

## **FREEDOM FROM DISCRIMINATION**

The District believes that all students learn best in an environment free from harassment and that their welfare is best served when they can work free from discrimination. Students are expected to treat other students and District employees with courtesy and respect; to avoid any behaviors known to be offensive; and to stop those behaviors when asked or told to stop. District employees are expected to treat students with courtesy and respect.

The Board has established policies and procedures to prohibit and promptly respond to inappropriate and offensive behaviors that are based on a person's race, religion, color, national origin, gender, sex, age, or disability. [See policy FFH] Prohibited harassment, in general terms, is conduct so severe, persistent, or pervasive that it affects the student's ability to participate in or benefit from an educational program or activity; or substantially interferes with the student's academic performance. A copy of the District's policy is available in the principal's office and in the Superintendent's office.

Examples of prohibited discrimination may include, but are not limited to, derogatory language directed at a person's religious beliefs or practices, accent, skin color, or need for accommodation; bullying, threatening or intimidating conduct; name-calling or slurs, taunting, teasing (even when presented as "jokes"), or rumors; aggression or assault; graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or aggressive conduct such as theft or damage to property. Examples of prohibited sexual harassment may include touching private body parts or coercing physical contact that is sexual in nature; sexual advances; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

Sexual harassment of a student by an employee or volunteer does not include necessary or permissible physical contact not reasonably construed as sexual in nature. However, all romantic and inappropriate social relationships, as well as all sexual relationships, between students and District employees are prohibited, even if consensual.

Any student (or the student's parent) who believes that he or she has experienced prohibited harassment should immediately report the problem to a teacher, counselor, principal, or other District employee.

To the extent possible, the District will respect the privacy of the student; however, limited disclosures may be necessary to conduct a thorough investigation and to comply with law. Allegations will be promptly investigated. The District will notify the parents of any student alleged to have experienced prohibited harassment by an adult associated with the District, or by another student, when the allegations, if proven, would constitute "sexual harassment" or "other prohibited harassment" as defined by District policy.

If the District's investigation indicates that prohibited harassment occurred, appropriate disciplinary or corrective action will be taken to address the harassment. The District may take disciplinary action even if the conduct that is the subject of the complaint did not rise to the level of harassment prohibited by law or policy.

Retaliation against a person who makes a good faith report of prohibited harassment is prohibited. However, a person who makes a false claim or offers false statements or refuses to cooperate with a District investigation may be subject to appropriate discipline.

A student or parent who is dissatisfied with the outcome of the investigation may appeal in accordance with policy FNG.

In its efforts to promote nondiscrimination, the District makes the following statements: McMullen County I.S.D. does not discriminate on the basis of race, religion, color, national origin, gender, sex, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

The following District staff members have been designated to coordinate compliance with these requirements:

- Title IX Coordinator, for concerns regarding discrimination on the basis of sex: Dr. Jay Smith, Principal.
- Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Dr. Jay Smith, Principal.

All other concerns: See the Superintendent Frank Franklin.