

ACB

RACIAL AND OTHER HARASSMENT

Harassment Prohibited

The policy of the Rochester School District is to maintain a learning environment for all of its students free from any form of discrimination or harassment. The district shall promote educational programs and disciplinary procedures for the purpose of identifying and eliminating discrimination and harassment in all district activities.

The Rochester School District will act to investigate all complaints either formal or informal, verbal, or written, of racial harassment or violence and to discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who is found have violated this policy.

The Rochester School District will take appropriate action against any pupil, teacher, administrator or other school personnel who retaliates against any person who reports alleged racial harassment or violence to any person who testifies, assists, or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

The Rochester School District recognizes that some forms of harassment are violations of civil and/or criminal law. Whenever violations of these laws are suspected, the appropriate public authorities will be contacted and a formal complaint filed.

Definitions

Racial harassment consists of physical or verbal conduct relating to an individual's race when the conduct has the purpose or effect of creating an intimidating, hostile or offensive environment, or adversely interferes with an individual's academic performance.

Physical violence includes fighting, destruction of property, hitting, biting, throwing objects. (In the judgment of the staff, the behavior must be intended to harm another person or a deliberate attempt to deface property.)

Emotional or Verbal violence includes swearing, name-calling, or any other intended affront to either an individual or the school. (In the judgment of the staff person the behavior must be intentionally aimed at tearing down another human being or the school)

Policy Dissemination

The School District shall conspicuously post this policy against harassment and violence in each school, in a place accessible to students, faculty, administrators, employees, parents, and members of the public. This notice shall include the name, mailing address, and the phone number of the person responsible for investigating allegations of harassment within the school.

A copy of the policy shall appear in the student handbook and shall be made available upon request of parents, students, and other interested parties.

The Administration will develop a method of discussing the policy with students and employees. Training on the requirements for non-discrimination and the appropriate responses to issues of racial harassment will be provided to all school personnel on an annual basis.

Investigation

Upon receipt of the report or complaint alleging harassment based on race, national origin or disability, the building administrator or designee, shall immediately undertake or authorize an investigation. The investigation may consist of personal interviews with the complainant, the individual against whom the complaint is filed, and others who have knowledge of the alleged circumstances about the incident.

In determining whether the alleged conduct constitutes a violation of this policy, the following shall be considered: the nature of the behavior, how often the conduct occurred, if the behavior is a continuing pattern, the relationship of the parties involved, race, national origin, sex and age of the victim. Whether an action constitutes violation of this policy requires a determination based on all the facts and surrounding circumstances.

The investigation shall be completed not later than ten days from the receipt of the report. A written incident report shall be submitted to the Superintendent upon completion of the investigation. The report shall be submitted on the District Harassment Incident Report Form.

Response Plan

The Building Principal or designee shall develop a response plan and communicate the plan to the victim, the complainant, parents of students involved and the individual about whom the complaint is filed. The response plan shall be included as part of the incident report. The incident shall be reported to the police if there is a violation of the Safe School Act and the school resource officer may be part of the response plan.

The first time a the harassment or violent behavior occurs the policy will be reviewed and one of the following parent notification methods will be used. The method will be chosen by the teacher and principal together.

1. Conflict resolution strategies will be used and taught whenever possible.
2. A written note from the teacher to the parent.
3. A phone call made by the teacher.
4. A phone call made by the principal.
5. A form letter from the principal's office, with a return the next day.
6. A phone call made by the student with the principal or designee in attendance.

If the behavior is repeated the same day or becomes a pattern, the following strategies may be used.

1. In school suspension.
2. An out of school suspension.
3. A conference with the parents.
4. The response plan completed and submitted to the Superintendent's Office.
5. Any combination of the above.
6. Referral to the Discipline Committee of the School Board

Adoption Date: August 12, 1999

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