victim's communicative skills and assertiveness are low and have been eroded by fear from past intimidation and of future intimidation.

Disciplinary intervention may take a wide number of forms.

- *In and out-of-school Suspension.* Suspensions shall follow the procedure outlined in Policy **4530**, Suspension and Expulsion Policy.
- *Expulsion.* Expulsions shall follow the procedure outlined in Policy **4530**, Suspension and Expulsion Policy. Expulsions shall be reserved for (1) serious incidents and/or (2) past interventions have not been successful in eliminating prohibited behaviors.

The disciplinary procedure shall not infringe on any student's rights under the First Amendment to the Constitution of the United States. Due process procedures for suspension and expulsion, as provided for under R.C. 3313.66 will be followed.

Deliberately False Reports are Prohibited

Students are prohibited from deliberately making false reports of harassment, intimidation, or bullying. Students that do make a false report shall be subject to the disciplinary procedure set forth in the School's Policy on Student Discipline.

Strategy for Protecting Victims and Prohibiting Retaliation or Additional Harassment

After a report is made, the School prohibits additional acts of harassment, intimidation, or bullying, electronic or otherwise. The Head Administrator shall determine the appropriate consequences and remedial action for those who engage in the aforementioned conduct by following the School's policies and procedures.

To aid in preventing additional acts against victims and retaliatory acts against individuals making reports, the School has adopted the following strategy:

- Provide adult supervision when students are not in a traditional classroom setting including: hallway passage, recess, lunch, and bathroom breaks.
- Communicate incidents with school personnel, have school personnel continue to monitor those involved for further signs of offending behavior, and intervene when offending behavior is witnessed.
- For offending students, fairly monitor and supervise.

- For the victim(s), provide daily contact to ensure there have been no further incidents and provide counseling as is determined necessary.
- For those that make reports, continue contact to ensure there have been no further incidents or retaliatory conduct.
- Allow individuals to make an anonymous report.

All School personnel, volunteers, and students shall be individually immune from civil liability in an action from damages arising from reporting an incident as provided by law.

Disseminating this Policy

This policy shall appear in the School's Policy Manual, and in any of the publications that set forth the comprehensive rules, procedures, and standards of conduct for schools and students in the School.

The policy and an explanation of the seriousness of bullying by electronic means shall be made available to students in the School and to their custodial parents or guardians, and once each school year a written statement describing the policy and the consequences for violations of the policy be sent to each student's custodial parent or guardian. The statement may be sent with regular student report cards or may be delivered electronically. Information regarding the policy shall be incorporated into employee training materials.

This policy shall be incorporated into in-service training.

Ohio: R.C. 3313.66, R.C. 3313.666, R.C. 3313.667, R.C. 3319.321.

Cross Reference: Policy 4103, Harassment and Sexual Harassment; Policy 4105, Anti-Hazing Policy; Policy 4106, Policy on Gang Activity & Other Prohibited Groups; Policy 4530, Suspension & Expulsion Policy; Form 5080.1, Reporting Acts of Harassment.

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