

POLICY 37.

Required Policies

SUBJECT: DIGNITY FOR ALL - Bully Prevention/ Harassment/ Discrimination

I. Overview of Harassment, Discrimination, Hazing and Bullying

The Oneonta City School District is committed to providing an educational and working environment that promotes respect, dignity and equality. The Board of Education recognizes harassment, discrimination, hazing, and bullying are detrimental to student learning and achievement. Such behaviors affect not only the students who are targeted, but also those individuals who participate and witness such acts. Therefore, all forms of harassment, discrimination, hazing, and bullying are prohibited on school grounds, school buses and at all school sponsored activities, programs and events including those that take place at alternate locations.

A. Definitions

Harassment: "Harassment" is any intentional written, verbal, or electronic communication or physical act which intimidates or threatens another on the basis of race, color, creed, national origin, religion, religious practice, marital status, weight, gender, sex, age, sexual orientation, disability, socio-economic status, class or club affiliation, or any other distinguishing characteristic.

Bullying: "Bullying" occurs when someone purposely says or does mean or hurtful things to another person who has a hard time defending themselves or is in an otherwise vulnerable position.

"Bullying" is a form of harassment that consists of inappropriate and often persistent behavior including threats or intimidation of others, treating others cruelly, terrorizing, coercing, or habitual put-downs and/or badgering of others.

Hazing: "Hazing" is a form of harassment which involves committing an act against a student or coercing a student into committing an act that creates a risk of emotional, physical or psychological harm to a person, in order for the student to be initiated into or affiliated with a student or other organization, or for any other purpose. The fact that a victim may consent to the act does not excuse the behavior or lessen the offense.

B. Prevention Strategies

The term harassment used throughout this policy will collectively refer to the above defined harassment, bullying and hazing. The Oneonta City School District recognizes the importance of eliminating unacceptable student conduct and works proactively to prevent these behaviors. School personnel who become aware of harassment shall act promptly to address the harassment, with the goal of

preventing it from recurring. Where appropriate, school personnel will address the effects on the student who was harassed.

Remedial measures will generally include counseling of persons(s) who have been harmed by harassment and person(s) who have been responsible for the harassment of others and implementing monitoring programs to follow up on addressed issues of harassment. Students should report any concerns related to harassment to the school principal, a teacher or counselor. It should also be a violation of this policy to retaliate in any manner whatsoever against individuals who report or are interviewed regarding harassment complaints.

Oneonta City School District Bully Prevention Rules:

Rule 1: We will not bully others.

Rule 2: We will try to help students who are bullied.

Rule 3: We will try to include students who are left out.

Rule 4: If we know somebody is being bullied, we will tell an adult at school and an adult at home.

Olweus Bully Prevention Program

Different forms or kinds of bullying may include:

- Verbal bullying, being socially excluded or isolated, being physically bullied, being bullied through lies or false rumors, having money or other items taken or damaged, being threatened or forced to do things, racial bullying, sexual bullying, and cyber-bullying as well as any other conduct which has the effect of hurting emotionally or physically the target of the bullying or any witnesses to the bullying.

A. COMPLAINT PROCEDURES

Who may file a complaint:

Students, or a parent(s) or legal guardian(s) who believe his/her student has been subjected to harassment by another student, teacher, administrator or other school personnel should report the incident(s) immediately to a school administrator, teacher or a counselor.

The Oneonta City School District encourages students, or a parent(s) or legal guardian(s) to report incident(s) of harassment. If the student, parent(s) and/or legal guardian(s) desires further assistance regarding the complaint, the Superintendent may be contacted.

How to file a complaint:

Complaints can be filed by completing a "Oneonta Rights Harassment / Discrimination / Bullying / Hazing Prevention Form". Students, parents and staff are to report any incidents of bullying/harassment/discrimination/hazing by completing a "Oneonta Rights Harassment / Discrimination / Bullying / Hazing Prevention Form". These forms are located in the school library, the guidance office and in the building's main office. Forms can also be accessed and completed

online on the Oneonta City School District's homepage: www.oneontacsd.org on the left side of the page in the "Quick Links" section. Online forms will be directly routed to a DASA Coordinator. Paper forms can be mailed or dropped off in the main offices of our district schools. All inquiries and harassment complaints filed with the Oneonta City School District are confidential to the extent possible as described below. Confidentiality also applies to the investigative process.

Investigation Procedures and Decision of Investigator

- Upon receipt of a report or complaint alleging harassment, discrimination, bullying, hazing, the appropriate building administrator shall undertake or authorize an investigation. The investigation may be conducted by school administrators or by a school faculty member.
- The investigation will, at a minimum, consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint.
- The investigation will be completed as soon as practicable. The investigator will complete the appropriate forms and may impose consequences and/or intervention strategies upon completion of the investigation.
- Upon a finding that harassment, discrimination, bullying, hazing has occurred, an appropriate response shall be fashioned by the appropriate administrator. Building principals, or the High School Associate Principal, addressing violations of this policy by students and the superintendent addressing violations of this policy by employees and/or students should consider the surrounding circumstances, the nature of the behavior, past incidents or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred.
- Steps may be taken by the appropriate administrator to protect the complainant, pupils, teachers, administrators or other personnel pending completion of an investigation of alleged harassment.

Disciplinary Consequences

Any individual who violates this policy by engaging in conduct defined throughout this policy that directly or indirectly causes intimidation, harassment, or physical harm to another student or employee may be subject to disciplinary action including but not limited to suspension from school.

Retaliation

Retaliation means some type of adversarial or punitive action taken against an individual or individuals as a result of filing a complaint or participating in the complaint process. No person will suffer retaliation or intimidation for participating in the complaint process. Retaliation against any student seeking assistance at their school, filing a complaint, or participating in the investigative process is grounds for a subsequent retaliation/harassment complaint.

Confidentiality

The Oneonta City School District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed and the witnesses as much as

possible, consistent with our legal obligations to investigate, take appropriate action, and conform to any legal discovery or disclosure obligations.

B. LEGAL COMPLIANCE

Dignity for All Students - Chapter 482 of the Laws of 2010

**BOE Adopted:
January 23, 2013**