

Relationship Abuse and Sexual Assault Prevention and Response

The Board of Directors endeavors to take steps to prevent and/or respond to known instances of relationship abuse and sexual assault. Such conduct, by students or third parties, is strictly prohibited and shall not be tolerated on HCCS premises or at any HCCS sponsored activity, regardless of location including, but not be limited to buildings, facilities, and grounds on the HCCS campus, school buses, HCCS parking areas, and the location of any HCCS sponsored activity. This includes instances in which the conduct occurs off HCCS premises, but impacts a HCCS related activity.

Relationship abuse includes the intentional use of physical, sexual, verbal, or emotional abuse or violence by a person to harm, threaten, intimidate, or control another person in a current or past dating relationship. Sexual assault includes sexual violence, sexual abuse, sexual stalking, and rape.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Executive Director or Board.

Students or third parties may also be referred to law enforcement officials. Should HCCS or any of its employees have reason to believe that a child under the age of eighteen (18) year of age has been abused, abandoned, or neglected or has been subjected to conditions which would reasonably result in abuse, abandonment, or neglect, HCCS shall follow appropriate reporting requirements pursuant to the Child Protective Act.

The Executive Director is hereby directed to develop administrative procedures to implement this policy. Procedures shall include descriptions of prohibited conduct, the definition of abuse pursuant to the Child Protective Act, reporting and investigative procedures, prevention and response procedures, and provisions to ensure notice of this policy is provided to students.

The Board shall review this policy annually.

[OPTIONAL]

Addressing Sexual Assault

Any person wishing to report an instance of sexual assault may submit a completed Complaint Form 3295F to the non-discrimination coordinator.

When HCCS becomes aware of a report of sexual violence against a student HCCS shall direct the nondiscrimination coordinator to investigate the incident in accordance with Policy 3210

Other References: Questions and Answers on Title IX and Sexual Violence, U.S. Department of
Education Office for Civil Rights

Legal References: I.C. Title 16 Chapter 16 Child Protective Act
I.D.A.P.A. 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted on: 02/01/2018

Revised on:

STUDENTS

3290

Sexual Harassment/Intimidation of Students

Sexual harassment is a form of sex discrimination and is prohibited in HCCS. An employee, agent, or student engages in sexual harassment whenever he or she makes unwelcome advances; requests sexual favors; or engages in other verbal, non-verbal, or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, opportunities, or treatment, or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
 - A. Substantially interfering with the student's educational environment;
 - B. Creating an intimidating, hostile, or offensive educational environment;
 - C. Depriving a student of educational aid, benefits, services, opportunities or treatment; or
 - D. Making submission to or rejection of such unwelcome conduct the basis for academic decisions affecting a student.

The terms "intimidating", "hostile" and "offensive" include conduct which has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include, but are not limited to, unwelcome touching; crude jokes or pictures; discussions of sexual experiences; pressure for sexual activity; intimidation by words, actions, insults, or name calling; teasing related to sexual characteristics; and spreading rumors related to a person's alleged sexual activities.

Students who believe that they may have been sexually harassed or intimidated should contact a counselor, teacher, Title IX coordinator, or administrator who will assist them in the complaint process. Supervisors or teachers who knowingly condone, fail to report, or fail to assist a student in taking action to remediate such behavior may themselves be subject to discipline.

Any HCCS employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any student of HCCS who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with the discipline policy. Any person knowingly making a false accusation regarding sexual harassment will likewise be subject to disciplinary action up to and including discharge with regard to employees, or suspension and expulsion with regard to students.

HCCS will make every effort to ensure that employees or students accused of sexual harassment or intimidation are given an appropriate opportunity to defend themselves against such accusations.

Heritage Communtiy Charter School

STUDENTS

3290F

Harassment Reporting Form for Students

School _____ Date _____

Student's Name _____

(If you feel uncomfortable leaving your name, you may submit an anonymous report, but please understand that an anonymous report will be much more difficult to investigate. We assure you that we'll use our best efforts to keep your report confidential.)

Who was responsible for the harassment or incident(s)? _____

Describe the incident(s): _____

Date(s), time(s), and place(s) the incident(s) occurred: _____

Were other individuals involved in the incident(s)? ☐ yes ☐ no

If so, name the individual(s) and explain their roles: _____

Did anyone witness the incident(s)? ☐ yes ☐ no

If so, name the witnesses: _____

Did you take any action in response to the incident? ☐ yes ☐ no