



# Harassment Policy

## 42 Policy

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*Summary: Ecole 42 USA is committed to providing an environment free of harassment, bullying, and hazing.*

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# Chapter I

## Harassment

Ecole 42 USA is committed to providing an environment free of harassment. Ecole 42 USA policy prohibits harassment, as well as conduct that is disrespectful or unprofessional, based on race, color, creed, gender (including gender identity and gender expression), sex, pregnancy (including childbirth, related medical conditions), religion (including all aspects of religious beliefs, observance or practice, including religious dress or grooming practices), marital status, registered domestic partner status, age, national origin (includes language use restrictions, ancestry, physical or mental disability (including HIV and AIDS), medical condition (including cancer or a record or history of cancer, and genetic characteristics), sexual orientation, genetic information, military and veteran status or any other basis protected by federal, state or local law, ordinance or regulation. It also prohibits discrimination based on the perception that anyone has any of these characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

All such harassment is prohibited. Ecole 42 USA's anti-harassment policy applies to all students enrolled in the operation of Ecole 42 USA and prohibits harassment by any student of Ecole 42 USA, including Ecole 42 USA Staff, as well as vendors, customers, independent contractors and any other persons. It also prohibits harassment based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. Students, applicants, employees, unpaid interns, volunteers and independent contractors are all protected from harassment.

Prohibited harassment, disrespectful or unprofessional conduct includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of gender, race or any other protected basis;
- Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss and offers of school benefits in return for

sexual favors;

- Retaliation for reporting or threatening to report harassment;
- Communication via electronic media of any type that includes any harassing conduct that is prohibited by state and/or federal law, or by Ecole 42 USA policy.

Sexual harassment does not need to be motivated by sexual desire to violate this policy. For example, hostile acts toward a student because of his/her gender can amount to sexual harassment, regardless of whether the treatment is motivated by any sexual desire.

If you believe that you have been the subject of harassment or other prohibited conduct, bring your complaint to Ecole 42 USA School Administrators as soon as possible **see chapter "contact list" page 11**. You will be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses.



If you feel you are in immediate physical danger, contact the general security at (408) 202-3953 and the cell number for the officer in the dorms at night, and which is carried by the officer during the day is (408)709-9275.

If you need assistance with your complaint, or if you prefer to make a complaint in person, contact our School Administrators **see chapter "contact list" page 11**. Ecole 42 USA will immediately undertake an effective, thorough, and objective investigation of the harassment allegations. Any complaint will remain confidential, to the extent possible and will be monitored to ensure reasonable progress and timely closures.

Your School Administrators will advise all parties concerned of the results of the investigation. If Ecole 42 USA determines that harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any student determined by Ecole 42 USA to be responsible for harassment will be subject to appropriate disciplinary action, up to, and including expulsion from the school.

Ecole 42 USA encourages all students to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

# Chapter II

## Bullying

Bullying and hazing are part of a continuum of aggressive or violent behaviors. Some acts of bullying or hazing can and do constitute other categories of misconduct such as assault, battery, child abuse, hate-motivated incident, criminal activity or sexual harassment and, as such, violate school policies. In such cases, Ecole 42 USA are obligated to follow appropriate reporting guidelines.

### II.1 Definitions:

1. Bullying is any severe or pervasive physical or verbal act(s) or conduct, including electronic communications committed by a pupil(s) that has, or can be reasonably predicted to have, the effect of one or more of the following:
  - (a) Reasonable fear of harm to person or property;
  - (b) Substantially detrimental effect on physical or mental health;
  - (c) Substantial interference with academic performance;
  - (d) Substantial interference with the ability to participate in or benefit from school services, activities, or privileges.
2. Hazing is a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury, personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil.
3. Associated individuals are non-students who are affiliated with the school, including but not limited to parents/guardians, campus volunteers, vendors, contracted service providers, former students, former employees, domestic partners and relatives or friends of employees or students.

## II.2 Types of Bullying

Verbal bullying includes hurtful gossiping, making rude noises, making rude noises, name calling, spreading rumors and teasing.

