

# World Learner School



*Policy: 325 HARRASSMENT PROHIBITION POLICY*

*Effective: 9.28.09*

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## *I. Purpose:*

The purpose of this policy is to maintain a learning and working environment that is free from harassment. The World Learner School of Chaska (WLS) prohibits any form of sexual, racial, religious, personal harassment, or violence. This policy applies to employees, students, vendors, volunteers, or guests at the school location or wherever WLS students and/or employees are present in accordance with the official school schedule or school business. Any incident of harassment will be regarded extremely seriously and can be grounds for disciplinary action including dismissal or expulsion.

## *II. General Statement of Policy*

It is the goal of WLS to provide a working and learning environment that promotes equal opportunities and is free of harassment in which the dignity of all individuals is respected. Therefore, it shall be a violation of this policy for any student or personnel of WLS to harass a student or any employee as defined by this policy, or to inflict, threaten to inflict, or attempt to inflict violence on any student or school personnel.

All members of the school – staff and students – are responsible for helping to ensure that individuals do not suffer any form of harassment and that they are encouraged and supported in any legitimate complaint. The school will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence and to discipline or take appropriate action against any student or personnel who is found to have violated this policy.

## WHAT CONSTITUTES HARASSMENT?

Harassment is any bullying and/or other forms of verbal or physical conduct that has the intent or effect of unreasonable interference with individual or group work performance, or which creates an intimidating, hostile, or offensive work environment. The basis for harassment includes, but is not limited to age, color, disability, national origin, race, religion, sex, or sexual orientation.

Harassment may occur between students or colleagues, or it may occur where the harasser has a position of authority (for example, where a teacher, supervisor or administrator is able to affect another person's job, career or grade). It may include communication or incidents taking place outside the school, outside of the school day, or outside of the school year if the harassment is clearly in connection with a school relationship. It may be

so serious and unrelenting that, without intervention, a person may feel it necessary to change job or change course of study.

Any harassment as defined in this policy when perpetrated on any student or employee by any student or personnel will be treated as harassment.

## DEFINITIONS

### *Sexual Harassment*

Unwanted sexual attention which emphasizes sexual status over status as an individual, colleague or student is considered harassment. It can be physical, ranging from suggestive looks to indecent assault or rape; or verbal, ranging from belittling or suggestive remarks to displays of sexually suggestive or degrading pictures in the school environment, including images, text and messages on computer screens. Sexual harassment occurs when any such behavior creates an intimidating, hostile, or offensive environment for employment, for study, or for social life.

Examples of sexual harassment may include but are not limited to:

- Unwelcome verbal harassment or abuse;
- Unwelcome pressure for sexual activity;
- Unwelcome, sexually motivated or inappropriate patting, pinching, or physical contact, other than necessary restraint of pupil(s) by teachers, administrators, or other school personnel to avoid physical harm to persons or property;
- Intentional brushing against a student's or an employee's body;
- Demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status;
- Demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status;
- Harassment on the basis of sexual preference;
- Any sexually motivated unwelcome touching; or
- Sexual violence which is a physical act of aggression that includes a sexual act or sexual purpose.

### *Racial or Religious Harassment*

This may be defined as any hostile or offensive act or expression by a person of one racial, ethnic, or religious origin against a person of another, or incitement to commit such an act.

Racial harassment occurs when any such behavior creates an intimidating, hostile or offensive environment for employment, for study, or for social life.

Examples of racial or religious harassment may include but is not limited to:

- Unwelcome verbal harassment or abuse, including teasing, joking, or making derogatory dehumanizing remarks;
- Displaying offensive pictures, posters, T-shirts, or other graphics;
- Verbal abuse or threats related to an individual's race, ethnic, or religious status.
- Derogatory name-calling, insults, and racist jokes or graffiti.
- Physical acts, ranging from gestures to attack, and ridicule of an individual for cultural or linguistic differences.

### *Personal Harassment*

Other forms of harassment can equally cause misery. Personal harassment is abusive behavior that intimidates or excludes another individual. Although the victims of personal harassment may be members of protected groups, personal harassment is conduct not specifically based on a prohibited grounds for discrimination.

Harassment can sometimes be difficult to define in terms of what is acceptable or unacceptable behavior. The defining feature is that the behavior is unwanted by the recipient and would be regarded as harassment by any reasonable person.

Examples of personal harassment may include but are not limited to:

- Insults, bullying, or hostility based on personal circumstances, appearance, age, or disability;
- Teasing and pranks, either verbal or nonverbal;
- Using a person's known ill-health or disability to de-skill, de-power, or demoralize them;
- Stalking behavior; or
- Hazing.

### *Bullying*

Bullying is intimidating, aggressive, humiliating behavior, or violence by one person or a group. It may be a single incident or carried out repeatedly over time. It may be targeted

toward an individual or a group. Bullying is not confined to derisory remarks or open aggression but can also be subtle and devious. It is often an experience that causes the individual to feel isolated, with repercussions for mental and physical health. Bullying can occur when professional abrasiveness becomes tainted with personal vindictiveness or when a colleague or student is singled out, demeaned and devalued.

Examples of bullying may include but are not limited to:

- Picking on people and criticizing them in front of others;
- Verbal, written, or electronic, threats or insults;
- Punishing people by refusing to delegate responsibilities to them which they are competent to fulfill;
- Unfounded criticism of the performance of work tasks;
- Psychological bullying, such as spreading rumors or shunning an individual or group;
- Inappropriate physical behavior, such as gestures, pushing, or hitting.

