



Anti-Harassment / Discrimination / Intimidation / Bullying / Retaliation Policy

Blue Ridge Academy is committed to ensuring a professional work and learning environment without discrimination, harassment, intimidation, or bullying on the basis of any actual or perceived characteristics set forth in Penal Code Section 422.55 of the Penal Code and Education Code Section 220, including race or ethnicity (including ancestry, color, ethnic group identification and ethnic background; race is inclusive of traits historically associated with race, including, but not limited to, hair texture and protective hairstyles, which includes, but is not limited to, such hairstyles as braids, locks and twists), religion (including religious dress and grooming practices), color, national origin (including language use restrictions), immigration status, citizenship status, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy or childbirth), gender, gender identity, gender expression, age, sexual orientation, military and veteran status, or association with a person or group with one or more of these actual or perceived characteristics, or any other legally protected category. Blue Ridge Academy prohibits any such discrimination, harassment, intimidation, or bullying.

The purpose of the Blue Ridge Academy Governing Board approving this Anti-Harassment/Discrimination/Intimidation/Bullying/Retaliation Policy is to accomplish the following:

1. Define Harassment, Discrimination, Intimidation, Bullying and Retaliation
2. Identify Where the Policy Applies
3. Establish Employee Responsibility
4. Identify Reporting Procedures
5. Identify Investigation/Complaint Procedures
6. Outline the Protection of Individuals with Immigration Status
7. Outline the Procedures for Notifying Parents of Their Children's Right to a Free Public Education, Regardless of Immigration Status or Religious Beliefs

1. Definitions:

- **Discrimination:** Discrimination is differential, unfair treatment based on an individual's membership (or perceived membership) in any protected group or on any other prohibited basis as described above.
- **Harassment:** Harassment is unwelcome verbal or physical conduct or behavior directed toward, or differential treatment of, an individual because of their membership (or perceived membership) in any protected group or on any other prohibited basis as described above. Examples of such conduct include, but are not limited to:
 - Offensive or degrading remarks, verbal abuse, or other hostile behavior such as insulting, teasing, mocking, name calling, degrading, or ridiculing another person or group

- Racial slurs, derogatory remarks about a person’s accent, or display of racially offensive symbols
 - Unwelcome or inappropriate physical contact, comments, questions, advances, jokes, epithets, or demands
 - Physical assault or stalking
 - Displays or electronic transmission of derogatory, demeaning or hostile materials or statements
 - Graphic and written offensive or derogatory statements, which may include use of cell phones or the Internet
- **Sexual Harassment:** Sexual harassment is a form of harassment based on sex, including sexual harassment, gender harassment and harassment based on pregnancy, childbirth or related medical conditions. It generally involves unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. Sexual harassment also has a specific definition in the Title IX context. (For further information, please see the School’s Title IX Policy for Sexual Harassment.) The following is a partial list of potential instances of sexual harassment:
 - Unwanted sexual advances
 - Offering educational benefits in exchange for sexual favors
 - Making or threatening reprisals after a negative response to sexual advances
 - Visual conduct: Leering, making sexual gestures, displaying of suggestive objects or pictures, cartoons or posters
 - Verbal conduct: Making or using derogatory comments, epithets, slurs and jokes
 - Verbal abuse of a sexual nature, graphic verbal commentaries about an individual’s body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations
 - Physical conduct: Touching, assault, impeding or blocking movements
- **Intimidation:** Intimidation includes adverse actions intended to fill another with fear, or to force another into or deter from some action by inducing fear.
- **Bullying:** Bullying may take place in a variety of hostile acts that are carried out repeatedly over time. The acts typically involve a real or perceived imbalance of power, with the more powerful individual or group attacking those who are less powerful. It may be physical (hitting, kicking, spitting, pushing), verbal (taunting, malicious teasing, name calling, threatening), and/or psychological (spreading rumors, manipulating social relationships, or promoting social exclusion, extortion or intimidation).

Other types of bullying:

 - Sexual bullying includes many of the actions typical of bullying behavior with the added actions of exhibitionism, voyeurism, sexual propositioning, sexual harassment and sexual abuse (touching, physical contact, sexual assault).
 - Bias or hate-motivated bullying is a basic bias against or hate for a person or group. Examples include taunting one’s race, religion, national origin, sexual orientation, or physical or mental disabilities. The bullying behavior may also be aggressive, antagonistic, and assaultive.
 - Hazing is a form of aggressive behavior that usually involves intimidation and humiliation during an initiation for a student organization or body, club, group or sports team. It may involve conduct that is likely to cause serious bodily injury or

personal degradation or disgrace resulting in physical or mental harm to a former, current or prospective pupil. Hazing does not include athletic events or school-sanctioned events.

