

MIDDLETOWN AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: RACIAL, ETHNIC, AND
RELIGIOUS INTIMIDATION

ADOPTED: September 15, 1997

REVISED: August 13, 2001

	<p style="text-align: center;">248.1. RACIAL, ETHNIC, AND RELIGIOUS INTIMIDATION</p> <p>1. Purpose The Middletown Area School District seeks to establish an environment for all students that is free from all forms of discrimination, including racial, ethnic, and religious intimidation. No form of racial, ethnic, or religious intimidation will be tolerated; and if a report of any such intimidation is made, a process of review shall be initiated.</p> <p>2. Definition Pol. 248 Comments or conduct directed toward a person's race, color, national origin, or religious background constitute racial, ethnic, or religious intimidation when such comments or conduct have the purpose or effect of unreasonably interfering with one's performance, or creating an unwelcome, intimidating, hostile, or offensive educational environment.</p> <p>3. Authority This policy strictly prohibits all forms of racial, ethnic, or religious intimidation in any educational setting of the Middletown Area School District. Any individual who engages in these forms of intimidation will be in violation of this policy. All proven offenders of this policy will be subject to disciplinary action.</p> <p>4. Delegation of Responsibility To the extent that such person has control or responsibility over other persons, activities, or environment, each administrator, principal, teacher, coach, advisor, aide, or volunteer will have the responsibility to do the following:</p> <ol style="list-style-type: none"> 1. Maintain an environment that is free of racial, ethnic, and religious intimidation. 2. Report to his/her immediate supervisor any action viewed which may be construed as racial, ethnic, or religious intimidation. 3. Upon receiving an allegation, the principal or supervisor shall complete an investigation of the complaint.
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<p>5. Guidelines</p>	<p>The district has developed the following guidelines to address, investigate, and resolve complaints involving racial, ethnic, and religious intimidation:</p> <ol style="list-style-type: none">1. Any student who believes that s/he has been subject to racial, ethnic, and religious intimidation shall report the occurrence of an incident of such comments or conduct to the principal.2. The principal, or another supervisor designated by the principal, shall investigate the complaint. The investigation may include an interview with both parties to provide the complainant and the accused with the opportunity to discuss charge(s) and to explore and evaluate the complaint(s). The principal or supervisor will attempt to remedy the situation by bringing the parties to mutual agreement. There shall be a written record that a meeting was held, the subject of the meeting, the parties present and the disposition of the matter. The Superintendent will be notified of the allegations. A written report should be submitted to the Superintendent upon completion of the investigation.3. If the principal or another supervisor is the accused the student, accompanied by a staff member or parent, shall report to the Superintendent who will designate a person to conduct an investigation.4. If the complaint is not resolved to the satisfaction of both parties, as outlined in Steps 1-3, the complainant and the accused will each submit a detailed, written statement of the event to the Superintendent. Upon receiving such written statements, the Superintendent will inform both parties of an administrative conference. A notice of the conference shall include the place and time of the conference and the subject of the conference. During the administrative conference, the complainant and accused will have the right to be represented by counsel, at their expense. At the conference, the complainant and the accused shall present informal testimony in support of their respective positions and may present witnesses.5. If the administrative conference is resolved in favor of the accused, no further action will be necessary, except the charge(s) and resolution may be placed in the accused and accuser's student files if the accused so requests. Otherwise, the charge(s) and any transcript shall be sealed and impounded. Release from impounding may be made only upon action of the Superintendent or his/her designee, or a court order.6. If the conference is resolved against the accused, appropriate disciplinary action will be taken.
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Disciplinary Measures

If it is determined that any student has engaged in racial, ethnic, or religious intimidation and is in violation of the aforementioned policy, s/he shall be subject to appropriate disciplinary action. The principal will be responsible for making an appropriate decision after all facts involving the allegation have been reviewed. The investigation should include the interviewing of witnesses. The person being accused of the allegation will be given the right to respond on his/her behalf. The punishment for violation of this policy will include, but is not limited to, detention, time-out, suspension, or possible expulsion, depending upon the severity of the offense.