

Sexual Harassment

1. The Escambia County School Board prohibits sexual harassment of students in any form which involves employees, school volunteers, or other students. Behaviors considered to be sexual harassment include but are not limited to the following:

- spreading sexual gossip
- making unwanted sexual comments (whether intended to be serious or humorous)
- pressuring for sexual activity
- making any unwanted physical contact of a sexual nature
- making any unwanted sexually suggestive telephone calls, emails, text messages, pictures, video, audio, or writing unwarranted suggestive letters.
- creating a hostile, offensive, or intimidating environment based on or related to gender that has the purpose or effect of interfering with an individual's academic performance
- requesting sexual favors.

2. Any student who believes that he or she is a victim of sexual harassment shall immediately report the individual(s) to any district employee as well as to the parent/guardian.

3. Any employee who becomes aware of an allegation of sexual harassment of a student shall immediately report that allegation to the school administration or to the deputy superintendent whether or not the staff member feels the allegation is well founded.

4. All complaints will be investigated promptly and, if substantiated, the appropriate disciplinary action will be taken. Retaliation against individuals who report or file a complaint in good faith will not be tolerated.

5. Violation of the sexual harassment policy by a student is grounds for in-school suspension, out-of-school suspension, expulsion, or other disciplinary action and may also result in criminal prosecution and penalties.

The Board is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community. Aggressive behavior toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes physical, verbal, and psychological abuse. The Board will not tolerate any gestures, comments, threats, or actions, which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the District, including activities on school property or while enroute to or from school-sponsored activities, and those occurring off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control or where an employee is engaged in school business.

Aggressive Behavior

Aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's education or his/her physical, or emotional well being. This type of behavior is a form of intimidation and harassment although it need not be based on any of the legally protected characteristics, such as sex, race, color, national origin, marital status, or disability. It would include, but not be limited to, such behaviors as stalking, bullying/cyberbullying, intimidating, menacing, coercion, name-calling, taunting, making threats, or hazing.

Any student who believes he/she has been or is the victim of aggressive behavior should immediately report the situation to the building principal or assistant principal or the Superintendent. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board official. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board Chairman.

Every student is encouraged and every staff member is required to report any situation that they believe to be aggressive behavior directed toward a student. All complaints about aggressive behavior that may violate this policy shall be promptly investigated.

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of aggressive behavior is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as aggressive behavior. Making intentionally false reports about aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action.

The following definitions are provided for guidance only. If a student or other individual believes there has been aggressive behavior, regardless of whether it fits a particular definition he/she should report it and allow the administration to determine the appropriate course of action.

Gang Activity: The School District of Escambia County does not allow gang activity as defined by Florida Law. See Chapter 874, Florida Statutes (2008). This includes gang-affiliated signs, symbols, and dress. For more information, see Dress Code, page 36. It is the policy of the Escambia County School District that all of its students and school employees have an educational setting that is safe, secure, and free from harassment, and bullying of any kind. The district will not tolerate unlawful harassment of any type. Conduct that constitutes bullying, as defined herein, is prohibited.

POLICY AGAINST BULLYING AND HARASSMENT (School Board Rule 7.18)

Definition of bullying and a definition of harassment:

Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or

dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; any may involve but is not limited to

- a. Unwanted teasing
- b. Social exclusion
- c. Threat
- d. Intimidation
- e. Stalking
- f. Physical violence
- g. Theft
- h. Sexual, religious, or racial harassment
- i. Public humiliation
- j. Destruction of property

Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that:

- places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property
- has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
- has the effect of substantially disrupting the orderly operation of a school

Bullying and harassment also encompasses:

- retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
- perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with an intent to demean, dehumanize, or cause emotional or physical harm to a student or school employee by
- incitement or coercion
- accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the district school system; or
- acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

Cyberstalking as defined in Section 784.048(1)(d), F.S.

- engaging in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

For additional information, please refer to School Board Policy 7.18.