

Student Anti-Harassment and Anti-Bullying Policy

Academic Year 2017-2018

ANTI-HARASSMENT

Fairmont is committed to providing a working and learning environment which is free of discrimination, including harassment. In keeping with this policy, Fairmont will not tolerate any inappropriate conduct or harassment by or towards any of the students at school or at school-sponsored or school-related activities. Fairmont also prohibits retaliatory behavior or action against individuals who complain, testify, or otherwise participate in the complaint process.

Fairmont will take appropriate action to prevent and correct behavior that violates this policy. All Fairmont employees will receive training in what constitutes harassment, what state and federal laws stipulate, and what steps employees and students should take to report such conduct. The Campus Director or designee will also ensure that students receive age-appropriate information related to the school's policy on harassment and how to report such conduct.

DEFINITION OF HARASSMENT

"Harassment" as used in this policy means verbal, visual, or physical conduct based on any protected characteristic (e.g., race, religion, gender, pregnancy, military status, etc.), unwelcome sexual advances, or requests for sexual favors, made by someone from or in the work or educational setting, under any of the following conditions:

Submission to the conduct is explicitly or implicitly made a term or a condition of that individual's employment, academic status, or progress. Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual. The conduct has the purpose or effect of unreasonably interfering with the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

In determining whether the alleged conduct violates this policy, consideration will be given to the record as a whole and the totality of the circumstances, including the nature of the advances and the context in which the alleged incidents occurred.

To help students, parents, and employees better understand what types of verbal, visual or physical conduct might be considered violations of this policy, the following examples are offered:

Protected characteristic-related remarks, derogatory comments, offensive jokes, slurs, obscenities and/or sexual innuendos.

Unnecessary and unwelcome physical contact, offensive touching, or intentionally impeding or blocking movement.

Use, possession and/or display of derogatory or offensive posters, cards, objects, calendars, cartoons, graffiti, drawings, or gestures.

COMPLAINT PROCEDURE

Any student who witnesses harassing conduct or feels he/she or any other student or employee is being harassed should immediately report the incident to the Director, Assistant Director, or school official (directly, or with the assistance of his/her parent or legal guardian). Any complaint involving a student should immediately be referred to the Director or Assistant Director, or appropriate designee in order that an appropriate investigation is commenced in a timely and confidential manner, respecting the privacy of all parties concerned to the degree permitted by applicable law and the provisions of this policy, and aiming towards the goal of a fair and equitable resolution.

The investigation must be completed and a conclusion rendered as soon as feasible but no later than 45 days after receipt of the complaint, absent any circumstances beyond the school's control. A written report of findings and disposition of the complaint will be given in a timely manner to the appropriate parties.

When reporting such an incident, in order for the school to conduct a thorough investigation, please provide as much information as possible, such as: a description of the event(s); the number of occurrences with dates and locations; the names of any and all witnesses; and, if appropriate, any documents or other evidence to substantiate the claim.

If a staff member becomes aware of an incident of harassment involving students, it is the staff member's responsibility to notify Campus Administration, who will ensure a prompt and confidential investigation in accordance with this policy.

The Campus Administration shall immediately investigate any report of harassment involving a student. Upon verifying that such a violation did occur, he/she shall ensure that appropriate action is promptly taken to end the harassment, address its effects on the person subjected to the harassment, and prevent any further instances of harassment.

If a staff member believes he/she is the subject of harassment by a student, he/she should report such incidents immediately. This report may be verbal or written and should be submitted to the staff member's Director or Fairmont's Human Resources Department (ext. 2712).

DISCIPLINARY ACTION

Staff who violate this policy or fail to report violations of which they have knowledge will be subject to one or a combination of the following, depending upon the seriousness of the behavior:

- Oral or written reprimand
- Professional counseling requirement
- Reassignment
- Demotion
- Suspension or termination

Students who violate the policy will be subject to appropriate discipline up to and including expulsion. The severity of the disciplinary action will be based upon the circumstances of the infraction. This may include suspension and/or expulsion, provided that all of the circumstances involved shall be taken into account. The disciplinary consequences include, but are not limited to, the following:

- Disciplinary conferencing with the student and/or parent
- Suspension and referral for counseling
- Recommendation for expulsion (for repeated or serious violations)

ADDITIONAL REMEDIES

Civil and/or criminal remedies may also be available against an alleged harasser, depending upon the circumstances. In addition, inappropriate sexual conduct directed at a minor may be considered a violation of laws relating to child abuse.

CONFIDENTIALITY

All complaints and allegations of harassment shall be kept confidential except as required by applicable laws and as necessary to carry out the investigation or take other subsequent and necessary action.

INFORMING STUDENTS, STAFF, AND PARENTS

This policy shall be provided to parents and students upon a student's enrollment and at the beginning of each school year. It shall also be provided as part of the orientation program for each faculty member, administrative staff member, and support staff member, upon initial employment and every two years, thereafter.

ANTI-BULLYING

Fairmont Schools believes that all students have a right to a safe and healthy school environment. Our school community promotes mutual respect, tolerance, and acceptance.

Fairmont Schools 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, but is not limited to: direct physical contact such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation.

Fairmont Schools expects students and/or staff to immediately report incidents of bullying to a school Administrator. Staff who witness such acts take immediate steps to intervene when safe to do so. Each complaint of bullying will be promptly investigated. This policy applies to students on school grounds, while traveling to and from school or a school sponsored activity, during the lunch period, whether on or off campus, and during school-sponsored activities.

To ensure bullying does not occur on school campuses, Fairmont will provide staff development training in bullying prevention and cultivating acceptance and understanding among 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.

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 Campus Administrator or designee.
- Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confident 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 Campus Director. Fairmont 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 packets at the beginning of each year.
- The school will make reasonable efforts to keep a report of bullying and the results of investigations confidential.
- Staff who witness acts of bullying shall take immediate steps to intervene when safe to do so. Anyone witnessing or experiencing bullying is strongly encouraged to report the incident; such reporting will not reflect on the target of the bullying or the witnesses in any way.