

Maria Montessori Academy

PLAN FOR HARASSMENT AND DISCRIMINATION FREE LEARNING

INTRODUCTION

House Bill 428 from the 2022 Utah Legislative Session requires each school district and charter school in Utah to adopt a plan for harassment and discrimination free learning. “Harassment and discrimination free learning” is defined as “a learning environment in which a student is treated fairly regardless of the student’s characteristics including race, color, religion, or sex, and in which a student’s ability to participate in or benefit from the services, activities, or opportunities offered is not limited or interfered with by conduct that is physically threatening, harmful, or humiliating.” See Utah Administrative Code R277-609.

From its inception, Maria Montessori Academy (the “School”) has done its best to maintain a school climate that is safe, welcoming, and free of harassment and discrimination. To that end, the School prohibits all forms of harassment and does not discriminate on the basis of sex, race, color, national origin, creed, religion, age, marital status, or disability. This is set forth in policies already adopted by the School, including the School’s Civil Rights Policy, Bullying and Hazing Policy, and Student Conduct and Discipline Policy.

PLAN

The School remains committed to providing a harassment and discrimination free learning environment. The School will do so by continuing to:

- Enforce its anti-discrimination and anti-harassment policies that are already in place;
- Train its employees, students, and volunteers, as applicable, on such policies; and
- Educate parents and students on the policies and this plan, including by providing the policies during annual registration and hosting parental outreach events or assemblies.

1. Enforcement of Anti-Harassment and Anti-Discrimination Policies

As mentioned above, the School has in place various policies that prohibit harassment and discrimination. The School updates these policies when needed and applies them as circumstances require. The School will continue to implement and enforce these policies to help ensure the School maintains a learning environment that is harassment and discrimination free. Brief summaries of the policies are provided below:

- The School’s Civil Rights Policy provides, in part:

It is policy of Maria Montessori Academy not to discriminate on the basis of sex, race, color, national origin, creed, religion, age, marital status, or disability in its educational programs, activities, or employment policies as required by Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Title II of the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. The policy against non-discrimination applies in all aspects of the School’s programs and activities, including but not limited to admissions and the

administration of discipline.

It shall be a violation of this policy for any student or employee of the School to harass a student or an employee through conduct or communication in any form as defined by this policy or to retaliate against any individual for filing, receiving, investigating, or providing information concerning any complaint alleging violation of a federal civil rights law under this policy.

This policy also describes how a person (student, employee, etc.) who feels they have been the victim of discrimination or harassment can file a complaint with the School and gives details on the process by which the School handles such complaints.

- The School's Bullying and Hazing Policy states:

Bullying, cyber-bullying, hazing, retaliation, and abusive conduct towards students and employees are against federal, state, and local policy and are not tolerated by the School. The School is committed to providing all students with a safe and civil environment in which all members of the School community are treated with dignity and respect. To that end, the School has in place policies, procedures, and practices that are designed to reduce and eliminate this conduct – including, but not limited to, civil rights violations – as well as processes and procedures to deal with such incidents. Bullying, cyber-bullying, hazing, retaliation, and abusive conduct towards students and/or employees by students and/or employees will not be tolerated in the School. Likewise, abusive conduct by students or parents or guardians against School employees is prohibited by the School and will not be tolerated in the School.

In order to promote a safe, civil learning environment, the School prohibits all forms of bullying of students and School employees (a) on School property, (b) at a School-related or sponsored event, or (c) while the student or School employee is traveling to or from School property or a School-related or sponsored event.

The School prohibits all forms of bullying, cyber-bullying, hazing, abusive conduct of or retaliation against students and School employees at any time and any location.

Students and School employees are prohibited from retaliating against any student, School employee or an investigator for, or witness of, an alleged incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation.

