**Title: 4120 HARASSMENT**

|  |  |
| --- | --- |
| [P.S.] § 5352 | **4120 Harassment**Harassment can take many forms. Harassment can occur at any school activity, and/or can take place in classrooms, halls, cafeterias, via social media or even at programs sponsored by the school at other locations. It does not include compliments of a socially acceptable nature. Harassment is defined as an action of a person with intent to harass, annoy or alarm another person. They may strike, shove, kick, or otherwise subject the other person to physical contact, or attempt or threaten to do the same; follow the other person in or about a public place or places; engage in a course of conduct or repeatedly commits acts which serve no legitimate purpose; communicate to or about such other person any lewd, lascivious, threatening, or obscene words, language, drawings, or caricatures; communicate repeatedly in an anonymous manner, communicate repeatedly at extremely inconvenient hours, or communicate repeatedly in a manner other than specified above.It is the policy of the Diocese of Altoona-Johnstown to maintain a working and academic environment, in all programs and activities, free from all forms of harassment and intimidation. No student, teacher, staff member, or volunteer, male or female, should be subject to harassment in any form either verbal or physical.**4120.1 SEXUAL HARASSMENT**Conduct which constitutes sexual harassment is prohibited. Sexually harassing conduct includes but in not limited to the following:1. Offensive sexual flirtations, advances, propositions;
2. Continued or repeated verbal abuse of sexual or gender-based nature;
3. Explicit or degrading sexual or gender-based comments about another individual or his or her appearance;
4. The display or circulation of sexually explicit or suggestive writing, pictures, or objects;
5. Any offensive or physical conduct which shows hostility or aversion toward an individual because of gender or sex;
6. Graffiti of a sexual nature;
7. Fondling oneself sexually or talking about one’s sexual activity in front of others;
8. Spreading rumors about or categorizing others as to sexual activity.

Sexual harassment is not limited to conduct that is sexual in nature – it also includes harassment that is based on gender. Gender-based harassment, which is also prohibited, is conduct that would not occur except for the sex of the person involved. An example would be referring to a woman by or as a female body part, or a demeaning sex-based term, or treating people differently because of their gender. Sexual harassment also includes the taking of, or refusal to take, any personnel or academic action on the basis of a person’s submission to or refusal of sexual overtures. No person should so much as imply that an individual’s “cooperation” or submission to unwelcome activity will have any effect on the individual’s employment, assignment, compensation, advancement, development, academic evaluation, participation in school programs or activities or any other condition of employment or academic achievement. Not all physical conduct is necessarily considered sexual in nature. (For example, a coach hugging a student after an accomplishment, a teacher consoling a child with an injury, or physical conduct during athletic events would not be considered sexual conduct.) However, peer-based sexual harassment (e.g., student to student) can be a form of prohibited conduct where the harassing conduct creates a hostile environment.The same prohibitions apply with regard to inflammatory or offensive comments or conduct which is based upon race, color, age, religion, disability, or national origin. In short, working relationships between employees must be based on mutual respect. A Sexually hostile environment can be created by a school employee, volunteer, another student, or a visitor to the school.**4120.2 REPORTING HARASSMENT**Any person who believes he/she are subject to harassment or intimidation must contact either the principal, assistant principal, or pastor at the elementary level; or the principal, assistant principal or superintendent at the secondary level. A complaint must be filed in writing. In case of harassment involving a student or students, the parents or guardians of the respective students shall be duly notified. In the event that an individual alleges harassment by a principal, assistant principal or a pastor, the individual may file the complaint with the superintendent. All complaints will be promptly investigated and the person initiating the complaint will be advised of the outcome of the investigation. A student who believes he or she has been sexually harassed (or a parent who believes that their child has been harassed) should immediately report it to a responsible school official.Where it is determined that improper harassment has occurred, the appropriate authority will take immediate disciplinary action against any administrator, teacher, staff, or student engaging in harassment. The response shall take into account the individuals and circumstances. Such action may include, depending on the circumstances, disciplinary measures up to and including termination of employment.No retaliation against anyone who reports harassment will be tolerated. The Diocese prohibits such retaliation and will take appropriate responsive action if retaliation occurs. **4120.3 BULLYING/HAZING POLICY**The Diocese of Altoona-Johnstown administration, faculty, and staff shall not tolerate any bullying, cyberbullying, or hazing. Bullying/cyberbullying is defined as an intentional electronic, written, verbal, or physical act or series of acts directed at another student or students that is severe, persistent, or pervasive and that has the effect of substantially interfering with a student’s education, creating a threatening environment, and/or substantially disrupting the learning environment. Hazing is defined as any action or situation which recklessly, or intentionally, endangers the mental or physical health, or safety of a student, or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by an institution of higher education. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or any other forced physical activity which could adversely affect the physical or mental health and safety of the individual, and shall include any activity which would subject the individual to extreme mental or physical stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual, or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the initiation or admission into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding.  The Diocese expects staff members who observe or become aware of an act of bullying/hazing to take immediate, appropriate steps to intervene. If a staff member believes that his/her intervention has not resolved the matter, or if the bullying/hazing persists, he/she shall report to the school principal for further investigation.The Diocese expects students and parents who become aware of an act of bullying/hazing on school grounds or at any school activity on or off campus, to report it to the school principal for further investigation. The principal will contact parents of the aggressor and the victim. This investigation may include interviews with students, parents, teachers, school staff, and reviewing records. Consequences for students who bully, cyberbully, haze, and/or harass others may include but are not limited to, counseling, parent conference, detention(s), suspension(s), and/or expulsion depending on the results of the investigation. No retaliation shall be taken against a person who reports bullying/hazing. |