

**RACIAL/ETHNIC/NATIONAL ORIGIN/RELIGIOUS HARASSMENT AND  
DISCRIMINATION POLICY COVERING STUDENTS**

Each student has a responsibility to maintain an educational environment free from harassment. Harassment or offensive conduct at school or school related functions is prohibited.

Racial/Ethnic/National Origin Harassment and Discrimination

No student shall, on the basis of his or her race, ethnicity, national origin, or religion be denied equal access to programs, activities, services or benefits, or be limited in the exercise of any educational right, privilege, advantage or opportunity.

No person shall be disadvantaged or treated unfairly by the Board of Directors or any of its personnel or students on the basis of race, ethnicity, national origin, or religion, whether intentionally or otherwise, in any activity at any level of the operations of the School.

Racial/Ethnic/National Origin/Religious Harassment

Racial/ethnic/national origin/religious harassment may be any behavior, verbal or physical, which is imposed by an employee or student on a student because of race, national origin, ethnic background, or religion which is intimidating, offensive, abusive, threatening or unwelcomed and which causes or contributes to a racially/ethnically/national origin/religious based hostile environment.

Such a hostile environment exists when acts of harassment are sufficiently numerous, severe, or pervasive to impair or alter an individual's school environment. The existence of a hostile environment is to be judged from the viewpoint of a reasonable person in the victim's situation under all of the existing circumstances.

Such harassment may include, but is not limited to:

1. Racial/ethnic/national origin/religious-oriented verbal "kidding" or demeaning racial/ethnic innuendos, teasing, jokes or remarks of a racial/ethnic/national origin/religious based nature.
2. Writing graffiti and/or slogans depicting racial/ethnic/national origin/religious-related slurs or racially/ethnically derogatory sentiments.
3. Racial/ethnic/national origin/religious motivated intimidation and/or physical violence or threats of physical violence.

### Racial/Ethnic/National Origin/Religious Discrimination

It is unlawful to discriminate against a student because of his/her race, ethnicity, national origin, or religion.

#### Conduct Not Covered By This Policy:

For the purpose of this policy, discrimination and harassment does not include petty slights, annoyances, and isolated incidents (unless extremely serious). Teasing, casual comments, or single instances of inappropriate conduct do not fall under this policy. For inappropriate behavior to rise to the level of illegal harassment, it must be unwelcomed or unwanted. It must also be severe (meaning very serious) or pervasive (meaning that it happened frequently).

Conduct that does not meet the definition of discrimination or harassment under this policy may be reported and addressed under the Board's Harassment and Violence Policy.

This policy does not apply to instances of sexual discrimination or sexual harassment. All student complaints of sexual harassment or discrimination should be made in accordance with the Board's Title IX Grievance Procedure for students.

This policy does not apply to instances of disability discrimination or harassment. All student complaints of disability harassment or discrimination should be made in accordance with the Board's Section 504/ADA Grievance Procedure.

### Investigation of Harassment and/or Discrimination

In order to prevent, deter, or correct such a hostile environment or concern about such discrimination, it is the responsibility of the administrative personnel to investigate any charges of racial/ethnic/national origin harassment or discrimination when brought to their attention and take appropriate corrective action.

#### 1. Complaint Procedure

- a. The student desiring to file a harassment/discrimination complaint must present the complaint, in writing, to the building administrator. If the student verbally complains to a staff member regarding such harassment, the staff member is required to report the complaint to the administrator. The administrator or his/her designee shall investigate the matter unless otherwise designated by the Board.
- b. If the administrator is the employee alleged to have engaged in the harassment/discrimination, the complaint shall be sent directly to the Head Administrator.

- c. The Administrator will either conduct the investigation set out below or appoint an investigator in his/her place.
- d. The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the School's legal obligation and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred.

2. Investigation

- a. The investigator should remember that the investigation requires a balancing of the accused's rights, the complainant's right to an environment free of harassment/discrimination, and the Board's interest in a prompt and fair investigation.
- b. The investigator shall meet with the complainant within a reasonable period of time from the time of making the complaint. However, the investigator is urged to meet with the complainant as soon as possible.
- c. Following the meeting with the complainant, the investigator shall conduct an investigation to determine if harassment/discrimination has occurred. The investigation may, with the agreement of the parties include a conference with the accused and the complainant, as well as any and all other methods which are considered necessary to determine whether harassment/discrimination has occurred. The investigation shall include interviewing the complainant, respondent, and relevant witnesses. The investigator may request, but is not required to obtain, written statements from the complainant, respondent, and relevant witnesses. The investigator also shall review relevant documentation and may use any and all other methods which are considered necessary to determine whether harassment/discrimination has occurred.

3. Post-Investigation Procedures

- a. Upon conclusion of the investigation, the investigator shall issue a written report. Although the facts and circumstances of a particular investigation may require an investigation to continue beyond 45 school days, it is recommended that the investigation and a report of the findings be completed within that time frame. The report shall include a determination of whether the accused was found to have engaged in harassment/discrimination, was found not to have engaged in harassment/discrimination, or whether the investigation was inconclusive. The report shall be issued to the complainant or to the complainant's parents. A copy of the report shall also be sent to the Head Administrator or his/her designee.

- b. A finding of no harassment/discrimination or inconclusive evidence shall end the investigation.
- c. If harassment/discrimination is found to have occurred, the investigator shall recommend what steps are necessary to ensure that the harassment/discrimination is eliminated for the victim and other individuals affected by the harassment/discrimination and to correct its discriminatory effects on the complainant and others, if appropriate.

4. Discipline

If harassment/discrimination is found to have occurred, the person who engaged in such harassment/discrimination may be disciplined, up to and including suspension or expulsion of students. The discipline must be reasonably calculated to end the harassment/discrimination, up to and including suspension or expulsion of students. Any discipline must include a directive that the student or employee not engage in such harassment/discrimination in the future.

School employees will be notified at least annually of their responsibility to report all instances of possible racial/ethnic/national origin discrimination or harassment of which they become aware and to whom such a report shall be made.

It is Board policy that all reports of such harassment will be thoroughly investigated, and violations of this policy will be treated as serious disciplinary infractions. No student shall be subjected to retaliation for any good faith report of harassment/discrimination or participating in an investigation about harassment/discrimination under this policy. Limited disclosure may be necessary to complete a thorough investigation.

LEGAL REFS: 42 U.S.C. §2000d

Adopted: October 11, 2023