
HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING POLICY

Discrimination, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, Pathways Academy Adult Education ("PAAE" or the "Charter School") prohibits any acts of discrimination, harassment, intimidation, and bullying altogether. This policy applies to all acts related to school activity or school attendance occurring within the Charter School's jurisdiction, and all acts of the Charter School's governing board in enacting policies and procedures that govern PAAE. Because PAAE is a nonclassroom-based school with no campus, this policy is inclusive of instances that occur at any school facility or office, any meetings for school-related purposes and school-sponsored events and activities, regardless of location, through school-owned technology and through other electronic means, consistent with this policy.

As used in this policy, prohibited discrimination, harassment, intimidation, and bullying are based on the actual or perceived characteristics set forth in Penal Code section 422.55, including immigration status, Education Code section 220, and disability, sexual orientation, gender, gender identity, gender expression, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism), or association with a person or group with one or more of these actual or perceived characteristics or based on any other characteristic protected under applicable law. Hereafter, such actions are referred to as "misconduct prohibited by this policy."

The Charter School will not condone or tolerate misconduct prohibited by this policy by any employee, independent contractor or other person with which the Charter School does business, or any other individual, student, or volunteer. This policy applies to all such individuals, regardless of position or gender.

Process for Receiving and Investigating Complaints

The Charter School will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this policy as appropriate. Charter School staff who witness an act of misconduct prohibited by this policy will take immediate steps to intervene when safe to do so. The Charter School follows its Uniform Complaint Procedures (UCP) to address reports of unlawful discrimination, harassment, intimidation, or bullying. Reports of unlawful sex-based discrimination, including sexual harassment, may be filed under the Charter School's Title IX Policy and Grievance Procedures. The Charter School's UCP Policy and Title IX Policy and Grievance Procedures includes further information on filing these types of complaints, the timeline to investigate and resolve the complaints, and the process for appealing such complaints.

Students are expected to report all incidents of misconduct prohibited by this policy or other verbal, or physical abuses. Any student who feels they are a target of such behavior should immediately contact a teacher, counselor, the program director, the UCP and/or Title IX

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Coordinator, a staff person or a family member so that the student can get assistance in resolving the issue in a manner that is consistent with this policy.

The Charter School complies with all applicable laws in its investigation of and response to reports of misconduct prohibited by this policy.

Definitions**Harassment**

Harassment may include, but is not necessarily limited to:

1. Verbal conduct such as epithets, derogatory jokes or comments, or slurs.
2. Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work or school because of sex, race or any other protected basis.
3. Retaliation for reporting or threatening to report harassment.
4. Deferential or preferential treatment based on any of the protected characteristics listed above.

Sexual Harassment

Title IX (20 U.S.C. § 1681 *et. seq*; 34 C.F.R. § 106 *et. seq*) and California law prohibit discrimination and harassment on the basis of sex. For more information about sexual harassment prohibited by Title IX, please see PAAE's Title IX Policy and Grievance Procedures.

Bullying and Cyberbullying Prevention Procedures

Charter School has adopted the following procedures for preventing acts of bullying, including cyberbullying. Bullying includes social media bullying, which may involve internet websites with free registration and ease of registration, internet websites offering peer-to-peer instant messaging, internet websites offering comment forums or sections, and internet websites offering image or video posting platforms. Cyberbullying generally means bullying that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

1. Cyberbullying Prevention Procedures

Charter School advises students:

- a. To never share passwords, personal data, or private photos online.
- b. To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- c. That personal information revealed on social media can be shared with anyone including parents, teachers, administrators, and potential employers. Students

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should never reveal information that would make them uncomfortable if the public had access to it.

- d. To consider how it would feel receiving such comments before making comments about others online.

Charter School informs its employees, students, and parents/guardians of its policies regarding the use of technology in and out of the classroom. The Charter School encourages parents/guardians to discuss these policies with their children to ensure their children understand and comply with such policies.

2. Education

Charter School employees cannot always be present when bullying incidents occur, so educating students about bullying is a key prevention technique to limit bullying from happening. Charter School advises students that hateful and/or demeaning behavior is inappropriate and unacceptable in our society and at Charter School and encourages students to practice compassion and respect each other.

Charter School educates students to accept all student peers regardless of protected characteristics (including but not limited to actual or perceived sexual orientation, gender identification, physical or cognitive disabilities, race, ethnicity, religion, and immigration status) and about the negative impact of bullying other students based on protected characteristics.

Charter School's bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

Charter School informs Charter School employees, students, and parents/guardians of this policy and encourages parents/guardians to discuss this policy with their children to ensure their children understand and comply with this policy.

3. Professional Development

Charter School annually makes available the online training module developed by the California Department of Education pursuant to Education Code section 32283.5(a) to its certificated employees and all other Charter School employees who have regular interaction with students.

Charter School informs certificated employees about the common signs that a student is a target of bullying including:

- a. Physical cuts or injuries
- b. Lost or broken personal items

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- c. Fear of going to school/practice/games
- d. Loss of interest in school, activities, or friends
- e. Trouble sleeping or eating
- f. Anxious/sick/nervous behavior or distracted appearance
- g. Self-destructiveness or displays of odd behavior
- h. Decreased self-esteem

Charter School also informs certificated employees about the groups of students determined by Charter School, and available research, to be at elevated risk for bullying. These groups include but are not limited to:

- a. Students who are lesbian, gay, bisexual, transgender, or questioning youth (“LGBTQ”); and
- b. Students with physical or learning disabilities.

Charter School encourages its employees to demonstrate effective problem-solving, anger management, and self-confidence skills for students.

Bullying prevention training materials, publications and resources, including community-based organizations, for educators, parents, and community members for recognizing bullying behavior and approaches for determining how to respond can be found at the following link: <https://www.cde.ca.gov/ls/ss/se/bullyres.asp>.