### *Assault*

Assault occurs when one person tries to physically harm another in a way that makes the person under attack feel immediately threatened. Actual physical contact is not necessary; threatening gestures that would alarm any reasonable person can constitute an assault.

Examples of assault may include but are not limited to:

- Any act done with intent to cause fear in another of immediate bodily harm or death;
- The intentional infliction of or attempt to inflict bodily harm upon another, or
- The threat to do bodily harm to another with present ability to carry out the threat.

### **ACTION IF YOU ARE HARASSED**

The World Learner School takes harassment seriously. If the issue involves a student, a child's teacher is often a good first step when reporting a problem. However, anyone who is concerned about harassment may speak to one of the contacts listed in this policy in complete confidence. They are available to listen, to hear, and understand what has happened, and to offer help and support whether or not an individual wishes to make a formal complaint. If you feel you (or your child) have been subjected to harassment in violation of the WLS Harassment Policy, the following Harassment Contacts are available to help.

*WLS Harassment Contacts for Staff and Students:*

- If your complaint is about a student, contact your child's teacher or the School Director
- If your complaint is about a faculty member, contact the School Director.
- If your complaint is about another employee of the school, contact the School Director.
- If your complaint is about an administrator, contact a Board Member.

In unusual circumstances, any member of the school community wishing to bring an informal complaint against any other member of the school community may contact any of the officials identified above, regardless of either person's status.

## PROCEDURES

Any WLS student or staff or faculty member may direct a concern, inquiry, or complaint regarding prohibited harassment to one of the school's Harassment Contacts and may seek information and advice concerning the school's Harassment Policy and its formal and informal grievance procedures. The person seeking advice may maintain anonymity and need not, though he or she may, divulge the name(s) of the alleged harasser(s). All communications made in connection with a request for information and advice shall be treated as strictly confidential.

The following procedures are available to students, professional and administrative and support staff of the World Learner School:

### *Informal Action*

Most recipients of harassment simply want their harassment to stop. Where the harassment is occurring between two co-workers or students and when the harassment is not too severe, it may be possible to try and resolve the matter informally. This type of approach may be effective when someone does not realize that their behavior may be objectionable, and the behavior may stop as soon as they are made aware of the problem.

Examples of informal resolutions include an apology from the other party, an information session on the WLS Harassment Policy, or other personalized solutions. Whenever possible, WLS will attempt to resolve the claim at the Informal Level. A student's teacher, the school principal, director, or Harassment Contact may offer to speak to the person you feel is harassing or bullying you on your behalf. Or, the Harassment Contact may suggest mediation.

### *Mediation*

Often, with mediation, you can take action to remedy the situation without a formal complaint. The terms of the mediation must meet the approval of both parties. With the assistance of an appointed mediator (usually a Harassment Contact), the two parties work together toward a resolution. If a mediator fails to arrive at a mutually acceptable solution, either party may decide to pursue a formal complaint.

### *Formal Action*

The formal complaint should be made in writing to one of the Harassment Contacts. It must state the name(s) of the alleged offender(s) (if known) and shall specifically describe the incidents of alleged harassment. The complaint should identify the dates and places of such incidents with reasonable specificity and should list any known witnesses. A formal complaint shall be signed and dated by the complainant.

### IMPLEMENTATION OF THE POLICY

The World Learner School will support individuals in reporting any type of harassment or related inappropriate behavior. The WLS officials listed as Harassment Contacts, or their appointed designees, will conduct whatever inquiry they deem necessary and will arrange conferences with the complainant, the alleged offender, and any other appropriate persons. The investigation will afford the accused an opportunity to respond to the allegations. Those directing investigations will make a record of the case, including a record of their decision, and it will be retained in confidential files. The complainant and the alleged offender will be notified of the outcome of the investigation. However, that information should be treated by both parties as confidential and private.

### DISCIPLINARY ACTION

Individuals who have been found to have breached the WLS policy on harassment will be subject to disciplinary action. In such cases, the school's existing disciplinary procedures and regulations may be used.

Upon finding a violation, sanctions appropriate to the seriousness of the offense shall be imposed. In deciding the appropriate sanction, the decision maker may consider the degree of intent, the degree of harm, other acts of harassment (if any) by the respondent, the need for deterrence, and such other factors as reason and justice may require.

### *For Students*

Discipline may include warnings, probation, restitution, suspension, or expulsion. Students and parents may refer to the World Learner School Discipline Policy in the Parent Handbook.

### *For Employees and Staff*

WLS considers such behavior to be unprofessional, an abuse of one's position of authority, and a violation of the trust relationship between faculty and students or between colleagues. Employees found to have engaged in discrimination or discriminatory harassment, including sexual harassment, are subject to disciplinary sanctions.

Disciplinary sanctions for violation of this policy may range from a reprimand to probation to termination of employment.

## NON-RETALIATION

Any difficulty in defining what constitutes harassment should not deter staff, students or visitors from complaining of behavior which causes them distress. No person shall be subject to harassment, intimidation, or retaliation of any kind for having brought a good faith complaint of prohibited harassment, whether formal or informal. Any such retaliation shall provide a separate ground for complaint against the retaliator regardless of the outcome of the harassment complaint. If you feel that you are being subjected to harassment in any form, do not feel that it is your fault or that you have to tolerate it. An important goal of this policy is to encourage victims of harassment to voice their complaints, whether informally or formally, without fear of adverse academic or employment consequences.

### **III. References**

Minn. Stat. § 120B.22 (Violence Prevention Education)

Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence Policy)

Minn. Stat. § 121A.41 (Definitions)

Chapter 363A.13 (Human Rights)