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**HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING POLICY**

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Discrimination, harassment, intimidation, and bullying are disruptive behaviors that interfere with students' learning, reduce engagement, compromise school safety, and create a hostile school environment. To maintain a safe, inclusive, and respectful environment, Sage Oak Charter Schools ("School") strictly prohibits all forms of discrimination, harassment, intimidation, and bullying, regardless of whether they are based on protected characteristics. This policy applies to any such conduct related to school activities, and attendance at school-sponsored events (regardless of location), and includes behaviors conducted via school-owned technology or other electronic means.

As used in this policy, discrimination, harassment, intimidation, and bullying are described as intentional conduct, including verbal, physical, written communication or cyber-bullying may be based on, but are not limited to, the actual or perceived characteristics such as:

- Race, including traits historically associated with race (e.g., hair texture, protective hairstyles like braids, locks, and twists)
- Color
- Creed
- Gender, including gender identity and expression
- Religion, including all aspects of religious beliefs, observance, and practice (e.g., religious dress or grooming practices)
- Marital status or registered domestic partner status
- Status as a victim of domestic violence, assault, or stalking
- Age (40 and over)
- Ethnicity, national origin, or ancestry (including language use restrictions)
- Citizenship
- Immigration status
- Disability, whether physical, intellectual, or mental (including HIV/AIDS)
- Neurodiversity
- Medical condition, including cancer or a history of cancer and genetic characteristics
- Reproductive health decisions
- Family or medical leave status
- Sex, including pregnancy, childbirth, breastfeeding, or related conditions
- Genetic information
- Sexual orientation
- Political affiliation
- Military and veteran status
- Use of cannabis off-duty and away from the workplace
- Any other characteristic protected by federal, state, or local laws hereafter, such actions are referred to as "misconduct prohibited by this policy."

To the extent possible, the School will make reasonable efforts to prevent discrimination, harassment, intimidation, or bullying of students and will promptly investigate, address, respond to, and report on such behaviors. The School staff that witness acts of misconduct prohibited by this policy will take immediate steps to intervene when safe to do so.

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Moreover, the School will not condone or tolerate misconduct prohibited by this policy by any employee, independent contractor, or other person with which the School does business, or any other individual, student, or volunteer. This policy applies to all employees, students, or volunteer, regardless of position or gender. The School will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this policy in a manner that is not deliberately indifferent and will take appropriate corrective action if warranted. The School complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this policy.

**Notification**

When necessary under Education Code section 48985, if fifteen (15) percent or more of the pupils enrolled in the School speak a single primary language other than English, this policy, and all notices, reports, and statements pertaining to this policy will be translated into the primary language and will be provided to the parent/guardian of any such students in their primary language.

**Definitions****Prohibited Unlawful Harassment**

1. Verbal conduct such as epithets, derogatory jokes or comments, or slurs.
2. Physical conduct, including assault or intentionally blocking normal movement or interfering with work or school because of race or any other protected basis.
3. Retaliation for reporting or threatening to report harassment.
4. Deferential or preferential treatment based on any of the protected characteristics.

For sex-based harassment, please see Sage Oak Board Policy 5025 - Title IX, Sex-Based Discrimination and Sex-Based Harassment.

**Prohibited Bullying**

Bullying is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act.

Bullying includes one or more acts committed by a student or group of students that may constitute sexual harassment, hate violence, or create an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing a reasonable pupil\* or pupils in fear of harm to that pupil's or those pupils' person or property.
2. Causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health.
3. Causing a reasonable pupil to experience substantial interference with the pupil's academic performance.

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4. Causing a reasonable pupil to experience substantial interference with the pupil's ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

\* "Reasonable pupil" is defined as a pupil, including but not limited to, an exceptional needs pupil, who exercises care, skill, and judgment in conduct for a person of the same age, or for a person of the same age with the same exceptional needs.

Cyberbullying is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes accessing another person's electronic account to impersonate them with the intent to harm their reputation.

Electronic act means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

1. A message, text, sound, video, or image.
2. A post on a social network Internet Website including, but not limited to:
  - a. Posting to or creating a burn page. A "burn page" means an Internet Website created for the purpose of having one or more of the effects as listed in the definition of "bullying," above.
  - b. Creating a credible impersonation\* of another actual pupil for the purpose of having one or more of the effects listed in the definition of "bullying" above.  
\*\*"Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil, and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
  - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
3. An act of "cybersexual bullying" including, but not limited to:
  - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in the definition of "bullying," above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

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- b. “Cybersexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- c. Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

\*\*“Cybersexual bullying” will be investigated under Sage Oak Board Policy 5025 - Title IX, Sex-Based Discrimination and Sex-Based Harassment.

**Bullying and Cyberbullying Prevention Procedures**

Charter School has adopted the following procedures for preventing acts of bullying, including cyberbullying.

**1. Cyberbullying Prevention Procedures**

The School advises students:

- a. To never share passwords, personal data, or private photos online.
- b. To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- c. That personal information revealed on social media can be shared with anyone, including parents, teachers, administrators, and potential employers. Students should never reveal information that would make them uncomfortable if the public had access to it.
- d. To consider how it would feel to receive such comments before making comments about others online.

Charter School informs its employees, students, and parents/guardians of its policies regarding the use of technology in and out of the classroom. The Charter School encourages parents/guardians to discuss these policies with their children to ensure their children understand and comply with such policies.

