

Students Policy #248 Unlawful Harassment

Purpose:

- The SusQ-Cyber Charter School (“Charter School”) Board of Trustees strives to provide a safe, positive learning climate for students in the school. Therefore, it shall be the policy of the Charter School to maintain an educational environment in which harassment in any form is not tolerated.
- The Board prohibits all forms of unlawful harassment of students and third parties by all SusQ-Cyber Charter School students and staff members, contracted individuals, vendors, volunteers and third parties in the school. The Board encourages students and third parties who have been harassed to promptly report such incidents to the designated employees.
- The Board directs that complaints of harassment shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the Charter School’s legal and investigative obligations.
- No reprisals or retaliation shall occur as a result of good faith charges of harassment.

Definitions:

- For purpose of this policy **harassment** shall consist of verbal, written, graphic or physical conduct relating to an individual’s race, color, national origin/ethnicity, gender, age, disability, sexual orientation or religion when such conduct:
 - Is sufficiently severe, persistent or pervasive that it affects an individual’s ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive educational environment.
 - Has the purpose or effect of substantially or unreasonably interfering with an individual’s academic performance.
 - Otherwise adversely affects an individual’s learning opportunities.
- For purposes of this policy, **sexual harassment** shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:
 - Submission to such conduct is made explicitly or implicitly a term or condition of a student’s academic status.
 - Submission to or rejection of such conduct is used as the basis for academic or work decisions affecting the individual.
 - Such conduct deprives a student of educational aid, benefits, services or treatment.
 - Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the student’s school performance or creating an intimidating, hostile or offensive educational environment.

- Examples of conduct that may constitute **sexual harassment** include but are not limited to sexual flirtations, advances, touching or proposition; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body/ sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with a student's ability to work or learn or creates an intimidating, hostile or offensive learning or working environment.

Guidelines:

- Each student shall be responsible to respect the rights of their fellow students and Charter School employees and to ensure an atmosphere free from all forms of unlawful harassment.
- The CEO shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:
 - Inform the student or third party of the right to file a complaint and the complaint procedure.
 - Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.
 - Notify the complainant and the accused of the progress at appropriate stages of the procedure.
 - Following a thorough investigation by the CEO, a substantiated charge against a student in the school shall subject that student to disciplinary action.
 - Refer the complainant to the Board of Trustees if the CEO is the subject of the complaint.

Delegation of Responsibility:

The CEO is charged with the responsibility of enforcing and following the guidelines related to this policy.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENT.

