

Policy JBBA- HARASSMENT BASED ON RACE OR COLOR, NATIONAL ORIGIN, SEXUAL ORIENTATION, GENDER IDENTITY DISABILITY, OR RELIGION (STUDENT)

I. GENERAL STATEMENT OF POLICY

Harassment based on race or color, national origin, sexual orientation, GENDER IDENTITY, disability or religion, HEREINAFTER REFERRED TO AS PROTECTED CATEGORIES is specifically prohibited. Every student within the School District shall have the opportunity to learn in an environment free from such harassment as defined by this policy. Complaints of prohibited harassment will be promptly investigated by the procedures delineated in this policy and district Procedures. If the principal/department head or designee determines that such harassment occurred, it will promptly and appropriately discipline any student, teacher, administrator or other school personnel who is found to have violated this policy, provide appropriate assistance to the victim and/or take other appropriate action reasonably calculated to end the harassment.

II. DEFINITION OF HARASSMENT BASED UPON RACE OR COLOR, NATIONAL ORIGIN, SEXUAL ORIENTATION, GENDER IDENTITY DISABILITY OR RELIGION

For purposes of this policy, harassment ~~based on race or color, national origin, sexual orientation, disability or religion,~~ of a student consists of verbal or physical conduct relating to a student's STATUS IN A PROTECTED CATEGORY ~~race or color, national origin, sexual orientation, disability or religion,~~ when:

1. the harassing conduct is sufficiently severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening or abusive educational environment; or
2. the harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. the harassing conduct otherwise adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment REGARDING A PROTECTED CATEGORY ~~because of race or color, national origin, sexual orientation, disability or religion,~~ MAY include:

- graffiti containing offensive language ~~directed at race or color, national origin, sexual orientation, disability or religion~~
- name calling, jokes or rumors degrading THE PROTECTED CATEGORY ~~race or color, national origin, sexual orientation, disability or religion~~
- threatening or intimidating conduct ~~directed at another because of the other's race or color, national origin, sexual orientation, disability or religion~~

- notes or cartoons WHICH ARE DEGRADING ~~degrading race or color, national origin, sexual orientation, disability or religion~~
- slurs, negative stereotypes, and hostile acts ~~which are based upon another's race or color, national origin, sexual orientation, disability or religion~~
- written or graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals based upon their STATUS IN A PROTECTED CATEGORY ~~race or color, national origin, sexual orientation, disability or religion~~
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to THEIR STATUS IN A PROTECTED CATEGORY, ~~race or color, national origin, sexual orientation, disability or religion~~
- other kinds of aggressive conduct such as theft or damage to property ~~which is motivated by race or color, national origin, sexual orientation, disability or religion.~~

However, whether any alleged conduct rises to the level of prohibited harassment will depend on a whole host of factors; such as, the surrounding circumstances, expectations, and relationships.

Retaliation against any person for filing a complaint of harassment, participating in, or cooperating with an investigation is prohibited. False reports of violations of this policy are also prohibited

Approved: June 16, 2000

Revised: June 20, 2002

REVISED: _____

LEGAL REFS.: Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d, *et seq.*
 Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101, *et seq.*
 Section 504 of the Rehabilitation Act of 1973