

City of Flagstaff Anti-Bullying and Harassment Policy

Below is a list of the most common components included in state laws, policies, and regulations. States and local educational agencies (LEAs) should check with their state and local officials to ensure consistency with all applicable federal and state laws.

Purpose Statement

The City of Flagstaff is committed to providing an environment in which all individuals are treated with respect and dignity while accessing City services and participating in City programs. The purpose of this policy is to establish expectations for conduct within all city programs and to provide a consistent standard for addressing harassment and bullying.

Definition

1. Discrimination means to exclude individuals from an opportunity or participation in any activity because of race, color, religion, sex, pregnancy, national origin, age, disability, genetic information, sexual orientation, gender identity, veteran's status, familial status, caregiving responsibilities, and occurs whenever similarly situated individuals of a different group are accorded different and/or unequal treatment in the context of a similar situation.
2. Harassment is unwelcomed conduct related to race, color, religion, sex, pregnancy, national origin, age, disability, genetic information, sexual orientation, gender identity, veteran's status, familial status, or caregiving responsibilities where such conduct has the purpose or effect of unreasonably interfering with an individual's ability to participate in programs, or creating an intimidating, hostile or offensive environment.
3. Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different sex. Depending on the circumstances, these behaviors may include, but are not limited to:
 - a. Unwanted sexual advances or request for sexual favors;
 - b. Sexual jokes and innuendos;
 - c. Verbal abuse of a sexual nature;
 - d. Commentary about an individual's body, sexual prowess or sexual deficiencies;
 - e. Leering, catcalls or touching;
 - f. Insulting or obscene comments or gestures; and/or
 - g. Display or of sexually suggestive objects or pictures

4. Bullying is the repetitive, intentional hurting of one person or group by another person or group, where the relationship involves an imbalance of power or a perceived imbalance of power. Bullying can be physical, verbal or psychological. It can happen face-to-face or online.

5. Retaliation is to discriminate against an individual because he or she has opposed any practice prohibited by this policy regardless of whether it has otherwise been violated. It includes discrimination against someone for alleging or reporting that an act of harassment or bullying has occurred towards them or someone else and

Prohibited Conduct also includes:

1. Retaliation for asserting or alleging an act of bullying.
2. Perpetuating bullying or harassing conduct by spreading hurtful or demeaning material even if the material was created by another person (e.g., forwarding offensive e-mails or text messages).

Prohibited Behavior

Each person who participates in City programs is expected to refrain from harassment, bullying, and retaliation, and shall treat all persons (including but not limited to other program participants, City employees, third parties and the public at large) with respect and dignity.

It is the policy of City of Flagstaff to ensure equal access to all programs and services without discrimination, bullying, or harassment on the basis of race, color, religion, sex, pregnancy, national origin, age, disability, genetic information, sexual orientation, gender identity, veteran's status or any other characteristics covered by Chapter 14-02 of Flagstaff City Code. The City prohibits and will not tolerate any such harassment or bullying

Scope

This policy addresses conduct that occurs on and in City-owned facilities, at city-sponsored activities or events (regardless of the location), or through city-owned technology or that otherwise creates a significant disruption to city programs and services.

Retaliation or retribution of any kind taken against an individual for reporting or participating in an investigation of a report made under this policy is prohibited. Retaliation is a separate, distinct and serious violation of this policy.

Inappropriate conduct need not rise to the level of a violation of federal or state law to constitute a violation of this policy and warrant disciplinary action or other appropriate response.

Protected Groups

This policy pertains to, but is not limited to, conduct and actions based on actual or perceived characteristics of people who have historically been targets of harassment or bullying, including race, color, religion, sex, pregnancy, national origin, age, disability, genetic information, sexual orientation, gender identity, veteran's status, familial status, or caregiving responsibilities.

Reporting

Although there are no time limits within which prohibited behavior may be reported under this policy, individuals are encouraged to bring forward issues in a timely manner to facilitate an effective and timely resolution.

As allegations under this policy may result in consequences, the City takes the accuracy of information in its processes seriously. All participants have an obligation to provide truthful information. Initiating a false complaint, falsifying or withholding evidence or inducing another person to do the same, or otherwise intentionally hindering an investigation into prohibited conduct, are prohibited. This provision does not apply to reports made or information provided in good faith, even if the information later proves to be faulty or the facts alleged are not later substantiated.

Consequences

Any person may be excluded from participation in City programs if either of the following conditions exist:

- a. City Staff has documented that the individual has repeatedly interfered with the program leader's ability to communicate effectively with the other participants in the program or with the ability of other individuals to meaningful participate in the program; or
- b. City Staff has determined that the individual's behavior is so unruly, disruptive, or abusive that it seriously interferes with the program leader's ability to communicate effectively with the other participants in the program or with the ability of other individuals to meaningful participate in the program.
- c. In cases where harassment, bullying, discrimination, or retaliation are repeated or particularly egregious, the Division Director of the program where the conduct occurred may prohibit the individual responsible from participating in future programs.

Confidentiality

It is the obligation of City Staff to whom a concern or complaint is brought to maintain the privacy of all parties to the extent possible insofar as it does not interfere with their duty to report and the City's obligation to investigate and address allegations or as required by law.

Staff Training

All City Staff responsible for conducting programs or organizing events in their official capacity should receive training on recognizing harassment, bullying, discrimination, or retaliation and the provisions of this policy.