

### **Harassment/Demeaning Behavior**

The Archdiocese of Miami schools are committed to providing a school environment that is free of discrimination and demeaning behaviors. In keeping with the commitment, Archdiocesan schools will not tolerate harassment or demeaning behaviors towards school employees or students, whether occurring in the school, at assignments outside the school, or at school-sponsored events. Such conduct is immoral and may be illegal.

Harassment consists of unwelcome conduct, whether verbal, physical, and/or visual, that is based on a person's protected status, such as gender, color, race, ancestry, national origin, age, physical disability, mental condition, marital status, veteran status, citizenship status, or other protected group status. The Archdiocesan schools will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, offensive, or hostile environment.

Unwelcome sexual advances, requests for sexual favors, or other verbal, visual or physical conduct based on sex constitute sexual harassment when: (1) submission to the conduct is an explicit or implicit term or condition of employment or condition of employment/registration; (2) submission to, or rejection of, the conduct is used as the basis for an employment decision or the awarding of a grade; (3) any conduct of a sexual nature is committed between an employee and a student; (4) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive environment. Sexual harassment may include, but is not limited to, explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing" or "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, display of foul or obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another's body.

Verbal harassment involves derogatory comments, jokes, or slurs about a person's gender, race, religion, ethnic origin, physical characteristics, or family.

Physical harassment involves unwanted physical contact, assault, deliberate impeding or blocking movements, and any intimidating interference with normal activity or movement.

Visual harassment involves derogatory, demeaning or inflammatory material, such as posters, cartoons, writing, artwork, and gestures.

The policy covers all students and employees, including administrators.

The Archdiocesan schools will not tolerate, condone, or allow harassment or demeaning behaviors, whether engaged in by administrators, fellow employees, supervisors, students, or other non-employees who conduct business with the school. All Archdiocesan employees and students are responsible for helping to assure that abuse/harassment and demeaning behaviors are avoided. If any employee or student feels that he/she has experienced or witnessed harassment, that person must immediately notify her/his principal. However, if the principal is the individual who is believed to be harassing the employee/student, then the employee/student notifies the pastor/president (or, in school without a pastor/president, the Superintendent of Schools) who will conduct an investigation. In this latter situation, an appeal may be made to the Superintendent of

Schools or the Vicar for Education. The Archdiocese of Miami forbids retaliation against anyone who has reported harassment. The Archdiocesan school will investigate all such complaints involving school administrators thoroughly and promptly. To the fullest extent practicable, the Archdiocesan school will keep complaints and the terms of their resolution confidential. If an investigation confirms that harassment has occurred, the Archdiocesan school will take corrective action, including the possibility that the individual's employment will be terminated or the student will be dismissed/expelled.

#### **False Accusations**

Anyone who purposefully does anything to damage the good reputation of another has committed a serious, moral wrong. False and malicious complaints of harassment whether sexual, verbal, physical, visual, or written (as opposed to complaints which, even if erroneous, are made in good faith) will result in appropriate discipline, up to and including discharge or expulsion. If either party directly involved in a harassment investigation is dissatisfied with the outcome or resolution, that individual has the right to appeal the decision. The dissatisfied party should submit his or her written comments to the Archdiocesan Superintendent of Schools.

#### **Reporting Physical/Sexual Abuse**

Parents and guardians should understand that State law requires a teacher or administrator who has reasonable suspicion that sexual or physical abuse has occurred to report this to the Division of Children and Family Services. The teacher or administrator who fails to fulfill this responsibility can be charged with sexual or physical abuse, because the silence contributes to the crime.