1. Cyberbullying is bullying by electronic act, which includes transmission of a communication by text, sound, image, video, message, website post, social network activity, or other form of communication sent by an electronic device.
2. Indirect bullying is the use of intimidation or peer pressure to cause harm to a third part(ies).
3. Non-verbal bullying includes the use of threatening gestures, staring, stalking, graffiti or graphic images, and destruction of property to cause distress, intimidation, discomfort, pain or humiliation.
4. Physical bullying includes intentional, unwelcome acts of beating, biting, fighting, hitting, kicking, poking, punching, pushing, shoving, spitting and tripping.
5. Social or relational bullying includes spreading rumors, manipulating relationships, exclusion, blackmailing, isolating, rejecting, using peer pressure and ranking personal characteristics
6. Verbal bullying includes hurtful gossiping, making rude noises, making rude noises, name calling, spreading rumors and teasing.

Ecole 42 USA takes ALL reported cases of bullying and hazing seriously, we utilize positive behavior support strategies, interventions and corrective measures to address inappropriate behaviors.

## II.3 School Responsibilities

Safe campuses require a multi-faceted approach with strategies to prevent, respond to and recover from incidents of bullying and hazing. The School Administrators shall create an environment where the school community upholds the standards of respect and civility and understands that bullying and hazing are inappropriate, harmful and are unacceptable. Toward this goal, schools shall:

- Recognize the indicators of bullying and hazing.
- School Administrators are responsible for documenting and overseeing complaints of bullying or hazing. Ensure that all reports of bullying or hazing are investigated and documented, and that appropriate interventions are implemented and monitored in a timely manner. Incidents that result in physical injury, or require ongoing monitoring or additional resources should also be documented. Behaviors that constitute criminal behavior or suspected child abuse must also be reported to the appropriate authorities

- Communicate with and ensure that all employees, students, parents, volunteers, activity leaders or other adults are informed of Ecole 42 USA school policies regarding bullying and hazing and requiring the promotion of mutual respect and acceptance.
- Post the English and Spanish Title IX posters in school, including student meeting rooms and other prominent locations accessible to students where notices are regularly posted regarding rules, regulations, procedures, or standards of conduct.
- Provide instruction to ensure that students are educated about appropriate on-line behavior, including cyberbullying awareness and response and how to interact with others on social networking websites and in chat rooms.
- Present the Ecole 42 USA Student Bullying and Hazing Policy as part of the student orientation program conducted at the beginning of each academic term.
- Discuss all aspects of the Bullying and Hazing Policy with students including strategies to prevent and respond to bullying and hazing. Encourage students to report any bullying or hazing they witness.
- Provide instruction to ensure that students are educated about appropriate on-line behavior, including cyberbullying awareness and response and how to interact with others on social networking websites and in chat rooms.
- Intervene immediately and safely with any act of discrimination, harassment, intimidation, hazing or bullying.
- Report any complaints or incidents of bullying or hazing to Ecole 42 USA School Administrators as soon as possible **see chapter "contact list" page 11**. You will be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses.



If you feel you are in immediate physical danger, contact the general security at (408) 202-3953 and the cell number for the officer in the dorms at night, and which is carried by the officer during the day is (408)709-9275.

# Chapter III

## Hazing

### III.1 Purpose

The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

### III.2 Definitions

“Hazing” means committing an act against a student, or coercing a student into committing an act that creates a risk of harm to a person in order for the student to be initiated into or affiliated with a student organization, regardless of the person’s willingness to participate.

The following are the three types of hazing.

THE THREE TYPES OF HAZING		
SUBTLE HAZING	HARASSMENT HAZING	VIOLENT HAZING
<p>This often involves a person or group that attempts to create a power imbalance between current and new members. Typically, it involves activities that ridicule, embarrass or humiliate new members, including:</p> <ul style="list-style-type: none"><li>• Deception</li><li>• Assigning demerits</li><li>• Withholding privileges granted to other members</li><li>• Requiring new members perform tasks not assigned to current members</li><li>• Name-calling</li><li>• Tests on meaningless information</li></ul>	<p>Although this can cause emotional distress, mental anguish or physical discomfort, it is often done as initiation into the group. Some common practices:</p> <ul style="list-style-type: none"><li>• Verbal abuse</li><li>• Asking new members to wear humiliating attire</li><li>• Requiring new members to perform humiliating acts</li><li>• Sleep deprivation</li><li>• Sexual simulations</li><li>• Interfering with personal hygiene schedules</li></ul>	<p>This creates the potential for physical and/or emotional and psychological harm. It can include:</p> <ul style="list-style-type: none"><li>• Forcing or coercion into alcohol consumption, drug consumption or consumption of a vile substance</li><li>• Beating, paddling, burning, branding or other forms of assault</li><li>• Water intoxication</li><li>• Exposure to extreme heat or cold without appropriate clothing</li><li>• Abduction/kidnap</li></ul>

