

premises, during any school-sponsored activities, events or trips, and in communication on any digital media including but not limited to phones, email, social networking sites, instant messages and video chats.

Violation of this policy constitutes just and reasonable cause for appropriate disciplinary action. Such disciplinary actions for employees may include verbal warnings, letters of reprimand, suspension with or without pay, or termination. For students, such disciplinary actions may include verbal warnings, letters of reprimand, counseling, suspension or expulsion. Additionally, the school forbids retaliation against any individual who reports an incident of harassment.

In addition to being a violation of the school's policies, harassment prohibited by this policy may be a violation of the laws against discrimination (Title IX of the 1972 Education Amendments and California law) and state criminal laws.

## **Harassment**

Prohibited harassment may include, but is not limited to the following behavior based on an individual's sex, race, religion, national origin, ethnicity, age, sexual orientation, gender identity or expression, marital status, physical or mental disability, or physical appearance:

- Verbal conduct such as epithets, derogatory jokes, slurs or comments.
- Visual displays and written communication, such as derogatory posters, photography, cartoons, drawings, gestures or email messages.
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work.
- This includes conduct that targets a student because of a characteristic of a friend, family member, or other person or group with whom a student associates.
- Retaliation for reporting or threatening to report harassment.

## **Sexual Harassment**

In addition to the examples of harassment described above, for the purposes of this policy, "sexual harassment" is defined to also include:

- For adult-to-student interaction: any sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature.
- For student-to-student interaction: unwelcome sexual advances, requests for sexual favors, and other verbal, written, visual or physical conduct of a sexual nature when: (1) such conduct has a negative impact upon the recipient student's school performance; (2) such conduct creates an educational environment that is intimidating, hostile or offensive; (3) such conduct affects the services, honors, programs or activities available to any student at the school.

Student-to-student sexual harassment is not social or courting behavior. The overriding factor in student-to-student sexual harassment is that the behavior is uninvited and unwanted and often an assertion of power. Sexual harassment may include:

- physical assault, including rape
- coerced sexual relations
- inappropriate personal questions of a sexual nature

- sexually explicit or suggestive remarks about a person's body, clothing or sexual activity
- sexually stereotyped or sexually charged insults, humor or verbal abuse
- public display of sexually explicit, offensive or demeaning objects, photographs or cartoons
- leering or ogling at a person's body
- unnecessary touching in any form
- demanding sexual favors, accompanied by promises, hints or threats concerning one's employment status or opportunities
- subtle pressure for sexual activity
- repeated expressions of sexual or "romantic" interest after being informed that the interest is unwelcome.

### **Complaint and Resolution Procedures**

Complaints of violations of the school's policy against harassment will be handled in accordance with the following procedures, rather than the Conduct Review Committee procedures.

#### **Adult-to-Student Harassment**

A student or their parent/guardian who believes that the student has been subject to prohibited harassment by any adult member of Urban's community, including employees, contractors or family members of other students, should immediately bring this to the attention of the Assistant Head for Student Life or the Academic Dean, who will notify the Head of School. The parents of the student will also be notified. The Head of School will lead an immediate investigation and will take appropriate corrective action if any is appropriate, including possible disciplinary actions against employees of the school. Urban will advise the student and the student's parents of the disposition of the complaint.

#### **Student-to-Student Harassment**

**Informal:** Any student who believes that they have been harassed in violation of this policy by another student or students should tell the offending student(s) to stop. If a student does not feel comfortable doing this or is unable to do so, they should make their concern known to an advisor or the Assistant Head for Student Life who will take appropriate action which may include informing the other student(s) that the offensive behavior must stop.

**Formal:** If the informal actions taken by the student or school official do not cause the offensive behavior to cease, or if the behavior is of such a severe nature that informal resolution is not appropriate, the student should submit a complaint as soon as possible to the Assistant Head for Student Life or the Academic Dean. The Assistant Head or Academic Dean will notify the Head of School of the complaint. Urban will also notify the parents of the students involved unless notice at that time is inappropriate under the circumstances.

The Assistant Head will conduct an investigation into the incident(s) described in the complaint. If the Assistant Head or Academic Dean determines that harassment in violation of this policy has occurred, the Assistant Head or Academic Dean will take prompt corrective action. The Assistant Head or Academic Dean will notify the student who made the complaint and their parents/guardians of the disposition of the complaint.

**Final Review:** A complaining student not satisfied with the Assistant Head's or Academic Dean's disposition of the complaint or a student subject to discipline under this policy, and/or their parents, may ask the Head of School to review the matter. Such a request for review should be submitted in writing within 15 days of receiving notice of the disposition of the complaint or the imposition of discipline. The request for review should explain why the student believes the disposition was not satisfactory or the discipline was not warranted, including reference to any relevant facts. The Head of School will issue a decision, which shall be final.

### **Confidentiality**

Records of all complaint resolution proceedings will be maintained by the Assistant Head or Academic Dean and will be kept confidential except as necessary to enforce this policy or as required by law. In addition, if required by law, the school will report violations of the harassment policy to appropriate government agencies. The school will notify colleges of disciplinary action for violation of the harassment policy in accordance with the standards set forth in the Conduct Review Committee policy. After a matter is resolved, the Assistant Head or Academic Dean or the Head of School will follow up to make sure that the situation has been corrected, to prevent recurrence, and/or to ensure that no one is subjected to acts of retaliation.

### **CONDUCT REVIEW COMMITTEE: PURPOSE AND PROCEDURES**

The purpose of the Review Committee is to involve the students and faculty in the review of student behavior and the setting of appropriate consequences consistent with the stated policies of the school. The Review Committee is not responsible for creating school policy, but rather is charged with reviewing particular cases in the light of existing policy.

Violations of school policy that potentially involve disciplinary consequences are referred to the Conduct Review Committee. In particular, the following cases will be referred:

- Stealing and vandalism
- Violations of the drug/alcohol policy
- Violations of the academic honesty policy
- Second violations of the smoking, automobile and skateboarding policies
- Cases of repeated unexcused absences, excessive rudeness or other egregious behavior, at the discretion of the Assistant Head for Student Life.

Violations of the sexual harassment policy and cases that involve confidential mental health information will not go to the Conduct Review Committee. In addition, any cases that might result in expulsion do not go to the committee. All of those cases are heard by the Head of School, Assistant Head of School and Grade Deans.

### **Consequences for Violations**

Consequences for violations may include any of the following: warning, parent conference, work within the school, withdrawal of certain privileges, appropriate apologies, special contracts, in-house suspension, disciplinary probation, suspension or expulsion.

**Disciplinary Probation:** A student who has committed a serious infraction of the rules or a series of minor infractions is placed on Disciplinary Probation. It is intended to raise the student's awareness of the need to obey school rules. Further infractions will be dealt with very seriously. Consequences requiring specific work for the school may also accompany Disciplinary Probation.