

## DIVERSITY, EQUITY & INCLUSION POLICY

### 1 INTRODUCTION

Jeannine Manuel founded our School in the wake of the Second World War, with the conviction that the fear of others was at the root of violent conflicts. Jeannine Manuel believed that learning a foreign language was the key to understanding others and maintaining peace. Our School's mission statement is "to promote international understanding through a bilingual education". Jeannine Manuel's philosophy and vision drive and inspire our community's commitment to respecting the fundamental dignity and worth of all its members.

The School maintains strict neutrality with respect to political and religious issues and strives to uphold a safe, positive, inclusive and productive working and learning environment in adherence to its core values and to French law. Embracing cultural diversity in all its forms is at the heart of our mission statement. The School firmly believes that everyone is equal in dignity and in right, and thus celebrates and cultivates diversity in all its forms. The School will therefore not tolerate discriminatory behavior, harassment or bullying in any form against any of its members.

### POLICY AIMS AND OBJECTIVES

- 1.1 École Jeannine Manuel aims to maintain a positive and supportive environment. The purpose of this policy is to outline how our School will prevent and respond to discriminatory behavior, harassment or bullying. All stakeholders should feel confident that reported instances of such behaviors will be investigated swiftly, sensitively and effectively. Our School considers any language or behavior that is inconsistent with its values as grounds for disciplinary action.
- 1.2 All employees, students and parents or guardians shall:
  - 1.2.1 understand what discriminatory behavior, harassment or bullying are,
  - 1.2.2 be familiar with this policy and the procedure for reporting misconduct,
  - 1.2.3 feel confident that they will be supported when such actions are reported,
  - 1.2.4 feel confident that any investigation of behaviors violating this policy will be prompt, thorough, fair and well-documented.
- 1.3 Bullying, harassment and discriminatory behavior have an adverse effect on victims' wellbeing, putting them at high risk for developing stress-related disorders such as anxiety and depression. By limiting or withholding access to opportunities, benefits and advantages, discrimination deprives targeted individuals of their right to equality.
- 1.4 This policy serves to protect all members of our community, including permanent or temporary employees, students, parents, guardians, visitors and guests. It can cover misconduct on or off school grounds, at school-sanctioned events, and incidents occurring online.

### 2 WHAT ARE BULLYING, HARASSMENT AND DISCRIMINATORY BEHAVIOR?

- 2.1 **Bullying** is any intentional act that is severe, persistent or pervasive and/or which exploits a real or perceived imbalance of power, causing emotional or physical harm to another person. Power may refer to age, size, strength, gender, sexual orientation, position or popularity but can also include other situations.

It is important to understand the difference between bullying and conflict. A conflict is a disagreement or argument in which both sides express their views. People in conflict generally stop

and change behavior when they realize it is hurting someone. In bullying, the goal is to hurt, harm or humiliate.<sup>1</sup>

Bullying is unacceptable behavior and can take on several forms:

- 2.1.1 **Relational aggression** is an indirect form of bullying that occurs when someone manipulates or harms another person's relationship(s), reputation, social status or self-esteem.
- 2.1.2 **Physical aggression** is the intent to harm someone through physical force or dominance.
- 2.1.3 **Verbal bullying** is when a person uses spoken or written words to hurt someone else.
- 2.1.4 **Sexual bullying** involves unwanted sexual suggestions, comments, gestures, advances, contact or threats to another person. All stakeholders must understand that the possession and/or distribution of explicit images of a minor is a crime.
- 2.2 **Harassment** is any verbal or nonverbal action that frightens, intimidates or causes emotional distress to another person. Harassment of any individual upon the basis of their real or perceived national or ethnic origin, sex, religion, age, disability, sexual orientation, gender identity, gender expression, political affiliation, socioeconomic status, civil status, employment status, preferred language or language proficiency, appearance, height or weight is a violation of their human rights and of French law.
- 2.3 **Discriminatory behavior** includes any action, behavior or decision which excludes, isolates, imposes different treatment or deprives an individual of their full rights as a member of the School community based on the list in 2.2.
- 2.4 **Cyber-discrimination or –harassment** includes any of the actions described above occurring online or using communication technology.

