



Creative Minds International Public Charter School
Student Sexual Harassment & Assault Policy
2018 - 2019 Academic Year

Objectives & Purpose

CMI expects students and staff to treat each other with respect and does not tolerate acts of unwanted sexual contact. Similar to aggressive or highly disruptive behaviors, this type of conduct violates the rights and abilities of students to engage in learning and makes it difficult for CMI staff to adequately educate students in a safe environment. CMI has created a Sexual Harassment & Assault policy in order to protect our school culture, safety, and well being of all members of our school community. CMI staff will utilize this policy to immediately address reports of student-to-student sexual harassment and sexual assault and determine appropriate next steps for all involved in an incident.

Definition of Child-to-Child Sexual Harassment & Sexual Assault

CMI defines “sexual harassment” as unwelcome sexual advances, requests for sexual favors, and/or other inappropriate verbal, written, or physical conduct of a sexual nature, that has the effect of unreasonably interfering with a student’s learning and/or academic performance, or creates an intimidating, hostile learning environment. CMI defines “sexual assault” as any form of sexual penetration or forced sexual acts. Sexual harassment includes:

- Grabbing and touching
- Sexual propositions
- Sexually offensive pictures, magazines, and notes

- Verbal abuse
- Repeated pressure or requests for sexual activities
- Rewards for granting sexual favors or the withholding of rewards for refusing to grant sexual favors
- Graphic comments about an individual's body or dress
- Sexually degrading names

If you are unsure regarding whether or not an incident you witnessed is considered sexual harassment or assault, please contact a member from the Student Wellness Team. If a student with special needs is involved in the incident, please include the Special Education Coordinators in your communication as there are additional special education laws that apply to students with IEPs (Individual Education Plans).

Reporting Incidents of Student-to-Student Sexual Harassment & Assault:

Reports of sexual harassment and/or assault may be made to the School Wellness Team by completing an [online reporting form](#), a paper form, or calling 202-588-0370. Please document all that was observed, witnessed and/or reported. (NOTE: For CMI's formal Grievance Procedures, click [here](#).)

Investigating Incidents of Student-to-Student Sexual Harassment & Assault:

An investigation of an incident will be initiated no more than one day after the School Wellness Team (SWT) receives a report of sexual harassment and/or assault and will conclude no later than 72 hours after the receipt of such a report. As part of the investigation the SWT will interview any involved or relevant parties. Prior to the investigation of an incident, the SWT will take steps to ensure the safety of the alleged victim referenced in a reported incident. These steps will be designed to restore a sense of safety to the victim and to protect them from further incidents if necessary. Examples of such actions may be to establish a staff "safe" mentor, create preferential seating, or to change the alleged bully/bullies' school schedule when necessary. Once an investigation is concluded, further steps will be taken as needed to assure the continued safety of the victim from additional incidents of bullying or retaliation.

Consequences of Student Sexual Harassment & Assault and Retaliation

CMI recognizes that for sanctions to be an effective component of a sexual harassment & assault prevention plan, they must be applied consistently, fairly, and equitably. To this end, CMI shall ensure that staff follows these guidelines as closely as possible, while allowing for flexibility to adapt sanctions to individual contexts. Furthermore, to ensure equitability in applying sanctions, measures will be applied on a graduated basis determined by the nature of the offense, the disciplinary history of the student(s) involved, and the age and developmental status of the student(s) involved. Responses to sexual harassment & assault incidents are outlined in the student handbook. Potential consequences of student sexual misconduct include, but are not limited to:

- Remedial counseling services
- Reprimand
- Withholding of privileges
- Administrator/Family Conference
- Temporary removal of student from classroom
- Losing privileges related to participating in optional CMI activities
- In or Out of School Suspension
- Expulsion

To ensure that single incidents of sexual misconduct do not become recurring problems, CMI's response to an active incident of sexual misconduct will always include the referral of both victim(s) and alleged offender/(s) to the School Social Worker or School Counselor for remedial mental health services. CMI shall communicate to students and their parents these consequences that students can expect for participating in any form of sexual misconduct.

Notice of Outcomes and Appeals

CMI Administration will inform the reporting and responding parties (both via phone and written notice) of the outcome. The responding party shall be informed whether CMI found the alleged conduct occurred, any remedial interventions offered to reporting party and/or any consequences imposed on the responding party (that relate to the reporting party) and other steps CMI has taken to create a safe school environment.

Parties dissatisfied by the outcome of a student sexual harassment or assault investigation may appeal the determination of the Student Wellness Team at Creative Minds International PCS. This appeal should be submitted no later than 30 days after the initial determination. Upon receipt of an appeal, the Program Directors in consultation with the Executive Director must

conduct a secondary investigation within 30 days of the receipt of an appeal. This 30-day period may be extended by up to an additional 15 days if the Creative Minds International PCS indicates why more time is needed to conduct an investigation.

When a child reports being sexually touched or assaulted by someone outside of school:

In accordance with CMI's Mandating Reporting Policy, any "reasonable suspicion" that a child is being sexually abused by an adult outside of the school warrants a call to Child and Family Services within 24 hours. The reporting staff member should immediately communicate any concerns to their Program Director and School Social Worker .

When a child reports being sexually touched or assaulted by a staff member:

If a student reports that he or she has been inappropriately touched, assaulted, or harassed by a staff member in a sexual manner, the parent or staff member who receives this information should immediately report suspicions or acts of sexual abuse to the Human Resources Manager. If the HR Manager is not available, then the report should be made to the Chief Operating Officer (COO). If the COO is not available, the report should be made to the Executive Director (ED). **At no time** should this information be shared with staff other than the school leaders listed above. If the above leadership team members are all out of the building, then the parent or staff member should ask the front desk to call them on their cell phones and explain the urgency of the situation without giving away any information about the child or the incident. The incident should remain completely confidential.

If a staff member is caught in the act of sexually touching, assaulting, or harassing a child, he or she will be held at the school until an officer from the Metropolitan Police Department arrives. Subsequently, he or she will be terminated immediately.

Employee & Student Training

In an effort to take proactive measures to prevent sexual harassment and assault, CMI provides preventive education to faculty, staff, employees and students (grades 3 - 7) annually. The education programs include, but are not limited to, defining what constitutes sexual harassment, non consensual sexual acts and non consensual sexual penetration; CMI's Sexual Harassment & Assault Policy; and the potential consequences of violating CMI's policy.

This policy is compiled with information and recommendations from The United States Department of Justice Office on Violence against Women, U.S. Employment Equal Opportunity Commission, U.S. Department of Education Office for Civil Rights and Know Your IX (Project of Advocates for Youth).