**2. Education**

School employees cannot always be present when bullying incidents occur, so educating students about bullying is a key prevention technique to limit bullying from happening. The School advises students that hateful and/or demeaning behavior is inappropriate and unacceptable in our society and at School and encourages students to practice compassion and respect each other.

The School educates students on the importance of accepting peers regardless of protected characteristics (including but not limited to sexual orientation, gender identity,

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disabilities, race, ethnicity, religion, and immigration status) and about the negative impact of bullying other students based on protected characteristics.

The School's bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

The School informs School employees, students, and parents/guardians of this policy and encourages parents/guardians to discuss this policy with their children to ensure their children understand and comply with this policy.

**3. Professional Development**

The School annually makes available the online training module developed by the California Department of Education pursuant to Education Code section 32283.5(a) to its certificated employees and all other School employees who have regular interaction with students.

The School informs certificated employees about the common signs that a student is a target of bullying including:

- a. Physical cuts or injuries
- b. Lost or broken personal items
- c. Fear of going to school/practice/games
- d. Loss of interest in school, activities, or friends
- e. Trouble sleeping or eating
- f. Anxious/sick/nervous behavior or distracted appearance
- g. Self-destructiveness or displays of odd behavior
- h. Decreased self-esteem

The School informs certificated employees about student groups identified as being at elevated risk for bullying, based on the School's findings and available research. These groups include, but are not limited to:

- a. Students who are lesbian, gay, bisexual, transgender, or questioning youth ("LGBTQ") and those youth perceived as LGBTQ; and
- b. Students with physical or learning disabilities.

The School encourages its employees to demonstrate effective problem-solving, anger management, and self-confidence skills for students.

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**Grievance Procedures****Scope of Grievance Procedures**

The School will comply with board policy 1025 - Uniform Complaint Policy when investigating and responding to complaints alleging unlawful discrimination, harassment, intimidation or bullying against a protected group or on the basis of a person's association with a person or group with one or more of the protected characteristics set forth in the UCP that:

- a. Are written and signed;
- b. Filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying, or by one who believes any specific class of individuals has been subjected to discrimination, harassment, intimidation or bullying prohibited by this part, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- c. Submitted to the School UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying.

The following grievance procedures shall be utilized for reports of misconduct prohibited by this policy that do not comply with the writing, timeline, or other formal filing requirements of a uniform complaint. For formal complaints of sexual harassment, the School will follow the Title IX complaint procedures as outlined in Sage Oak Board Policy 5025 - Title IX, Sex-Based Discrimination and Sex-Based Harassment in addition to its UCP when applicable.

**Reporting**

All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of misconduct prohibited by this policy, to intervene when it is safe to do so, call for assistance, and report such incidents. The Board requires staff to follow the procedures in this policy for reporting alleged acts of misconduct prohibited by this policy.

Any student who believes they have been subject to misconduct prohibited by this policy or has witnessed such prohibited misconduct is encouraged to immediately report such misconduct to the Coordinator:

Ms. Kerry Cody, Director of Human Resources: Talent and Engagement  
Uniform Complaint Procedure Coordinator  
(888) 435-4445  
kcody@sageoak.education  
1473 Ford Street, Suite 105  
Redlands, CA 92373

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Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights. Civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders, may also be available to complainants.

While submission of a written report is not required, the reporting party is encouraged to submit a Uniform Complaint Procedure Form, which can be located in board policy 1025 - Uniform Complaint Policy, to the Coordinator. The School will investigate and respond to all oral and written reports of misconduct prohibited by this policy in a manner that is not deliberately indifferent. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

Students are expected to report all incidents of misconduct prohibited by this policy or other verbal or physical abuses. Any student who feels they are a target of such behavior should immediately contact a teacher, counselor, the program director, the Coordinator, a staff person, or a family member so that the student can get assistance in resolving the issue in a manner that is consistent with this policy.

The School acknowledges and respects every individual's right to privacy. All reports shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process to the greatest extent possible. This includes keeping the identity of the reporter confidential, as appropriate, except to the extent necessary to comply with the law, carry out the investigation, and/or to resolve the issue, as determined by the Coordinator or designee on a case-by-case basis.

The School prohibits any form of retaliation against individuals who report, testify, assist, participate, or decline to participate in investigations related to misconduct under this policy. Such participation or lack of participation shall not in any way affect the status, grades, or work assignments of the individual. Individuals alleging retaliation in violation of this policy may file a grievance using the procedures set forth in this policy. Knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and may result in disciplinary action.

**Investigation and Response**

Upon receipt of a report of misconduct prohibited by this policy from a student, staff member, parent/guardian, volunteer, visitor, or affiliate of the School, the Coordinator or administrative designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the Coordinator or administrative designee determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the Coordinator or administrative designee will inform the complainant of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

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At the conclusion of the investigation, the Coordinator or administrative designee will meet with the complainant and, to the extent permitted by confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, the Coordinator or an administrative designee will not disclose confidential information about other students or employees.

Pursuant to Education Code sections 234.1, 32282, 48900(v), the School shall respond promptly to incidents of discrimination, harassment, intimidation, or bullying. Corrective actions may include restorative justice practices designed to repair harm and rebuild community. Victims shall be provided with appropriate remedies and supports to ensure their safety, well-being, and continued access to education. Students or employees who engage in misconduct prohibited by this policy, knowingly make false statements, or knowingly submit false information during the grievance process may be subject to disciplinary action up to and including expulsion from the School or termination of employment.