

Infinity Charter School

SECTION: STUDENT POLICIES

TITLE: SEXUAL HARRASSMENT

**APPROVED: September 12, 2004
January 12, 2005**

310: SEXUAL HARRASSMENT

Purpose:

Sexual Harassment is Prohibited—Sexual harassment is recognized as a form of sex discrimination which violates state and federal law and is expressly prohibited by the Infinity Charter School. The Board expects all persons associated with this school, including, but not necessarily limited to, the members of the Board, the administration, the staff, the students, community members, vendors, and others having business with the school, to conduct themselves at all times so as to provide an atmosphere free from sexual harassment. Any person who engages in sexual harassment in matters over which the Board has jurisdiction shall be in violation of this policy.

Definitions:

What is Sexual Harassment? Sexual harassment may include, by way of example only:

- Any behavior that is sexually oriented, including verbal joking, teasing, spreading sexual rumors, harassment or abuse;
 - Pressure for unwelcome sexual activity;
 - Suggesting, demanding or forcing sexual involvement accompanied by implied or explicit statements, threats or promises concerning one's grades, employment status, or similar personal concerns;
 - Suggesting, demanding or forcing someone to go out with you or have sexual contact with you because of something you have threatened to do or say or have actually done or said;
 - Any undressing or touching, such as intentional patting or pinching, or constant bumping, grabbing or brushing against another person's body, which is unwelcome, unwanted, one-sided or uncomfortable to the person receiving this attention;
 - Inappropriate showing or displaying of sexual materials, such as, by way of example only, posters, pin-ups, calendars, magazines;
 - Repeated put-downs or remarks with sexual meaning or demeaning implications;
- and,*
- Any unwelcome repeated behavior, verbal or physical, which is of a sexual nature, or has sexual meaning, or overtones.

While sexual harassment generally involves repeated behavior, or a pattern of behavior, the board recognizes that addressing individual incidents is a way of preventing inappropriate behavior from becoming pervasive.

Guidelines:

Determination Necessary: Addressing Individual Acts—The Board recognizes that not every advance or consent of a sexual nature constitutes harassment. Whether a particular action or incident is prohibited by policy or law requires that the CEO/Director or her designee make a determination based on all the facts and surrounding circumstances.

Knowingly Making False Charges Prohibited—While it is the purpose of this policy to protect all persons associated with this school from sexual harassment, it shall also be a violation of this policy to knowingly make a false allegation of sexual harassment against any member of the school community.

Discipline—Any person found to be in violation of this policy is subject to discipline, including, but not limited to, reprimand, probation, demotion, suspension, expulsion, termination, or cessation of business.

Procedures:

Establishment of Procedures—The Board hereby directs the CEO/Director to establish procedures to implement this policy.

1.0 General Procedures—Any person at, or performing services on behalf of the school shall have recourse to the following grievance procedures.

1.1 Informal Meetings for Students, Employees and Volunteers-- Students, staff, and volunteers may also informally initiate a grievance by meeting privately with the CEO/Director, or, in the case of students, a teacher or counselor. The person with whom the grievance meets shall assist or shall arrange assistance for such grievance if that person wishes to commence a formal grievance.

1.2 Responsibilities of Staff Members when Students Report Sexual Harassment Any student who believes he or she is being subjected to sexual harassment may informally approach any teacher, counselor, or administrator in the school with his or her complaint. Any staff member who is approached by a student complaining of sexual harassment shall ensure that the student receives the assistance necessary to bring the student's complaint to the attention of the appropriate individuals.

2.0 Investigation of Complaints of Harassment—When employees or volunteers are involved, as alleged victim or alleged perpetrator, the CEO/Director, or his/her designee, shall investigate.

2.1 In General:

2.1.1 All complaints will be investigated immediately to ascertain whether particular incidents occurred.

2.1.2 Identify all of the individuals who may have been responsible.

- 2.1.3 Identify which individuals have been adversely affected and to what extent.
- 2.1.4 Determine if the behaviors at issue constitute sexual harassment, and if so....
- 2.1.5 Determine and implement specific responsive measures as necessary.

2.2 In Particular:

- 2.2.1 Keep records of all reports of alleged sexual harassment.
- 2.2.2 Question witnesses and alleged victims in a manner (e.g., separately and privately) which enables them to talk freely without worrying about ‘tattling’ and with the maximum comfort possible.
- 2.2.3 Document discussion with students.
- 2.2.4 Question individuals with knowledge of the incidents separately and privately.
- 2.2.5 Obtain specific identities of all students alleged to be perpetrators.
- 2.2.6 Obtain all documentary or other physical evidence which the complainant or others might have, such as letters, notes, photographs, or tape machine messages.
- 2.2.7 Ascertain the scope of the problem in its entirety. That is, don’t characterize true sexual harassment as just swearing or bad language. **Where behavior is appropriately characterized as sexual harassment, an express finding to that effect must be made. Document it as such.**
- 2.2.8 Determine if anyone is guilty, and, if so, who? And of what?
- 2.2.9 Where students are involved, take active disciplinary measures, including discussion with parents, against particular students involved in behavior constituting sexual harassment.
- 2.2.10 Address behavior which is ongoing. Institute supervision as necessary to respond to the situation. Additional supervision may be particularly appropriate when individual perpetrators cannot be identified or where you believe discipline sanctions will not be effective.

3.0 Confidentiality—All matters involving sexual harassment complaints shall remain confidential to the extent possible and provided by law.

4.0 Retaliation Prohibited—Filing of a grievance or otherwise reporting sexual harassment shall not reflect upon the individual’s status or affect future employment, work assignments, or grades. Those against whom charges of sexual harassment are made are expressly prohibited from retaliating.