



**SCHOOL POLICY ON HARASSMENT, INTIMIDATION AND BULLYING**

2020-2022

**APPROVED**

BY THE GOVERNING BOARD OF THE ACADEMY OF EDUCATIONAL EXCELLENCE –DECEMBER 14, 2019

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### **Employee-to-student**

Sexual harassment of students by employees is a form of discrimination and is prohibited by law. Sexual harassment of students includes any welcome or unwelcome sexual advances, requests for sexual favors, and other oral, written, physical or visual conduct of sexual nature. Romantic relationships between AEE employees and students are strictly prohibited. Other prohibited conduct includes the following:

- Engaging in sexually oriented conversation for the purpose of personal sexual gratification
- Telephoning students at home or elsewhere and engaging in inappropriate social relationships
- Engaging in physical contact that would reasonably be construed as sexual in nature
- Enticing or threatening students to get them to engage in sexual behavior in exchange for grades or other school related benefits.

In most instances, sexual abuse of a student by an employee violates the student's constitutional right to bodily integrity. Sexual abuse may include, but is not limited to, fondling, sexual assault, or sexual intercourse.

Employees who suspect a student is being sexually harassed or abused by another employee are obligated to report their concerns to their supervisor or CAO. All allegations of sexual harassment or sexual abuse of a student will be reported to the student's parents and promptly investigated. Conduct that may be characterized as known or suspected child abuse also will be reported to the appropriate authorities, as required by law. Employees with questions or concerns relating to the alleged sexual harassment of a student contact their CAO or supervisor.

### **Harassment**

AEE intend to provide a work and school environment that is pleasant, professional, and free from intimidation, hostility or other offenses that might interfere with work/learning performance. Harassment of any sort-verbal physical, visual – will not be tolerated. Each individual has the right to work on an atmosphere which promotes equal opportunities and prohibits discriminatory practices and harassment based upon age, color, disability, national origin, race religion, or gender/sex, military or veteran status, genetic information, or sexual orientation. Harassment whether verbal, physical, or environmental is unacceptable and will not be tolerated.

**Should a harassment issue arise the School Leader and/or District Superintendent must be notified immediately.**

### **What is Harassment?**

For purpose of this policy, harassment is defined as unwelcomed or unwanted conduct of an offensive nature (whether verbal, visual or physical) when:

1. Submission to or rejection of this conduct by an individual is used or threatened to be used as a factor in decisions affecting hiring evaluation, promotion, or other aspects of employment.
2. This conduct has the purpose or effect of unreasonably interfering with an individual's employment performance or creating an intimidating abusive, hostile or offensive work environment.

Workplace harassment can take many forms. It may be, but is not limited to words, signs, gestures, offensive jokes, cartoons, pictures, posters, e-mail jokes or statements, pranks, intimidation, physical contact or assaults, or violence. Harassment is not necessarily sexual in nature. It may also take the form of other vocal activity including derogatory statements not directed t the targeted individual by taking place within their hearing. Other prohibited conduct includes written material such as notes, photographs, cartoons, articles of a harassing or offensive nature, and taking retaliatory action against a student, their parent or employee for discussing or making harassment complaint.

### **Responsibility**

All AEE employees have a responsibility for keeping our work environment free of harassment. Any employee, who becomes aware of an incident of harassment whether by witnessing the incident or being told of it, must report it to their immediate supervisor or the management representative with who they feel comfortable. When management becomes aware of the existence of harassment, it is obligated by law to take prompt and appropriate action, whether or not the victim wants the company to do so.

### **Reporting**

Employees who have complaints or concerns about any type of harassment against themselves or others are required to immediately report this conduct in writing to their supervisor, or in the alternative, to the Principal/Supervisor. Every effort will be made to keep such reports as confidential as possible, although it is understood that an investigation will normally require the involvement of their parties.

AEE will not permit any retaliatory conduct against an employee who comes forward with a genuine complaint or concern about harassment or who assists in the investigation process nor will any such employee be discharged, disciplined, or in any way adversely affected in his/her terms of conditions or employment.

## **Policy Statement on Sexual Harassment**

### **What is Sexual Harassment?**

Sexual harassment may include unwelcome sexual advances, requests for sexual favors, or other verbal or physical contact of a sexual nature when such conduct creates an offensive, hostile and intimidating working environment and prevents an individual from effectively performing the duties of their position. It also encompasses such conduct when it is made a term or condition of employment or compensation, either implicitly or explicitly and when an employment decision is based on an individual's acceptance or rejection of such conduct.

It is important to note that sexual harassment crosses age and gender boundaries and cannot be stereotyped. Among other perceived unconventional situations, sexual harassment may even involve two women or two men. Sexual harassment may exist on a continuum of behavior. For instance, one example of sexual harassment may be that of an employee showing offensive pictures to another employee.

Generally, two categories of sexual harassment exist. The first, "quid pro quo" may be defined as an exchange of sexual favors for improvement in your working conditions and/or compensation. The second category, "hostile, intimidating, offensive working environment," can be described as a situation in which unwelcome sexual advances, requests for sexual favors, or other verbal or physical contact of a sexual nature when such conduct creates an intimidating or offensive environment. Examples of a hostile, intimidating and offensive working environment includes, but is not limited to, pictures, cartoons, symbols, or apparatus found to be offensive and which exist in the workspace of an employee. This behavior does not necessarily link improved working conditions in exchange for sexual favors. It is also against AEE policy to download inappropriate pictures or materials from computer system.

