

POLICY: ANTI-DISCRIMINATION AND HARASSMENT

J PAUL TAYLOR ACADEMY

www.jpaultayloracademy.org

Adoption date: December 10th, 2014

I. PURPOSE

The purpose of this Policy is to ensure a school environment in which students feel safe and secure. J Paul Taylor Academy is committed to maintaining an environment conducive to learning in which students are safe from an intimidating, hostile, or offensive environment. Student harassment and discrimination impair the proper atmosphere for education, and can create an inequitable climate for learning. In addition to its negative effect upon education, discrimination against or harassment of a student negatively affects the characters of young people.

II. POSITION

A. It is the policy of JPTA to prohibit illegal discrimination including harassment against any student on the basis of race, color, sex, religion, national origin, ancestry, age, physical or mental handicap or serious medical condition, sexual orientation or gender identity (referred to herein as "protected characteristics"), on school premises, at any school-sponsored activities, or during any school-supplied transportation, by any student, employee, volunteer, or any other person who is subject to the control of school authorities.

B. JPTA prohibits retaliation against any person for good faith reporting, or participating in the investigation of an alleged violation of this Policy.

C. JPTA prohibits employees or students from knowingly giving false reports or information under this Policy.

D. School officials, employees and volunteers shall not permit or tolerate discrimination or harassment and shall immediately report, intervene, or stop the discrimination or harassment that is threatened, found or reasonably known, or suspected to be occurring.

III. DEFINITIONS

A. Definitions

1. "Discrimination" is treating someone differently because he or she has a protected characteristic and such treatment results in denial or granting of some privilege or right that he or she would otherwise receive or not receive but for his or her being a member of the class of individuals with protected characteristics.

2. "Harassment on the basis of protected characteristics" is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, sex, religion, national origin, ancestry, age, physical or mental handicap or serious medical condition, sexual orientation or gender identity, and that:

a. Has the purpose or effect of creating an intimidating, hostile, or offensive school environment; and

b. Has the purpose or effect of unreasonably interfering with the student's ability to benefit from any educational program or service provided by JPTA; and

c. Is so offensive or pervasive as to adversely interfere with a student's ability to benefit from an educational program, including negatively affecting the educational performance of the student.

IV. REPORTING, INVESTIGATION AND STANDARDS

A. Reporting

Students who feel they have been discriminated against or harassed based on protected characteristics by a school employee or by another student or students, are strongly encouraged to report such claims. Reports may be reported on the forms provided by JPTA, but you are not required to use the form to make a report.

1. Reporting Discrimination or Harassment by a Student or Students:

Any student who believes he or she has been discriminated against or harassed by an employee, another student(s) should report the incident to a teacher, counselor, or the Head Administrator, but may report incidents to any school employee.

If a student believes he or she has been discriminated against or harassed and feels uncertain about who to tell, or feels uncomfortable telling any school employee, the student should tell his or her parent(s) about the problem, and ask for the parent's(s') help in reporting the prohibited conduct to School personnel. If a student believes he or she has been discriminated against or harassed by a school employee, the student should seek the assistance of his or her parent(s) in reporting such prohibited conduct to the Head Administrator. If it is the Head Administrator, report the matter to the school counselor or the President of the Governing Council.

2. Reporting Discrimination or Harassment by a School Employee:

Any employee who witnesses or is aware of conduct which may violate this Policy shall report it to the Head Administrator or their immediate supervisor at his or her earliest opportunity. Any employee who receives any report of discrimination against or harassment of a student, whether the report is given by a student, a parent, or another employee, or who himself or herself observes instances of discrimination or harassment must notify his or her immediate supervisor or the Superintendent, regardless of whether the employee receiving the report or observing the instance considers the matter credible or significant.

B. Investigation

1. All reports of violations of this policy shall be promptly investigated by the Head Administrator or his/her designee.

2. The Head Administrator shall create a procedure for investigations, which shall include a provision that the final investigation report sufficiently documents the investigation and the basis for any disciplinary or other action taken as a result of the investigation.

3. The Head Administrator shall communicate with the alleged victim and alleged perpetrator(s) and their parents/guardians during the investigation where reasonable and promptly report to each of them as to whether the complaint was substantiated.

4. The Head Administrator shall make every effort to complete the investigation process within a maximum of ten (10) school days of receipt of the complaint, except in extenuating circumstances, and then report the findings to the student and parent/guardian to the extent appropriate protecting student confidentiality.

5. If parents and students are not satisfied with actions taken and wish to appeal the findings and decision of Head Administrator they may request in writing a review of the investigation ("grievance") by the Governance Council. The Council shall make a determination on a grievance within fifteen (15) school days of the submission of a grievance and may concur with the actions of the Head Administrator, or direct further or different action. The Governance Council is the final appeal authority on a grievance.

6. Staff and students are expected to cooperate with an investigation of a complaint of harassment.

7. Where violations of criminal law may have occurred, the Head Administrator, may report the matter to the appropriate law enforcement agency.

C. Standard:

When assessing whether violation of this Policy has occurred and the appropriate discipline, the Head Administrator or designee shall consider the nature and extent of the conduct, the age of the student(s) involved, the context in which the alleged conduct occurred, and any prior history of conduct prohibited by this Policy on the part of the violator.

V. CONFIDENTIALITY

The identities of those reporting violations of this Policy and those cooperating in the investigation of alleged violations shall be kept confidential to the extent consistent with the requirements of a full and fair investigation, the due process rights of persons charged with violations, and state and federal law.

VI. SANCTIONS

A. Any employee who is found to have engaged in conduct prohibited by this Policy, or to have failed to discharge a duty imposed by this Policy, shall be subject to sanctions, including, but not limited to, warning or reprimand, suspension, termination, or discharge, subject to applicable procedural requirements.

B. Any student who is found to have engaged in conduct prohibited by this Policy shall be subject to discipline, including, but not limited to, suspension or expulsion, subject to applicable procedural requirements, and to any applicable limitations imposed by state and federal disabilities law.

VII. PUBLICATION

This Policy shall be posted on the J Paul Taylor Academy website.