

6.10 *Student Anti-Harassment Policy*

6.10.1 Harassment, Sexual Harassment, Violence, Threat of Violence, Intimidation, Discrimination, and Threat of Suicide Prohibited – No student shall engage in or be subjected to harassment, sexual harassment, violence, threat of violence, intimidation, or discrimination by any other student that is based on any of the specific characteristics that have been identified by the Board in this policy. Students who violate this policy will be subject to disciplinary sanctions and may be referred to an outside agency as applicable by law.

No student shall be subjected to harassment, sexual harassment, violence, threat of violence, intimidation, or discrimination by any employee or third person that is based on any of the specific characteristics that have been identified by the Board in this policy. Employees who violate this policy will be subject to disciplinary sanctions and may be referred to an outside agency as applicable by law. Any third party will be subject to board policy 4.1.4 Prohibition from Board Property and may be referred to an outside agency as applicable by law.

If a student threatens to harm themselves or commit suicide, their parents will be notified and the student should speak with the school counselor or school administrator and may be referred to an outside agency for additional services.

6.10.2 Definitions

- a. The term “harassment” as used in this policy means an intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics set forth below. To constitute harassment, a pattern of behavior may do any of the following:
 - Place a student in reasonable fear of harm to his or her person or damage to his or her property.
 - Have the effect of interfering with the educational performance, opportunities, or benefits of a student.
 - Have the effect of substantially disrupting or interfering with the orderly operation of the school.
 - Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.

- Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
- b. The term “sexual harassment” is defined in 6.11.2.
- c. The term “violence” as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.
- d. The term “threat of violence” as used in this policy means an expression of intention to inflict injury or damage that is made by a student and directed to another student.
- e. The term “intimidation” as used in this policy means a threat or other action that is intended to cause fear or apprehension in a student, especially for the purpose of coercing or deterring the student from participating in or taking advantage of any school program, benefits, activity or opportunity for which the student is or would be eligible.
- f. The term “discrimination” as used in this policy means unjust or prejudiced treatment of students based on personal characteristics set forth below.
- g. The term “threat of suicide” as used in this policy means threatened self directed injurious behavior with the intent to cause serious bodily injury or death.
- h. The term “student” as used in this policy means a student who is enrolled in the Madison County School System.
- i. The term “hostile environment” as used in this policy means harassment sufficiently serious to interfere with or limit a student’s ability to participate in or benefit from the services, activities or opportunities offered by a school for purposes of Section 504 or Title II.

6.10.3 Description of Behavior Expected of Students

- a. Students are expected to treat other students with courtesy, respect, and dignity and comply with the Student Code of Conduct. Students are expected and required (1) to comply with the requirements of law, policy, regulation, and rules prohibiting harassment, sexual harassment, violence, intimidation, or discrimination; (2) to refrain from inflicting or threatening to inflict violence, injury, or damage to the person or property of another student in fear of being subjected to violence, injury, or damage when such actions or threats are reasonably perceived as being motivated by any personal characteristic of the

student that is identified in this policy; (3) to refrain from threatening harm or suicide to self.

- b. Harassment, sexual harassment, violence, threat of violence, intimidation, and discrimination are prohibited and will be subject to disciplinary consequences and sanctions if the perpetrator of such action is found to have based the prohibited action on one or more of the following personal characteristics of the victim of such conduct:
 - The student's race, religious preference, disability, age, gender, national origin, citizenship, non-English speaking ability, or homeless status.

6.10.4 Consequences of Violation – The extent of the action taken will be determined by the degree and nature of the harassment. Such action may include disciplinary measures within Board policy guidelines. The intent of any action taken should be to eliminate the harassment and take appropriate steps to ensure it does not continue. The extent of action taken by the Board will be determined by the severity of the actions and other circumstances. Such action may involve disciplinary measures. In certain circumstances, law enforcement or other appropriate government agencies may be contacted.

6.10.5 Reporting, Investigation, and Complain Resolution Procedures

- a. Complaints alleging violations of this policy can be filed orally and/or in writing to the principal and/or counselor. The complaint will be documented on Board approved complaint forms available at the principal and/or counselor's office. The complaint must be signed by the student alleging the violation; by the student's parent or legal custodian; or, in the case of a verbal complaint, by the principal or counselor. At the request of the complaining student or the student's parent or legal custodian, incidental or minor violations of the policy may be presented and resolved informally.
- b. Upon receipt of the complaint, and evidence, if applicable, the principal or the principal's designee will undertake an investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence and will be conducted in the following manner.
 - The principal or the principal's designee shall investigate all complaints within ten (10) school days of the date of receipt of the complaint.
 - The Principal or the principal's designee shall use the Complaint Action Form to document actions taken throughout the investigation within twenty (20) days following the investigation.

- The Principal or the principal's designee, within thirty (30) school days of the receipt of complaint, shall complete Investigative Summary Report and mail to the parents of the complainant and the alleged perpetrator.
- c. If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures to prevent a recurrence of the violation(s) may also be imposed by the principal or the school system.
- d. Acts or reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary sanctions that may include sanction, penalty, or consequence that is available to school officials under the Code of Student Conduct. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy will be subject to disciplinary sanctions as outlined in the Code of Student Conduct.
- 6.10.6 Promulgation of Policy and Related Procedures, Rules, and Forms – This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes, including publication on the Board's website, the Student Code of Conduct, Student Handbooks, or from the District's Title IX Coordinator, Ms. Michelle Stovall, 1275 F Jordan Road, Building B, Huntsville, AL 35811, 256-852-2557.