### **3 PREVENTING DISCRIMINATORY BEHAVIORS, HARASSMENT & BULLYING**

- 3.1 The School shall use a variety of approaches to promote actions which help raise awareness, provide education, guidelines and disseminate information relating to such matters as harassment, discrimination and equity.
- 3.2 Some examples of possible approaches to raise awareness include:
  - 3.2.1 The Wellbeing Program (from CM1 to 5ème), in which students learn about issues such as bullying, empathy, and conflict management.
  - 3.2.2 Age-appropriate instruction on recognizing bullying, intimidation, harassment, racism and discrimination, as well as evidence-based techniques for intervention.
  - 3.2.3 Training in responsible digital citizenship upon issuance of their School email addresses and iPads.
  - 3.2.4 Relevant curricula, materials and texts that incorporate diverse perspectives, and which support the diverse backgrounds and experiences of our community.
  - 3.2.5 The use of literature, outings, trips, cultural exchanges and other resources to promote cultural and social awareness.
  - 3.2.6 Affinity and alliance groups.
  - 3.2.7 Ad-hoc actions such as the Week Against Hate, assemblies, training and all types of individual initiatives.
  - 3.2.8 Staff training.

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<sup>1</sup> Definition taken from <https://www.pacer.org/bullying>

### 3.3 Physical and Cultural Environment

École Jeannine Manuel is committed to fostering a culture of diversity, equity and inclusion. The School does not discriminate in its hiring, promotions, admissions, educational programs or activities on the basis of real or perceived national or ethnic origin, sex, religion, age, disability, sexual orientation, gender identity, gender expression, political affiliation, socioeconomic status, civil status, employment status, preferred language or language proficiency, appearance, height or weight.

### 3.4 Staff and School Leadership

The School will implement a range of evidence-based prevention and intervention strategies designed to guide and support any staff member who witnesses and/or responds to bullying, intimidation, harassment and discrimination.

## 4 DETECTING BULLYING, HARASSMENT AND DISCRIMINATORY BEHAVIOR

4.1 Bullying, discriminatory behavior and/or harassment can happen amongst students, amongst employees, between students and members of staff, between families and members of staff, during and between lessons, in queues, lunchrooms, locker rooms, out-of-way areas and online. Children and young people do not always speak out when being bullied and may indicate that they are being bullied in other ways. The following signs and behaviors could indicate that someone is a victim of bullying, harassment or discrimination, though they can also indicate other issues. Members of staff should be aware of these possible signs and should investigate if a child:

- Becomes withdrawn, anxious, isolated,
- Develops a lack of confidence,
- Loses interest in schoolwork or begins to do poorly in school,
- Has damaged clothing or other belongings,
- Has unexplained injuries or shows signs of being in a fight,
- Exhibits discriminatory behavior and/or harasses other children or becomes aggressive, disruptive or unreasonable,
- Changes eating habits (stops eating or over eats).
- Complains frequently of headaches, stomachaches or feeling sick,
- Has trouble sleeping and has frequent bad dreams,
- Loses interest in visiting or talking with friends, or is afraid to go to school or participate in other activities with peers,
- Appears sad, moody, angry, anxious or depressed after school, being online or using their phone,
- Suddenly has fewer friends,
- Avoids certain places,

4.2 If a child runs away from home, engages in self-harm, talks about suicide, feels helpless, blames him- or herself, he or she should be evaluated by a professional.

4.3 If a child talks about suicide or seems unusually upset, one should seek help immediately by contacting the designated child-protection officer (CPO) and/or his/her deputy.

4.4 Similar signs may be exhibited by adults who are victims of harassment, bullying or discriminatory behavior. The Head of Human Resources should be referred to in such instances.

