

Anti-Harassment Policy

Harassment of any employee is not tolerated, condoned, or allowed by other employees, non-employees whom conduct business with the School, or any other person.

Harassment takes many forms and includes, but is not limited to, conduct that has the purpose or effect of creating a hostile, abusive, intimidating, teasing, threatening, or discriminatory environment through verbal, physical, or visual acts because of race, color, national origin, religion, sex, age, disability, genetic information, marital status, veteran status or any other unlawful criterion or circumstance in any of its employment practices. Harassment may occur in regard to hiring, terms of employment, evaluation, promotion, or other aspects of employment. Sexual Harassment is a form of harassment that includes, but is not limited to unwelcome insults, advancements, requests for sexual favors, verbal and/or physical conduct of a sexual nature.

This Policy applies to all employees. All incidents should be reported, regardless of the offender's position or status.

This Policy applies in the workplace and work-related setting including, but not limited to school trips, meetings, and school-related social events.

Addressing Harassment

The School asks all individuals who believe they are being harassed to address the perceived harassment. Individuals may proceed by: (1) informally confronting the alleged harasser and/or (2) filing a complaint.

Informal Confrontation. If employees believe they have been harassed, and they feel able and comfortable doing so, they may promptly notify the offender of his/her behavior, insist it is unwelcome, and ask the offender to stop. In some situations, an informal confrontation may be impractical or ineffective. In these instances, individuals shall not informally confront the offender and shall file a complaint.

Formal Complaint. Individuals that believe they have been harassed, or any witness of the harassment, are asked to file a complaint promptly. While there is no time limit to filing a complaint, a prompt filing will ensure an equitable process for resolving complaints.

Reports may be made using Form **5070.1**, Reporting Acts of Harassment. Reports shall include the following information: the identity of the individual(s) who engaged in harassment, a description of the facts, the location and time the incident occurred, and any additional witnesses to the incident.

Reports shall be delivered to the Head Administrator or his/her designee. If the alleged incidents involve the Head Administrator or his/her designee, reports shall be made directly to the President of the Governing Authority.

Once an incident is reported, an investigation will be initiated and the incident will be reviewed. At the investigation's conclusion, the School will report its findings and decision. If the incident is verified, the harassers will be subject to discipline.

Discipline

Individuals found to have engaged in harassment will be subject to discipline as deemed appropriate by the School.

If the offender is affiliated with the School, discipline may include, but is not limited to the following:

- documenting the occurrence in the offender's personnel file,
- referring the offender to counseling,
- reprimanding the offender,
- withholding a promotion from the offender,
- demoting or reassigning the offender,
- suspending the offender temporarily without pay, and/or
- terminating the offender's employment.

If the offender does not have an affiliation with the School, the School's recourse is more limited. The School will take the appropriate actions to stop the harassment.

Confidentiality of Complaint

Throughout the investigation, the School will attempt to maintain confidentiality to the extent possible. The School may, however, need to make information public.

Protection against Retaliation

The School recognizes the importance of preventing any retaliatory acts. The School prohibits retaliatory action taken against any individual who reports harassment or assists in procedures regarding reports. Any individual that retaliates shall be subject to discipline. Disciplinary action will be the same as those committing confirmed acts of harassment.

Federal: 29 U.S.C. 206(d), 29 U.S.C. 631, 42 U.S.C. 2006(c), 42 U.S.C. 12101.

Ohio: R.C. 4112.02.

Cross Reference: Policy: 5070, Anti-Harassment Policy; Form 5070.1, Reporting Acts of Harassment.

Positive Behavior Intervention Supports, Restraint, Seclusion, and Prohibited Practices

The School shall make every effort to prevent the need for the use of Restraint and/or Seclusion. Restraint and/or Seclusion shall not be used, except when there is an immediate risk of physical harm to the students or others, and shall only occur in a manner that complies with this policy and protects the safety of all children and adults at the School. Every use of Restraint and/or Seclusion shall be documented and reported.

Positive Behavior Intervention and Supports

To greatly reduce, or in most cases eliminate, the need to use Restraint and/or Seclusion, the School shall implement an evidence-based system of Positive Behavioral Intervention and Supports (PBIS System). The School shall conform to the standards, definitions, and requirements set forth in Ohio Adm. Code 3301-35-15 and ODE's Policy on Positive Behavior Interventions and Support, and Restraint and Seclusion. The PBIS System shall encompass a wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors, and teach appropriate behaviors. The PBIS System applies to all students, staff and settings.

The PBIS System shall include:

- Trained school staff to identify conditions such where, under what conditions, with whom and why specific inappropriate behavior may occur;
- Preventative assessments, which should include: a review of existing data, interviews with parents; family members; and students examination of previous, and existing behavioral intervention plans;
 - Using the above data, the School shall develop and implement preventative behavioral interventions and teach appropriate behavior.
- A system that will support students' efforts to manage their own behavior, implement instructing techniques in how to self-manage behavior and decrease the development of new problem behaviors, decrease the development of new problem behaviors, prevent worsening of existing problem behavior, redesign learning/teaching environments to eliminate triggers and maintainers of problem behaviors; and
- Family involvement. ...

Training and Professional Development

The School shall train its staff in accordance with this Policy. The training shall include the following components:

- All student personnel shall be trained annually on the requirements of this Policy, O.A.C. 3301-35-15, and the School's policies and procedures regarding restraint and seclusion. Student Personnel include teachers, principals, counselors, social workers, school resource officers, teacher's aids, psychologists, bus drivers, or other School staff who interact directly with students.
- The Head Administrator shall develop a plan regarding training student personnel as necessary to implement PBIS. This may be a multi-year process for a School that is not currently implementing PBIS across the entire program.
- The Head Administrator shall ensure that an adequate number of personnel in each building are trained in crisis management and de-escalation techniques, and that their training is kept current in accordance with the requirements of the provider of the training.