



Nondiscrimination, Equal Opportunity and Anti-discrimination Policies

Board Policy 101

Bethany Community School (Bethany Community School) affirms that no person shall, on the basis of race, creed, color, age, national origin, religion, gender, disability, marital status, sexual orientation or any other status protected by law, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any educational program or activity, including, but not limited to, employment or enrollment.

Non-Discrimination Policy

Bethany Community School complies with all Federal, State, and Local non-discrimination laws including but not limited to race, color, religion, sex, national origin, age, status, disability, veteran status, genetic information or as otherwise may be prohibited by federal and state law. We want to maintain an employee relations climate that promotes maximum personal development and achievement. We are an equal opportunity employer and do not discriminate on the bases of age, race, color, national origin, sex, religion, creed, veteran status, disability, sexual orientation or any other characteristic prohibited by law. We are dedicated to ensuring the fulfillment of this policy with respect to hiring, selection for training, promotion, transfer, layoff, termination, leaves of absence, rates of pay or any other term or condition of employment. When necessary, we will reasonably accommodate employees and applicants with disabilities and with religious requirements necessitating accommodation as required by law. We expect everyone to show understanding and consideration to fellow employees and to respect and observe this policy.

Equal Opportunity Employment Policy

Bethany Community School is an equal opportunity employer and will not discriminate against any applicant, contractor or employee on the basis of age, race, color, religion, sex, national origin, veteran status, disability, genetic information or other legally protected status, except where it is an occupational qualification. This policy extends to all terms, conditions and privileges of employment as well as the use of the school's facilities and participation in all activities sponsored by the school. It is also the School's policy to ensure that all employees are treated fairly on the basis of merit and performance competence with regard to any and all terms of conditions of employment, including recruitment, hiring, compensation, promotions, demotions, assignments, trainings, layoffs, and terminations.

Discrimination, Harassment, and Retaliation Policy

Bethany Community School is committed to having a community in which every individual is treated with sensitivity and respect, and in which each student and teacher has an equal opportunity to work, learn, and develop to his or her full potential in an atmosphere free from all forms of unlawful discrimination and harassment, including sexual harassment. Furthermore, Bethany Community School is committed to promoting the worth and dignity of all individuals. To that end, the School prohibits any form of harassment or discrimination (including sexual harassment) on the basis of age, race, color, national origin, religion, disability, sex, sexual orientation or other protected characteristic, whether by a supervisor, administrator, co-worker, volunteer, contractor, student, or non-employee. The purpose of this policy is to assure that in the workplace, each employee is able to accomplish his or her job without being subjected to discrimination, harassment, or sexual harassment

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While it is not easy to define precisely what harassment or discrimination is, it certainly includes verbal, nonverbal, or physical conduct that denigrates, belittles, or puts down an individual or shows hostility, distaste, or aversion toward that individual based on that individual's race, color, national origin, religion, gender, sexual orientation, age, disability, veteran status, any other protected class or participation in a protected activity.

Discrimination involves intentionally treating anyone in an unequal or disparate manner because of that person's inherent or natural personal characteristics, including race, color, national origin, religion, gender, sexual orientation, age, disability, veteran status, any other protected class or participation in a protected activity, when such treatment causes the victim to suffer adverse employment consequences.

Harassment is any unwelcome offensive verbal, nonverbal or physical conduct that is sufficiently severe, persistent or pervasive as to significantly affect the conditions of one's employment or a student's learning. Harassment includes, but is not limited to the following: slurs, epithets, threats, derogatory comments, unwelcome or abusive jokes, insults, name calling, threats, bullying or intimidation, unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct such as uninvited touching or sexually-related comments or the exchange of benefits for performance of sexual or other favors.

Other conduct that can be unlawful harassment includes verbal, nonverbal, or physical conduct that shows aversion, denigration, or hostility because of race, color, religion, national origin, gender, age, disability, sexual orientation or other protected classification and that:

- Creates an intimidating, hostile, or offensive working environment;
- Unreasonably interferes with an individual's work; or
- Adversely affects an individual's employment opportunities.

Sexual Harassment and Prohibited Relationships Policy

Of the various types of harassment, sexual harassment is worthy of special considerations beyond those applicable under Bethany Community School's general Discrimination and Harassment Policy. No employee, student, volunteer or contractor shall engage in sexual harassment against any other student, employee, or another person in the Bethany Community School community.

Definition. Sexual harassment is a form of discrimination involving unwelcome sexual, or sex-based conduct that interferes with the employment or education of others. Sexual harassment is any unwanted or unwelcomed verbal or physical advances, sexually explicit derogatory statements, requests for sexual favors, or sexually discriminatory remarks made by someone in the workplace or school environment which is offensive or objectionable to the recipient or which causes the recipient discomfort or humiliation or which interferes with the recipient's job performance. Harassing behaviors can be verbal, non-verbal, or physical, range from subtle innuendo of a sexual nature to coerced sexual activity, and other inappropriate verbal, written, or physical conduct of a sexual nature that usually takes place under the following circumstances:

- When submission to such conduct is made, explicitly or implicitly, a term or condition of instruction, participation in school activities, or employment,
- When submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions or benefits; or
- When such conduct has the purpose or effect of substantially interfering with an individual's academic, extracurricular, or work performance, or creating an intimidating, hostile, or offensive school environment or working environment