The term hazing includes, but is not limited to:

1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body.



2. Any type of activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the student to a risk of harm or that adversely affects the mental or physical health or safety of the student.
3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
4. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.

### **III.3 General Statement of Policy**

1. No student, administrator, volunteer, contractor or other employee of Ecole 42 USA shall plan, direct, encourage, aid, or engage in hazing.
2. No student, administrator, volunteer, contractor, or other employee of the Ecole 42 USA shall permit, condone, or tolerate hazing.
3. Apparent permission for or consent by a person being hazed does not lessen the prohibitions contained in this policy.
4. Hazing activities are seriously disruptive of the educational process in that they involve students and violence or threats of violence. This policy applies to behavior that occurs on or off school property and during and/or after school hours.
5. A person who engages in an act that violates school policy or law in order to initiate another person or to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
6. The School Administrator will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, administrator, volunteer, contractor, or other employee of Ecole 42 USA who is found to have violated this policy.

### **III.4 School Responsibilities**

1. Any person who believes he or she has been the victim of hazing or any person with knowledge of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school official designated by this policy.

2. The School Administrators is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to Ecole 42 USA School Administrators as soon as possible **see chapter "contact list" page 11**. You will be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses.



If you feel you are in immediate physical danger, contact the general security at (408) 202-3953 and the cell number for the officer in the dorms at night, and which is carried by the officer during the day is (408)709-9275.

3. Staff, administrators, volunteers, contractors, and other employees of Ecole 42 USA shall be particularly alert to possible situations, circumstances or events which might include hazing. Any such person who receives a report of observes, or has other knowledge or belief of conduct which may constitute hazing shall inform the Chief Operating Officer immediately.
4. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future grades, or work assignments.

# Chapter IV

## School Action

1. Upon receipt of a complaint or report of any incident: harassment, bullying, or hazing, the School Administrators shall undertake or authorize an investigation by school officials.
2. Ecole 42 USA may take immediate steps, at their discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of hazing.
3. Upon completion of the investigation, the Ecole 42 USA will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline prohibited behavior. Ecole 42 USA action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements, applicable statutory authority, and school policies and regulations.

### IV.1 Reprisal

The School Administrator will discipline or take appropriate action against any student, administrator, volunteer, contractor, or other employee of Ecole 42 USA who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists, or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

# Chapter V

## Contact list

### V.1 Emergency



If you feel you are in immediate physical danger, contact the general security at (408) 202-3953 and the cell number for the officer in the dorms at night, and which is carried by the officer during the day is (408)709-9275.

### V.2 Contact list

If you need assistance with any complaint, or if you prefer to make a complaint in person, contact our School Administrators.

#### V.2.1 Opening hours & address

You can find the School Administration in *“the Bocal”*, **2nd floor east aisle, 6600 Dumbarton Circle, Fremont, 94555**. Open hours are 9:00 AM to 5:00 PM.

You can reach any of the staff member (**you must send email at least to two staff members** to be sure to not reach off work staff):

#### V.2.2 Phone & mail list

Gaetan JUVIN	Chief Pedagogic Officer	gaetan@42.us.org	(510) 858-2249
Jamie PARENTEAU	Corporate Relationship Manager	jamie@42.us.org	(510) 858-2253
Manny VILLAREAL	Facilities Manager	manny@42.us.org	(510) 858-2253
Coby ZEE	Office Manager	coby@42.us.org	(510) 858-2259
Kathleen CONDEFF	Kitchen Manager	kathleen@42.us.org	(510) 858-2249

If you can't reach any of those by phone, reach the security officer : **(408) 709-9275**