This policy instructs victims on how to make a report of prohibited conduct (bullying, hazing, etc.), explains that a School administrator or designee will timely notify the parent or guardian of a student who is involved in any incidence of prohibited conduct or who has threatened to commit suicide (and will provide the parent or guardian with various suicide prevention and other safety resources), and the steps the School will take to investigate and resolve allegations of prohibited conduct.

- The School's Student Conduct and Discipline Policy expressly prohibits discrimination and harassment and provides that students may be suspended – or expelled if the violation is serious or persistent – for engaging in such conduct.

2. Training

The School regularly provides training to its students, employees, and/or volunteers on the policies described above. The trainings include the following:

- Training under the School's Civil Rights Policy:

The School will ensure that any individual designated by the School as a Title IX Coordinator, investigator, decision-maker, or the facilitator of an informal resolution process will receive training on the applicable definition of sexual harassment; the scope of the School's educational program and activities; how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and how to serve impartially, including by avoiding prejudice of the facts at issue, conflicts of interest, and bias.

The School will ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

- Training under the School's Bullying and Hazing Policy:

. . . School students, employees, coaches, and volunteers receive training on bullying, cyber-bullying, hazing, retaliation, and abusive conduct from individuals qualified to provide such training. The training shall meet the standards established by the Utah State Board of Education's rules and include information on:

- (1) bullying, cyber-bullying, hazing, abusive conduct, and retaliation;*
- (2) discrimination under the following federal laws:
 - (a) Title VI of the Civil Rights Act of 1964;*
 - (b) Title IX of the Education Amendments of 1972;*
 - (c) Section 504 of the Rehabilitation Act of 1973; and*
 - (d) Title II of the Americans with Disabilities Act of 1990;**
- (3) how bullying, cyber-bullying, hazing, retaliation, and abusive conduct are different from discrimination and may occur separately from each other or in combination;*
- (4) how bullying, cyber-bullying, hazing, retaliation, and abusive conduct are prohibited based upon the students' or employees' actual or perceived characteristics, including race, color, national origin, sex, disability, religion, gender identity, sexual orientation, or other physical or mental attributes or conformance or failure to conform with stereotypes; and*
- (5) the right of free speech and how it differs for students, employees, and parents or guardians.*

The training will also complement the suicide prevention program required for students under R277-620 and the suicide prevention training required for licensed educators consistent with Section 53G-9-704(1), and also include information on when issues relating to R277-613 may lead to student or employee discipline.

The training shall be offered to:

- (1) new School employees, coaches, and volunteers within the first year of employment or service;*

- (2) *all School employees, coaches, and volunteers at least once every three years after the initial training; and*
- (3) *all students (regardless of whether they are involved in athletics or extracurricular activities or clubs) at a frequency determined by the Principal.*

In addition to the training requirements described above, any student, employee, or volunteer coach participating in a School sponsored athletic program, both curricular and extracurricular, or extracurricular club or activity, shall, prior to participating in the athletic program or activity, participate in bullying, cyber-bullying, hazing, retaliation, and abusive conduct prevention training. This training shall be offered to new participants on an annual basis and to all participants at least once every three years. The School will inform student athletes and extracurricular club members of prohibited activities under R277-613 and potential consequences for violation of the law and the rule.

- Training under the School's Student Conduct and Discipline Policy:

Employees who have specific responsibilities for investigating, addressing, and resolving issues addressed in the policy shall receive annual training on this policy and related legal developments.

3. Educating Parents and Students on the Policies and this Plan

Each year as part of its registration process, the School provides parents and students with the School's Civil Rights Policy, Bullying and Hazing Policy, and Student Conduct and Discipline Policy. Reviewing these policies, which are also posted on the School's website, will help educate and inform students and parents about these issues. The School's Notice of Nondiscrimination is also provided to parents and students during annual registration.

The School will also host parental outreach events or assemblies to promote positive engagement between School staff, students, and parents about how the School can provide a discrimination and harassment free environment. Parental outreach events may occur in conjunction with other School events or activities, such as parent-teacher conferences, back-to-school nights, or student programs or performances.