- Cyberbullying involves bullying conduct that is created or transmitted by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager communicating any of the following: 1) a message, text, sound or image; 2) a post on a social network Internet Web site, including a “Burn Page,” an impersonation of another student, and a false profile.
- Cyber sexual bullying involves dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act. A photograph or other visual recording may include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording or other electronic act.
- Social media bullying involves bullying through forums for social media, such as internet websites with free registration and ease of registration, internet websites offering peer-to-peer instant messaging (such as Snapchat, Tox, Orbit, Bleep), internet websites offering comment forums or sections (such as Facebook, Twitter, Reddit) and internet websites offering image or video posting platforms (such as YouTube, Instagram, Twitch, Imgur).

Anti-Cyberbullying Procedures:

- Blue Ridge Academy advises students:
 - To never share passwords, personal information, or private photos online.
 - To think carefully before posting anything, and to remember that comments cannot be unsaid, even if they are deleted.
 - To consider how it would feel to receive such comments before making comments about others.
- Blue Ridge Academy encourages teachers and staff:
 - To promote a positive and safe school culture by establishing norms of respectful communication.
 - To look out for warning signs that a student may be being cyberbullied or cyberbullying others (e.g., noticeable increases or decreases in device use, including texting; student becomes withdrawn or depressed; student avoids discussion about what they are doing on their device).
- **Retaliation:** Retaliation is any adverse action taken against an individual because they filed a complaint of harassment, discrimination, intimidation or bullying to the School or another agency or participated in an investigation about the same (such as an internal investigation or lawsuit), including as a witness. Retaliation also includes adverse action taken against someone who is associated with the individual opposing the perceived harassment, discrimination, intimidation or bullying.

2. Where the Policy Applies: This policy applies to all acts related to school activity or school attendance occurring within Blue Ridge Academy, and all acts of the governing board or Blue Ridge Academy in enacting policies and procedures that govern the local educational agency.

3. Responsibility: Blue Ridge Academy employees have a responsibility for keeping the school environment free of discrimination, harassment, intimidation, and bullying.

Bullying prevention training materials, publications and resources, including community-based organizations, for educators, parents, and community members for recognizing bullying behavior and approaches for determining how to respond can be found on the [CDE Safe Schools Webpage](#). Blue Ridge Academy annually makes available the online training module developed by CDE pursuant to Education Code section 32283.5(a) to its certificated employees and all other Blue Ridge Academy employees who have regular interaction with students.

- 4. Reporting:** Blue Ridge Academy encourages reporting of all alleged incidents of discrimination, harassment, intimidation, bullying, or retaliation. Students should report any incident of harassment, discrimination, intimidation, bullying, or retaliation to their teacher or other staff member immediately. If school staff witnesses an act of discrimination, harassment, intimidation, bullying, or retaliation, they will take immediate steps to intervene when safe to do so. Employees who believe that they have been the victims of such conduct should discuss their concerns with their immediate supervisor, the Superintendent, or the Deputy Superintendent and should follow all relevant procedures as discussed in the Employee Handbook. Complaints can be filed pursuant to Blue Ridge’s Uniform Complaint Procedures Policy (“UCP”) and/or Title IX Policy for Sexual Harassment. The contact information for the UCP Responsible Employee and Title IX Coordinator are provided below:

Samantha Haynes
Phone: (805) 638-7321
Email: samantha.haynes@theblueridgeacademy.com

In addition, Blue Ridge Academy encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that their behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. Blue Ridge Academy recognizes, however, that an individual may prefer to pursue the matter through formal complaint procedures. Every effort will be made to keep such reports as confidential as possible and/or as appropriate, although it is understood that an investigation will often require the involvement of third parties. Blue Ridge Academy is serious about enforcing its policy against harassment, but Blue Ridge Academy cannot resolve a harassment problem that it does not know about. Therefore, individuals are responsible for bringing any such problems to Blue Ridge Academy’s attention so it can take whatever steps are necessary to correct the problems.

- 5. Investigation/Complaint Procedure:** All complaints of discrimination, harassment, intimidation, bullying, and/or retaliation will be promptly investigated. If a complaint is filed pursuant to Blue Ridge’s Uniform Complaint Procedures Policy (“UCP”) and/or Title IX Policy for Sexual Harassment, Blue Ridge Academy will adhere to the investigation procedures required by those respective policies. If the investigation substantiates the accusations, the appropriate corrective action will be taken. Appropriate action will also be taken in the event the accusations are intentionally false or malicious in intent.

Blue Ridge Academy encourages the prompt reporting of complaints or concerns so that rapid and appropriate remedial action can be taken before relationships become irreparably strained.

The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with appropriate investigation methods and appropriate corrective actions.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Willful false and malicious complaints of harassment, discrimination or retaliation may be subject to appropriate disciplinary action.

- 6. Posting:** This policy shall be posted on the School's internet website in a manner that is easily accessible to parents/guardians/students.

Adopted Date: March 12, 2024