## **5 RESPONDING TO BULLYING, DISCRIMINATORY BEHAVIOR OR HARASSMENT**

### **5.1 Response to Bullying, Harassment or Discriminatory Behavior**

- 5.1.1 If bullying, harassment, or discrimination is suspected or reported, the incident must be dealt with immediately.
- 5.1.2 The School will take reasonable action to prevent bullying, harassment and discriminatory behavior. When a member of the School becomes aware of such behavior, he or she shall strive to put an end to it. All staff members may intervene if they witness or receive reports of misconduct. Confidentiality will be preserved in the handling of all enquiries and complaints.
- 5.1.3 Minor incidents or conflicts that can be resolved immediately and do not meet the definition of bullying, harassment or discrimination require no further action under this policy and may or may not be documented.
- 5.1.4 Witnesses have a responsibility to contact a trusted staff member regarding in-person or online incidents of bullying, harassment or discrimination directed against any member of the School community.
- 5.1.5 Bystanders must immediately contact a trusted staff member with any concern for a School member's safety or wellbeing. Bystanders will always be supported and confidentiality will be protected if requested.
- 5.1.6 All members of the school community—no matter their position, terms of employment or role at the School—shall be given unwavering support if they experience bullying, harassment or discrimination at the hands of any member of the School community. Individuals shall not be subject to any retaliation whatsoever should they file a report of misconduct.
- 5.1.7 The CPO and/or his/her deputy shall be notified of all instances of bullying, harassment and discrimination concerning students. The Head of School shall be notified of all instances of bullying, harassment or discriminatory behavior concerning an adult.
- 5.1.8 A clear, factual and precise account of the incident will be recorded in writing and given/sent to the CPO (or a Deputy Head) and the Homeroom Teacher if a student is involved.
- 5.1.9 The Head of School will investigate (or delegate this responsibility to another member of staff). An action plan will be drawn up, which may include interviewing those concerned. This may include a meeting with each party involved individually, in the presence of two staff members to discuss the incident. The School will keep a record of any investigation.
- 5.1.10 Disciplinary sanctions will be used, as appropriate.
- 5.1.11 If necessary and appropriate, the police will be consulted as required by French law.
- 5.1.12 The Head of School and relevant members of staff (for example, the Homeroom Teachers if a student is involved) will be informed of the outcome. A copy of all relevant documents will be retained in the School's files.
- 5.1.13 Parents of children involved will be kept informed, as appropriate.

### **5.2 Investigation**

- 5.2.1 The Head of School or designee shall lead a fair, thorough, objective and well-documented investigation of any complaints that meet the definition of bullying, harassment or discrimination. Parent/legal guardian(s) of students involved will be kept informed as appropriate.

- 5.2.2 In addition, all reporting, investigations and responses shall be consistent with French law regarding anti-discrimination and the protection of civil and human rights. If necessary and appropriate, the police will be consulted.
- 5.2.3 Within one working day of receiving a complaint or incident report, the Head of School or designee will notify relevant staff members or the parent/legal guardian(s) of any students involved, as appropriate, that a complaint was received and direct them to this policy.
- 5.2.4 During the investigation, the School shall take prompt and reasonable measures to protect the alleged victim or targeted individuals of bullying, cyber-bullying, harassment, intimidation and/or retaliation. A temporary action plan may include but not be limited to changing seating arrangements or schedules of the alleged aggressor, implementing a School no-contact order or agreement.
- 5.2.5 Alleged victims and aggressors have a right to be accompanied by a trusted adult of their choice throughout the reporting and investigative processes. The investigation may require individual meetings with each student or staff member involved in the presence of two additional staff members. The School will keep a record of all meetings and discussions.
- 5.2.6 The School shall respect the privacy of the alleged victims or aggressors as far as possible. Limited disclosure may be necessary in order to conduct a thorough investigation.
- 5.2.7 Once the investigation is complete, the School will respond in writing and/or in person to targeted adults or the parent/legal guardian(s) of targeted students, outlining any disciplinary measures taken and/or any other appropriate recommendations.
- 5.3 **Disciplinary Actions (students)** – Age-appropriate disciplinary measures taken may include but are not limited to:
  - 5.3.1 Community service - Examples may include: research, presentations, raising awareness among peers, involvement in awareness-raising events.
  - 5.3.2 Official warnings,
  - 5.3.3 Disciplinary hearing,
  - 5.3.4 Suspension,
  - 5.3.5 Expulsion.
- 5.4 **Disciplinary Actions (employees)** – Employee misconduct with regard to this policy will be treated in accordance with French labor law requirements.
- 5.5 **Retaliation and False Reports** - No person who, in good faith, reports or provides information related to suspected bullying or harassment following this policy shall suffer retaliation, harassment or any adverse employment or enrollment action.

Any person making such a report or providing information in bad faith, or with the knowledge that it is false, shall be subjected to disciplinary measures. In cases where a law has been violated, law enforcement will be notified.

