

Prohibition Against Discrimination and Harassment

Section 1. General. Civil rights laws prohibit discrimination and harassment on the basis of a protected class in PreK-12 public school. A “protected class” is a group of people who share common characteristics and are protected from discrimination and harassment under federal, state, and local law. This Administrative Guideline prohibits discrimination or harassment on the basis of a protected class by an employee or agent of East Allen County Schools, by another student, and by third parties who come in contact with students at school or at school-related activities.

Section 2. Protected Classes. These groups are protected classes include race, color, religion, sex (including sexual orientation, gender identity, and gender expression), national origin, age, or disability.

Section 3. Prohibition Against Harassment. The Administrative Guideline against discrimination includes a prohibition against harassment that 1) is based on a person’s protected class, and 2) is serious enough to create a hostile environment. Harassment creates a hostile environment when the conduct is so severe, pervasive, or persistent that it limits a person’s ability to participate in, or benefit from, the school’s services, activities, or opportunities. Harassment conduct may take many forms including verbal acts and name calling; graphic and written statements, which may occur on a cell phones, social media, or on the internet; or other conduct that may be physically threatening, harmful, or humiliating. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.

Section 4. Harassment on the Basis of Sex. Harassment on the basis of sex is a form of discriminatory harassment. It is unwelcome behavior or communication based on sex and 1) leads the person to believe they must submit to the unwelcome sexual conduct or communication to gain something in return (for example, a grade or a place on a sports team), or 2) the conduct substantially interferes with a student’s educational performance or creates a hostile environment.

Examples of harassment on the basis of sex could include, but is not limited to: sexual advances; requests for sexual favors; sexual violence; distributing sexually explicit texts, emails, or pictures; and other verbal or physical conduct of a sexual nature that limits or denies, on the basis of sex a student's ability to participate in EACS programs and activities.

EACS notes that harassment of the basis of sex under this Administrative Guideline includes conduct that would not constitute sexual harassment under EACS’ Title IX policy.

Section 5. Making a Complaint. Parents and students are encouraged to submit a complaint or provide information about suspected harassment or discrimination so that EACS may conduct a prompt investigation. Complaints may be made orally or in writing

to a building administrator or guidance counselor. EACS encourages complaints to be made as soon as possible after incident.

Section 6. Schools Responses to Discrimination or Harassment. School staff will investigate possible discrimination or harassment on the basis of a protected class as soon as they become aware of the it. The investigation will be thorough, fair, and impartial. Interim steps may be taken to protect students when necessary, even before the investigation is complete.

If the investigation reveals that harassing conduct on the basis of a protected class created a hostile environment, EACS will act promptly to stop the behavior and put an end to the hostile environment.

East Allen County Schools will 1) address any effects the harassment had on the person, and 2) make sure that the harassing conduct does not happen again.

Section 7. Prohibition Against Retaliation. EACS prohibits retaliation of any kind against anyone who makes a good-faith report of suspected discrimination or harassment on the basis of a protected class, or who participates, in good faith, in an investigation of suspected discrimination or harassment. EACS' primary concern is student safety and providing a learning environment free of discrimination and harassment.

Retaliation against someone who reports suspected discrimination or harassment on the basis of a protected class will result in discipline, up to and including student expulsion or termination of employment.