

## **HARASSMENT, BULLYING AND DISCRIMINATION PREVENTION AND INTERVENTION**

The Board of Education is committed to providing a safe and positive teaching and learning environment. The Board recognizes that students' ability to learn and to meet high academic standards, and a school's ability to educate its students, are compromised by incidents of harassment, bullying, hazing or discrimination. The Board, therefore, condemns and strictly prohibits all forms of harassment, bullying, hazing, and discrimination on school grounds, school buses and at all school-sponsored activities, programs and events. Students may be disciplined for discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds, including cyber bullying, which creates or would foreseeably create a risk of substantial disruption within the school environment where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

### **Definitions**

#### Harassment

For purposes of this policy, the term harassment shall mean the creation of a hostile environment by conduct, verbal threats, intimidation or abuse, including cyber bullying that (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or (c) reasonably causes or can reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates, or would foreseeably create, a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach the school property. Acts of harassment and bullying shall include, but not be limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity and expression), sex, or political views. For the purposes of this definition the term "threats intimidation or abuse" shall include verbal and non-verbal actions and the term "race" includes traits historically associated with race, including but not limited to, hair texture and protective hair styles, such as braids, locks and twists.

#### Bullying

For purposes of this policy, bullying shall have the same meaning as harassment.

#### Discrimination

For purposes of this policy, the term discrimination means the denial of rights, benefits, justice, equitable treatment of access to facilities based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity and expression), sex, or political views.

### Cyber bullying

Cyber bullying is defined as harassment or bullying through any form of electronic communication. In order to be actionable under this Policy, cyber bullying that occurs off school property must create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Discrimination or harassment within the meaning of this policy shall include a single severe incident or multiple incidents that are pervasive in nature that create a hostile environment.

### **Dignity Act Coordinators**

There shall be a Dignity Act Coordinator for each school building. Each Dignity Act Coordinator shall be an Assistant Principal at his or her school, unless the Superintendent of Schools designates otherwise. In any event, each Dignity Act Coordinator shall be a staff member at his or her designated school. All Dignity Act Coordinators shall be trained in accordance with state requirements to successfully implement this policy. Such training shall include human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity and expression), sex, or political views.

Dignity Act Coordinators shall be responsible for coordinating and enforcing this policy and regulations in their school building, including but not limited to coordinating:

- The work of the building-level committees;
- Professional development for staff members;
- The complaint process; and
- Management of the Dignity for All Students Act's civility curriculum components.

### **Training**

In order to implement an effective harassment, bullying and discrimination prevention and intervention program, the Superintendent, each Dignity Act Coordinator and the District's Professional Development Team shall incorporate appropriate and required training in the annual professional development plan. Training opportunities will be provided for all staff including, but not limited to, bus drivers, cafeteria and hall monitors and all staff who have contact with students.

Through District-wide professional development and instruction, staff and students will be educated as to the warning signs of harassment, bullying and discrimination, as well as to their responsibility to become actively involved in the prevention of harassment, bullying and discrimination. The components of a prevention program include:

- Learning about and identifying the early warning signs and precursor behaviors that may lead to harassment, bullying and discrimination;

- Establishing clear school-wide and classroom rules about harassment, bullying and discrimination;
- Training adults in the school to prevent and respond sensitively and consistently to harassment, bullying and discrimination;
- Raising parental awareness and involvement in addressing problems; and
- Providing instruction in civility, citizenship and character education that emphasizes tolerance and respect for others.

### **Reporting and Investigation**

In order for the District to appropriately address harassment, bullying and discrimination, it is of utmost importance that staff and students report such incidents. Students who have been subjected to harassment, bullying behavior or discrimination, parents of those students, or other students who observe such behavior are encouraged, and expected, to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided. All complaints will be documented, tracked and handled in accordance with the regulations and procedures accompanying this policy and other applicable district policy (Equal Opportunity and Nondiscrimination or Title IX Sexual Harassment of Students or Student Code of Conduct) and laws.

There shall be a duty for all school personnel to report any incidents of student-to-student and staff-to-student harassment, bullying and discrimination that they observe, or of which they are made aware, to their building principal or other administrator who supervises their employment. Supervisors will refer the information to appropriate District staff for investigation, as designated in regulations.

The results of an investigation will be reported both to the target and the accused in accordance with the regulations. If either of the parties disagrees with the results of the investigation, they can appeal the findings to the Superintendent of Schools.

### **Disciplinary Consequences/Remediation**

While the focus of this policy is on prevention, harassment, bullying and discrimination acts may still occur. In these cases, offenders will be given the clear message that their actions are wrong and the behavior must improve. Offenders will receive in-school guidance in making positive choices in their relationships with others.

If appropriate, disciplinary action will be taken by the administration in accordance with the District's Student Code of Conduct, or applicable laws and regulations. If the behavior rises to the level of criminal activity, law enforcement will be contacted. If the behavior rises to the level of a reportable offense under applicable laws, the New York State Education Department and/or other appropriate agency will be contacted.

Consequences for students committing an act or acts of harassment, bullying and discrimination shall be determined on a case-by-case basis in accordance with the district Student Code of Conduct. The consequences will vary in method and severity according to the nature of the behavior, the developmental age of the student, the student's history of problem behaviors, and whether the behavior is related to a disability as determined by applicable laws and regulations.

### **Non-Retaliation**

All complainants and those who participate in the initiation or investigation of a complaint in conformity with state law and District policies, who have acted reasonably, honestly, and in good faith, have the right to be free from retaliation of any kind.

### **Dissemination, Monitoring, Review and Reporting**

This policy, or a plain language summary, shall be published in student registration materials, student, parent and employee handbooks, and posted on the District's website. A plain-language age appropriate version shall be included in the Code of Conduct. A harassment, bullying and discrimination complaint form will be developed and will be available on the District's website.

Each year, as part of the annual review of the Code of Conduct, this policy will be reviewed to assess its effectiveness and compliance with state and federal law. If changes are needed, revisions will be recommended to the Board for its consideration.

The Superintendent of Schools shall establish regulations to facilitate implementation of this policy.

Adopted by Board of Education June 19, 2012

Revised:

June 19, 2013

January 22, 2020

### **Cross-References**

- [Policy 5080: Title IX Sexual Harassment Policy for Students](#)
- [Regulation 5080: Title IX Sexual Harassment for Students Regulation](#)

### **Regulations**

- [Regulation 5052: Harassment, Bullying and Discrimination Prevention and Intervention Regulation](#)
- [Regulation 5052a: Harassment, Bullying and Discrimination Prevention and Intervention For Elementary Schools Plain Language Summary of Policy #5052](#)
- [Regulation 5052b: Harassment, Bullying and Discrimination Prevention and Intervention For Secondary Schools Plain Language Summary of Policy #5052](#)

1<sup>st</sup> Reading – November 18, 2020