Examples of Sexual Harassment

Workplace and school environment behavior that is sexually harassing includes but is not limited to:

- Unwanted sexual remarks or inferences;
- Offensive comments about sex or gender-specific traits;
- Unwelcome sexual propositions, threats, bribes, written notes, or phone calls;
- Unwelcome gestures or sounds or the display of sexually suggestive objects, signals, or pictures;
- Unwanted physical contact of a sexual nature (e.g. touching, pinching, kissing, holding);
- Promise of promotion, favorable performance evaluations, etc. in return for sexual favors, known as "quid pro quo" or "this for that"; or
- Threatening or insinuating, whether explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts or any other condition of employment.
- Pressure for sexual activity, continued or repeated offensive sexual flirtations, advances, or propositions;
- Continued or repeated verbal remarks about an individual's body;
- Sexually degrading words used toward, or in the presence of, an individual or to describe an individual

A hostile environment exists if the conduct of a sexual nature is sufficiently severe, persistent, or pervasive to creates a hostile or abusive educational or work environment.

Romantic or sexual advances toward students by employees or romantic or sexual relationships between school employees and students are always prohibited in all circumstances. School employees are prohibited from engaging in romantic or other inappropriate relationships with students and are required to report such relationships or reasonable suspicions thereof, to the Executive Director or other administrator. Procedures

established by Bethany Community School for reporting suspected sexual harassment shall be followed in any instances involving such conduct.

Either men or women can be sexually harassed by someone of the same or opposite sex, and the law protects both sexes equally from this discrimination. This policy applies to sexual harassment by staff, students, volunteers, vendors, and service providers of either gender against someone of the same or opposite gender.

Application

Discrimination and harassment (including sexual harassment), are prohibited at Bethany Community School and during School-related activities between students, employees, School agents, volunteers, visitors and any other person associated with or under the control of Bethany Community School. In addition, Bethany Community School is not responsible for out of school conduct but reserves the right, in appropriate cases, to address out of school conduct that substantially disrupts the educational environment at Bethany Community School or significantly interferes with a staff member's work environment or a student's learning at Bethany Community School. Procedures established by Bethany Community School for reporting suspected discrimination, harassment or bullying shall be followed in any instances involving such conduct.

Retaliation

School prohibits reprisal or retaliation against any person who reports an act of discrimination or harassment (including sexual harassment) or who participates in an investigation as a witness or in any other capacity. Anyone who has been subject to retaliation should report it to the Executive Director.

Procedure for Employee (and Volunteer) Complaints of Harassment, Discrimination, Bullying, and Retaliation

- Any person who believes he or she has been the victim of harassment, sexual harassment, discrimination or retaliation should immediately discuss and report to his or her direct supervisor, the Executive Director, any other supervisor with whom the person feels comfortable, or, if the Executive Director is the subject of the complaint, to any supervisor or any member of the Board of Directors. While the person should report sexual harassment to a supervisor or the Executive Director, there is no requirement that the person report sexual harassment, discrimination or retaliation to a particular supervisor.
- Any supervisor receiving a complaint of harassment, sexual harassment, discrimination or retaliation shall report such complaint to the Executive Director. If the Executive Director is the subject of such complaint then the supervisor shall report to the Chair of the Board of Directors or to any other Board member that the supervisor believes is appropriate.
- Any complaint of made under this policy will be investigated thoroughly and promptly. To the maximum extent possible, Bethany Community School will protect the privacy of the parties involved.
- Any attempt to interfere with or influence the investigation of a harassment, sexual harassment, discrimination or retaliation complaint is strictly prohibited, and will result in disciplinary action, up to and including immediate termination.
- There will be no adverse action against an employee who acts in good faith and reports an incident, or who participates in or cooperates with an investigation of an alleged incident.

Disciplinary Action

Any employee found to have engaged in harassment, sexual harassment, discrimination, bullying or retaliation will be subject to disciplinary action up to and including immediate termination. In addition, some forms of sexual harassment, such as sexual relations between an adult and minor, may violate criminal laws. Bethany Community School will cooperate with local authorities in the investigation of any alleged criminal activity.

Confidentiality of Records

Bethany Community School will make every effort to maintain confidentiality and protect the privacy of the parties involved in the investigation of a sexual harassment, discrimination and retaliation complaint. All written materials related to the investigation of allegations of harassment will be placed in confidential files, which are separate from student and personnel records. Reasonable efforts will be taken to ensure that access to these records is limited to those persons with a need to know.

Sexual and Other Types of Unlawful Harassment/Discrimination on School Grounds by Contractors, Volunteers or Individuals Who Are Not School Employees

The policies contained in this section, including the reporting procedures and no retaliation policy, regarding harassment, sexual harassment and discrimination, shall also apply to contractors, volunteers or individuals who are not employees of the School when such individuals are on School property or during School events.

Implementation: Information and Education/Training

- This policy will be distributed to all employees and will be discussed as part of the staff orientation at the beginning of each school year.
- The Executive Director is authorized and expected to establish training and administrative procedures to help eliminate discrimination and harassment, and to foster an environment of understanding and respect for all individuals.

Approved 12/01/2022