



Board Policy: Student Sexual Harassment

Reference: BP 5145.7

Board Approved: June 13, 2017

The CNCA Board is committed to maintaining a school environment that is free from harassment. The Board prohibits sexual harassment of any student by another student, an employee or other person, at school or at a school-sponsored or school-related activity. The Board also prohibits retaliatory behavior or action against any person who complains, testifies, assists or otherwise participates in the complaint process established in accordance with this policy.

A student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action, including suspension and/or expulsion. The conduct must be based on sex and would be considered by a reasonable person of the same gender as the victim to be so severe or pervasive as to have a negative impact on the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. In imposing such discipline, the entire circumstances of the incident(s) shall be taken into account, including but are not limited to:

1. Age and maturity of the victim and the perpetrator. In evaluating the maturity of the victim and the perpetrator, their emotional, social and physical development shall be considered
2. Severity of the harassing conduct.
3. Pervasiveness of the alleged harassing conduct (i.e., how many times the act(s) occurred, how many individuals were involved, etc.)
4. Prior complaints against the perpetrator.

The CEO or designee shall ensure that all CNCA students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment can occur between people of the same gender.
2. A clear message that students do not have to endure sexual harassment. Students should be encouraged to report observed instances of sexual harassment, even where the victim of the harassment has not complained.
3. Information about the person(s) to whom a report of sexual harassment should be made.

Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact his/her teacher, principal or any other available school employee. A school Student Sexual Harassment Policy adopted by the CNCA Governing Board on June 13, 2017

employee to whom a complaint is made shall, within 24 hours, report it to the school principal or designee. Any school employee who observes any incident of sexual harassment toward any student shall similarly report the observation to the school principal or designee, whether or not the victim makes a complaint. If the alleged harasser is the principal or designee, the employee may report the complaint or his/her observation of the incident to Human Resources, which shall investigate the complaint.

The school principal or designee to whom a complaint of sexual harassment is reported shall immediately investigate the complaint and notify the Home Support Office. Where the school principal or designee finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The school principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall file a report with the Home Support Offices and refer the matter to law enforcement authorities, where necessary. In addition, the student may file a formal complaint with the CEO or designee in accordance with the CNCA's uniform complaint procedures.

The CEO or designee shall maintain a record of all reported cases of sexual harassment to enable CNCA to monitor, address and prevent repetitive harassing behavior in its schools.

Information gathered in the course of investigating a sexual harassment complaint shall be kept confidential to the extent possible.