

Regulation 502.10-R(1): Student-to-Student Harassment - Investigation Procedures

Status:
ADOPTED

Original
Adopted Date:
7/31/23

Harassment of students by other students will not be tolerated in the school. The school includes the school premises/"charterverse"; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school.

Harassment prohibited by the school district includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, religion, marital status or disability. Students whose behavior is found to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, suspension and expulsion.

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

- submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of a student's participation in school programs or activities;
- submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student; or
- such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating, offensive or hostile learning environment.

Sexual harassment as set out above, may include, but is not limited to the following:

- verbal or written harassment or abuse;
- pressure for sexual activity;
- repeated remarks to a person with sexual or demeaning implications;
- unwelcome touching;
- suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, achievements, etc.

Harassment on the basis of race, creed, color, religion, national origin, marital status or disability means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb, or trouble students when:

- submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of a student's participation in school programs or activities;
- submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student; or
- such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating, offensive or hostile learning environment.

Harassment as set forth above may include, but is not limited to the following:

- verbal, physical or written harassment or abuse;
- repeated remarks of a demeaning nature;
- implied or explicit threats concerning one's grades, achievements, etc.; demeaning jokes, stories, or activities directed at the student.

Harassment and abuse are violations of school policies, rules and regulations and, in some cases, may also be a violation of criminal or other laws. The school has the authority to report students violating this rule to law enforcement officials.

Students who feel that they have been harassed should:

- Communicate to the harasser that the student expects the behavior to stop, if the student is comfortable doing so. If the student needs assistance communicating with the harasser, the student should ask a teacher, counselor or principal to help.
- If the harassment does not stop, or the student does not feel comfortable confronting the harasser, the student should:
 - tell a teacher, counselor or principal; and
 - write down exactly what happened, keep a copy and give another copy to the teacher, counselor or principal including;
 - what, when and where it happened;
 - who was involved;
 - exactly what was said or what the harasser did;
 - witnesses to the harassment;
 - what the student said or did, either at the time or later;
 - how the student felt; and
 - how the harasser responded.

COMPLAINT PROCEDURE

A student who believes that the student has been harassed will notify their principal, the designated investigator. The alternate investigator is the Title IX Coordinator. The investigator may request that the student complete the Harassment Complaint form and

turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. Information received during the investigation is kept confidential to the extent possible.

The investigator has the authority to initiate a harassment investigation in the absence of a written complaint.

The investigator will reasonably and promptly commence the investigation upon receipt of the complaint. The investigator will interview the complainant and the alleged harasser. The alleged harasser may file a written statement refuting or explaining the behavior outlined in the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator will make written findings and conclusions as to each allegation of harassment and report the findings and conclusions to the Title IX Decision Maker (CCS Curriculum Director). The investigator will outline the findings of the investigation to the Title IX Decision Maker (CCS Curriculum Director).

RESOLUTION OF THE COMPLAINT

The principal will file a written report closing the case and documenting any disciplinary action taken or any other action taken in response to the complaint. The complainant and the alleged harasser will receive notice as to the conclusion of the investigation.

POINTS TO REMEMBER IN THE INVESTIGATION

- Evidence uncovered in the investigation is confidential.
- Complaints must be taken seriously and investigated.
- No retaliation will be taken against individuals involved in the investigation process. Retaliators will be disciplined up to and including suspension and expulsion.

CONFLICTS

If the investigator is a witness to the incident, the alternate investigator is the investigator.