## **6 CONCLUSION**

- 6.1 The School seeks to promote a culture of kindness and create a respectful and healthy environment for work and study. In spite of this, discriminatory behavior and/or harassment can occur and it is important not to ignore it. All stakeholders must act promptly and decisively when incidents of discriminatory behavior and/or harassment are encountered.
- 6.2 The School seeks to encourage good lines of communication between students, staff, parents and the School.
- 6.3 Informing new staff and training staff is of paramount importance in this matter.
- 6.4 The School rules and sanctions, in appropriate circumstances, may regulate the conduct of students when they are away from School premises and outside the jurisdiction of the School.
- 6.5 Keeping accurate records to identify patterns of behavior, to measure the effectiveness of the School's approach to discriminatory behavior and/or harassment and revise areas of policy and practice, as necessary.
- 6.6 This policy will be reviewed on a yearly basis.

## APPENDIX – FRENCH LAW

### 1 SUR LA DISCRIMINATION

#### Article 225-2 du Code Pénal

La discrimination définie aux articles 225-1 à 225-1-2, commise à l'égard d'une personne physique ou morale, est punie de trois ans d'emprisonnement et de 45 000 euros d'amende lorsqu'elle consiste :

- 1° A refuser la fourniture d'un bien ou d'un service ;
- 2° A entraver l'exercice normal d'une activité économique quelconque ;
- 3° A refuser d'embaucher, à sanctionner ou à licencier une personne ;
- 4° A subordonner la fourniture d'un bien ou d'un service à une condition fondée sur l'un des éléments visés à l'article 225-1 ou prévue à aux articles 225-1-1 ou 225-1-2 ;
- 5° A subordonner une offre d'emploi, une demande de stage ou une période de formation en entreprise à une condition fondée sur l'un des éléments visés à l'article 225-1 ou prévue aux articles 225-1-1 ou 225-1-2 ;
- 6° A refuser d'accepter une personne à l'un des stages visés par le 2° de l'article L. 412-8 du code de la sécurité sociale.

Lorsque le refus discriminatoire prévu au 1° est commis dans un lieu accueillant du public ou aux fins d'en interdire l'accès, les peines sont portées à cinq ans d'emprisonnement et à 75 000 euros d'amende.

### 2 SUR LE HARCELEMENT (*D'après l'article 222-33-2-2 du code pénal*)

Si l'auteur est âgé de plus de 18 ans, il risque pour harcèlement :

- 1 an de prison et 15 000 € d'amende.
- 30 000 € d'amende et 2 ans de prison s'il y a une circonstance aggravante,
- 45 000 € et 3 de prison s'il y a deux circonstances aggravantes ou plus.

En cas de violences volontaires, physiques ou morales, l'auteur majeur encourt 5 ans de prison et 75 000 € d'amende si la victime a plus de 15 ans.

Si celle-ci a moins de 15 ans, la peine s'élève à 7 ans d'emprisonnement et 100 000 € d'amende.

S'il y a eu provocation au suicide (suivi d'un suicide, ou d'une tentative) l'auteur encourt une amende de 45 000 € et 3 ans de prison si la victime a plus de 15 ans. Si celle-ci est âgée de moins de 15 ans, la peine est de 5 ans de prison et 75 000 € d'amende.

Si l'auteur est âgé de moins de 18 ans :

Si l'auteur est mineur, il encourt 6 mois de prison et 7 500 € d'amende pour harcèlement. 6 mois de prison supplémentaires s'ajoutent lorsqu'il y a une circonstance aggravante. S'il y en a 2 ou plus, l'auteur risque jusqu'à 18 mois d'emprisonnement.

Pour violence volontaire sur une victime de plus de 15 ans, l'auteur risque 1 an et demi de prison et si elle en a moins, la peine s'élève à 2 ans et demi.

Un enfant de moins de 13 ans ne peut pas aller en prison. Cependant, il peut être jugé coupable devant un tribunal pour enfants. Dans ce cas, plusieurs autres sanctions existent, en fonction de la personnalité de l'enfant, et si le juge décide qu'il avait pleinement conscience de ses actes. Les sanctions vont d'un rappel à la loi du juge, à un placement dans un centre médical ou d'éducation, en passant par des mesures de liberté surveillée, de travaux scolaires, d'interdiction à l'accès et à la fréquentation de certains lieux et individus, ou encore un stage de formation civique, ou la confiscation de certains objets.

Dans le cas où la victime ou les parents de la victime réclament des dommages et intérêts, c'est les parents de l'auteur qui seront responsables de l'indemnisation. Si les parents les réclament à un membre du personnel éducatif, c'est l'État qui est responsable de l'indemnisation.