AEE prohibits any employee from retaliating in any way against anyone who has raised any concern about sexual harassment or discrimination against another individual.

AEE will investigate any complain of sexual harassment and will take immediate and appropriate disciplinary action if sexual harassment has been found within the workplace.

Employees who have complaints or concerns about sexual harassment against themselves or others are required to immediately report this conduct in writing to their supervisor. Every effort will be made to keep such reports as confidential as possible, although it is understood that an investigation will normally require the involvement of third parties.

### **Reporting Suspected Child Abuse**

Child Abuse is a very serious matter and all AEE employees must take appropriate action to promptly report any suspected Child Abuse or neglect. Initially, employees should report any suspicions to the CAO.

**All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, child protective services or appropriate state agency within 48 hours of the event that led to the suspicion. State laws usually specify that an employee not delegate to or rely on another person to make the report.**

**Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent.** In addition, the school administration is prohibited from retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to report suspected child abuse may result in prosecution for the commission of a Class B misdemeanor. In addition a certified employee's failure to report suspected child abuse may result in disciplinary procedures by the school's board for violation of the Code of Ethics.

## Policy Statement for Bullying Prevention

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At times, children's behaviors and emotions can negatively affect their grades, friendships and family relationships. These problems can make it difficult for any student to succeed at school and at home.

The Academy of Educational Excellence believes that all students have a right to a safe and healthy school environment. As a school we have an obligation to promote mutual respect, tolerance, and acceptance.

The Academy of Educational Excellence will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate, harass, or bully another student through words or actions. Such behavior includes: direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation.

The Academy of Educational Excellence expects students and/or staff to immediately report incidents of bullying to the Principal or designee. Staff who witness such acts take immediate steps to intervene when safe to do so. Each complaint of bullying should be promptly investigated. This policy applies to students on school grounds, while traveling to and from school on our school transportation service or a school-sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity.

To ensure bullying does not occur on school premises, the Academy of Educational Excellence will provide staff development training in bullying prevention and cultivate acceptance and understanding in all students and staff to build each school's capacity to maintain a safe and healthy learning environment

Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion.

Parents are responsible for discussing this policy with their children in age-appropriate ways and assure them that no-bullying conduct will be accepted on school premises and/or buses. Parents will explain consequences that such actions will have at home.

The school will adopt a Student Code of Conduct to be followed by every student while on school grounds, or when traveling to and from school or a school-sponsored activity, and during lunch period, whether on or off campus.

The Student Code of Conduct includes, but is not limited to:

- Any student who engages in bullying may be subject to disciplinary action up to and including expulsion.
- Students are expected to immediately report incidents of bullying to the principal or designee.
- Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.
- If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the Principal. The school prohibits retaliatory behavior against any complainant or any participant in the complaint process.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

- All staff, students and their parents will receive a summary of this policy prohibiting intimidation and bullying: at the beginning of the school year, as part of the student handbook and/or information packet, as part of new student orientation, and as part of the school system's notification to parents.
- The school will make reasonable efforts to keep a report of bullying and the results of investigation confidential.
- Staff who witness acts of bullying shall take immediate steps to intervene when safe to do so. People witnessing or experiencing bullying are strongly encouraged to report the incident; such reporting will not reflect on the target or witnesses in any way.

The Academy of Educational Excellence believes that all students have a right to a safe and healthy school environment. Part of a healthy environment is the freedom to openly disagree. With this freedom comes the responsibility to discuss and resolve disagreements with respect for the rights and opinions of others.

To prevent conflict the Academy of Educational Excellence will incorporate conflict resolution education and problem solving techniques into the curriculum and campus programs. This is an important step in promoting respect and acceptance, developing new ways of communicating, understanding, and accepting differing values and cultures within the school community and helps ensure a safe and healthy learning environment

The Academy of Educational Excellence will provide training to develop the knowledge, attitudes, and skills students need to choose alternatives to self-destructive, violent behavior and dissolve interpersonal and intergroup conflict. The school will adopt a Student Code of Conduct to be followed by every student while on school grounds, when traveling to and from school or a school-sponsored activity, and during lunch period, whether on or off campus.

The Student Code of Conduct includes, but is not limited to, the following:

- Students are to resolve their disputes without resorting to violence.
- Students, especially those trained in conflict resolution and peer mediation, are encouraged to help fellow students resolve problems peaceably.
- Students can rely on staff trained in conflict resolution and peer mediation strategies to intervene in any dispute likely to result in violence.
- Students needing help in resolving a disagreement, or students observing conflict may contact an adult or peer mediators (*give location where listing of designated staff and students is posted*).
- Students involved in a dispute will be referred to a conflict resolution or peer mediation session with trained adult or peer mediators. Staff and mediators will keep the discussions confidential.
- Conflict resolution procedures shall not supplant the authority of staff to act to prevent violence, ensure campus safety, maintain order, and discipline students.

The Academy of Educational Excellence reserves the right to refer any student who shows emotional or behavioral issues to receive whichever services are necessary to help improve such conduct in school or transportation services.

**NOTICE OF NON-DISCRIMINATION**

**THE ACADEMY OF EDUCATIONAL EXCELLENCE  
DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, DISABILITY, OR AGE  
ON ITS STAFF RECRUITMENT, EDUCATIONAL PROGRAMS AND/OR ACTIVITIES.  
THE FOLLOWING PERSON HAS BEEN DESIGNATED TO HANDLE INQUIRIES REGARDING  
NON-DISCRIMINATION POLICIES:**

Dr. Israel I. Koppisch  
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