

<b>1210</b>	<b>Prohibition Against Unlawful Discrimination, Harassment, and Bullying</b>
<b>Approval Date:</b>	
<b>Category:</b>	<b>Foundations and Basic Commitments</b>
<b>Governance Accountability:</b>	<b>Board of Directors, Leadership, APs, Students, Families, Volunteers</b>
<b>Audience:</b>	<b>Employees, Students, Families, Board of Directors, Volunteers</b>

The policy of the Pine Lake Preparatory is to maintain a safe, orderly and caring educational and professional environment that is free from harassment, bullying, and unlawful discrimination. Any type of harassment, bullying and unlawful discrimination is prohibited by this policy.

Violations of this policy may result in disciplinary action up to and including termination for Board members and employees; sanctions up to and including suspension or exclusion for Students; and appropriate School and legal action against parents or campus visitors.

## **I. SCOPE OF POLICY**

### **A. Prohibited Behaviors and Conduct**

Students, School employees, volunteers and visitors are expected to behave in a civil and respectful manner. The Board expressly prohibits unlawful discrimination, harassment and bullying by Students, employees, Board members, volunteers, or visitors. "Visitors" includes parents and other family members and individuals from the community, as well as vendors, contractors, and other persons doing business with or performing services for the School.

### **B. Location of Coverage**

This policy applies to behavior that takes place: (1) in any School building or on any School premises before, during or after School hours; (2) on any bus or other vehicle as part of any School activity; (3) at any bus stop; (4) during any School-sponsored activity or extracurricular activity; (5) at any time or place when the individual is subject to the authority of School personnel; or (6) at any time or place when the behavior has a direct and immediate effect on maintaining order and discipline in the School.

### **C. Title IX Sexual Harassment Complaints (Policy 1211)**

The United States Department of Education has adopted formal rules

governing sexual harassment under Title IX of the Education Amendments of 1972. These regulations require additional procedures and policies not generally applicable to harassment under Title VII (including harassment on basis of sex, race, color, etc. in employment) and other laws and policies prohibiting harassment. Accordingly, for any definitions and procedures applicable solely for sexual harassment under Title IX, the relevant Pine Lake Policy is 1211; and, in addition, relevant procedures may also be found in Administrative Regulation 1211.

## II. **DEFINITIONS**

For purposes of this policy, the following definitions apply:

### 1. Discrimination

*Discrimination* means any act or failure to act, whether intentional or unintentional, that unreasonably and unfavorably differentiates treatment of others based solely on their membership in a socially distinct group or category, such as race, ethnicity, sex, pregnancy, religion, age, physical appearance or disability.

### 2. Harassment or Bullying

a. *Harassment or bullying* behavior is deliberate conduct intended to harm another person or group of persons. Such conduct violates this policy when a pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication:

- 1) places a Student or employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
- 2) creates or is certain to create a hostile environment by substantially interfering with or impairing a Student's educational performance, opportunities, or benefits or by adversely altering the conditions of an employee's employment.

"Hostile environment" means the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior. A hostile environment may be created through pervasive or persistent misbehavior or a single incident, if sufficiently severe.

Harassment and bullying include, but are not limited to, behavior described above that is reasonably perceived as being motivated by any

actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability. Examples of behavior that may constitute harassment or bullying include, but are not limited to, acts of disrespect, intimidation, or threats, such as verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, lewd propositions, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Harassment and bullying may occur through electronic means ("cyberbullying"), such as through the Internet, emailing, or text messaging, or by use of personal websites to support deliberate and repeated behavior intended to cause harm to persons or groups. Legitimate age-appropriate pedagogical techniques are not considered harassment or bullying.

Harassment, including sexual or gender-based harassment, is not limited to specific situations or relationships. It may occur between fellow Students or co-workers, between supervisors and subordinates, between employees and Students, or between non-employees, including visitors, and employees or Students. Harassment may occur between members of the opposite sex or the same sex.

### **III. VERBAL/PHYSICAL CONFRONTATIONS SPECIFICALLY PROHIBITED**

The Pine Lake Preparatory School will not tolerate verbal and/or physical confrontations, which threaten or are perceived as threatening to its staff members, Students, parents, prospective parents, Board members or any other guest of the School. Pine Lake Preparatory staff/faculty members may not be approached on School grounds, at other School-sponsored events or in public during non-School hours in a negative fashion to discuss School-related issues. The result of this type of confrontation will be reviewed by the Pine Lake Preparatory Administration and/or the Pine Lake Preparatory Board of Directors to determine a proper course of action. Recommended action may include discipline for the person(s) involved or exclusion of the person(s) from Pine Lake Preparatory property and all Pine Lake Preparatory-sponsored events.

### **IV. REPORTING**

Any person who believes he or she has been discriminated against, harassed, or bullied in violation of this policy by any student, employee, or other person under the supervision and control of the School, or any third person who knows or suspects conduct that may constitute discrimination, harassment, or bullying, should inform a School official.

Any employee who has witnessed, or who has reliable information that another person may have been subjected to, discrimination, harassment, or bullying in violation of this policy has a duty to report such conduct. Employees who observe an incident of harassment or bullying are expected to intervene to stop the conduct in situations in which they have supervisory control over the perpetrator and it is safe to do so. If an employee knows of an incident involving discrimination, harassment, or bullying and the employee fails to report the conduct or take proper action or knowingly provides false information in regard to the incident, he or she will be subject to disciplinary action up to, and including, dismissal.

#### **V. FILING A COMPLAINT**

Any individual who believes that he or she has been the victim of unlawful discrimination, harassment, or bullying may file a grievance pursuant to Policy 2160 "Student, Employee, and Parent Grievance Policy."

#### **VI. CONSEQUENCES FOR PROHIBITED CONDUCT**

Any employee or Student determined to have violated this Policy will be subject to appropriate discipline, up to and including suspension and expulsion for a Student, or termination of employment for an employee. All applicable due process procedures will be followed.

In addition, where appropriate or required, reports will be made to local law enforcement, the State Board of Education, and any other state and local agencies to whom reports are required to be made.

#### **VII. RETALIATION PROHIBITED**

Retaliation against an employee or Student for filing a harassment complaint, or participating in the investigation of a complaint, is strictly prohibited and will result in appropriate disciplinary action, up to and including termination for employees or academic suspension or exclusion for Students.

#### **VIII. FALSE INFORMATION PROHIBITED**

Any individual who knowingly provides false information will be subject to appropriate disciplinary action, up to and including termination for employees or academic suspension or exclusion for Students.

