

HARASSMENT

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I. Investigation

The school will investigate complaints of harassment and take action against any violation of this policy. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, remediation, termination, or discharge.

- Determine if you need outside assistance. Depending on the severity of the allegation, pastors, the superintendent and outside agencies (CPS and/or law enforcement) may be contacted to further the investigation.
- If outside agencies are brought in, the school will follow their investigative procedures. When a student is in our care, school personnel will be present when a student is being questioned by an outside investigator.
- The school, if it deems warranted, may retain their own private investigator.
- The principal may take immediate steps, at her/his discretion, to protect the complainant, pupils, teachers, administrators or other school personnel pending completion of an investigation of alleged harassment or violence. Students or personnel may be asked to stay at home until the investigation is completed.

To determine the severity of the incident, and/or the potential for violence, the following considerations might be explored:

- Was the intent to harm?
- Was the threat really directed at the person?
- Where did the problem originate: home/school?
- Does the student have the potential to carry through the threat or incident?
- Was the act premeditated?
- Is there more "outside" information needed?
- Is the student "agitated" now? Does he/she need to be removed immediately?
- What precipitated the action?
- Is this a repeated behavior?

II. Reporting:

The investigation will be completed as soon as practical. The principal shall communicate the findings to the pastor(s) and to the Diocesan Superintendent of Schools. A report, including documentation, will be kept on file at the school after the investigation has been completed.

When students are subject to harassment, the parents or guardians of the alleged victim and the alleged perpetrator will be notified. Privacy and confidentiality rules shall apply when such incidents occur.

III. Consequences:

After the investigation is complete, consequences may include but are not limited to:

- Action plan to correct the conduct
- Counseling
- Psychological evaluation
- Suspension (short term/long term)
- Expulsion

IV. Definitions:

HARASSMENT AND INTIMIDATION: RCW 9A.46.020 STATE CRIMINAL CODE

A person is guilty of harassment if:

- without lawful authority, the person knowingly threatens:
 - 1) to cause bodily injury immediately or in the future to the person threatened or to any other person; or
 - 2) to cause physical damage to the property of a person other than the actor; or
 - 3) to subject the person threatened or any other person to physical confinement or restraint; or
 - 4) maliciously to do any other act which is intended to substantially harm the person threatened, or another with respect to his or her physical health or mental health or safety; **and**
- The person by words or conduct places the person threatened in reasonable fear that the threat will be carried out. "Words or conduct" includes, in addition to any other form of communication or conduct, the sending of an electronic communication.

CODE OF WASHINGTON ANNOTATED TITLE 28 PUBLIC SCHOOLS AND COLLEGES COMMON SCHOOL PROVISIONS

- Harassment, intimidation, or bullying means any intentional written, verbal, or physical act:
- That physically harms a student or damages the student's property; or
- Has the effect of substantially interfering with a student's education; or
- Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- Has the effect of substantially disrupting the orderly operation of the school.

FACTS ABOUT HARASSMENT FROM WASHINGTON SCHOOL LAW PRIMER

- The threat must be a "true threat." A "true threat" is a serious one, not uttered in jest, idle talk, or
- The threat can be communicated to the victim indirectly by a third person.
- The "person threatened" who has "reasonable fear" must be the person to whom the threat is directed, not a third party to whom the threat was revealed or communicated.
- The person making the threat must know that his or her comments could be reasonably interpreted as a threat.
- It is irrelevant whether the person making the threat actually intended to carry it out.

SEXUAL HARASSMENT consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature.

RACIAL HARASSMENT consists of physical or verbal conduct relating to an individual's race.

INTIMIDATION OR BULLYING is a conscious, willful, and deliberate hostile activity intended to harm or induce fear through an imbalance of power, the threat of further aggression, or the intent to harm. These actions may be obvious or subtle. Intimidation or Bullying can be the actions or words of one person or a group of people. Excerpts from The Bully, the Bullied and the Bystander.

VIOLENCE is a physical act of aggression, force or assault upon another. Violence is an exertion of physical force so as to injure or abuse. It is an intense, turbulent, or furious and often destructive action or force.