Harassment - Racial and Other Forms Policy No. 3208

Students

**HARASSMENT - RACIAL AND OTHER FORMS**

The Carbonado School District shall provide a working and educational environment for students and employees that are free from any form of harassment. Harassment is behavior of a nonverbal, verbal, written, graphic, sexual, or physical nature that is directed at an individual or group on the basis of race, gender, national origin, religion, age, marital status, sexual orientation, disability, or any other protected class. Harassment includes, but is not limited to, abusive language; taunting; racial, sexual or ethnic slurs; jokes; pictures; gestures; implied or overt threats of physical violence; refusing to permit full participation in activities; physical acts of aggression toward a person or property; graffiti, slogans, or visual displays depicting inappropriate sentiments or images; and, inappropriate physical contact, bullying, and intimidation.

Racial harassment is behavior based on race or color and has the intent or affect of limiting the ability of a student or school employee to participate in or benefit from educational services, activities, and privileges. Racially motivated behavior is discriminatory and is a violation of District policy and regulations and may also violate criminal and other state and federal antidiscrimination laws.

Sexual harassment is unwelcome conduct of a sexual nature. It includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo harassment is the submission to unwelcome sexual behavior as a condition of employment, assignment, promotions, or educational decisions regarding grades and participation in District programs or activities. Sexual harassment is a form of sex discrimination and therefore a violation of District policy and regulations and may also be a violation of criminal and other state and federal laws.

The District shall not tolerate any behavior or activity that tends to create or would create, if uncorrected, a hostile, offensive, or abusive work or learning environment. Students, District employees, volunteers, District vendors, or any other individuals whose behavior violates the policy shall be disciplined or subject to consequences. Discipline and/or consequences may include suspension, expulsion, dismissal, or termination of services. The District has the authority to report violations of this policy to law enforcement. Retaliation against a student or staff that initiates a harassment complaint or assists in the investigation of a complaint is prohibited. A student or staff member who is found to have retaliated against another in violation of this policy will be subject to discipline.

Disciplinary action for students guilty of racial or other forms of harassment will be dependent upon, but not limited to, the student’s attitude; intent; the effect on other students and/or staff; mitigating circumstances; and, the student’s discipline history. Based on these factors a more or less severe punishment may be imposed, from school discipline to expulsion. A course in diversity covering the topics found herein may be required as part of the disciplinary procedures for students.

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Staff member disciplinary action may be initiated with a conference, include a course in diversity covering the topics found herein and may progress to termination. Adults attending school activities who engage in harassment, racial or otherwise may be asked to leave school property.

The Superintendent shall designate a designee to be responsible for receiving and investigating student, staff and community member complaints of any form of harassment, racial or otherwise. The Superintendent’s Designee shall maintain accurate reports of harassment allegations as well as the investigations conducted.

The District shall develop a plan for training students, school staff, and parents regarding the harassment policy. This policy as well as the complaint procedure will be distributed to students, staff, parents, prospective employees, District vendors, volunteers, and any interested individuals.

Cross References:

Policy 3200 Student Rights and Responsibilities

Policy 3207 Prohibition of Harassment, Intimidation and Bullying

Policy 3210 Nondiscrimination

Policy 3240 Student Conduct

Policy 5013 Sexual Harassment

Legal Reference:

Chapter 207, Laws of 2002

Adopted : 3/19/2007