

BULLYING AND OTHER FORMS OF AGGRESSIVE BEHAVIOR

The Board is committed to providing a safe, positive and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations among members of the school community.

Harassment, intimidation or bullying toward a student, whether by other students, staff or third parties is strictly prohibited and will not be tolerated. This prohibition includes aggressive behavior, physical, verbal, psychological abuse, violence within a dating relationship and cyberbullying. The Board will not tolerate any gestures, comments, threats or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the District, including activities on school property or while in route to or from school, and those occurring off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, in a school vehicle or where an employee is engaged in school business. This policy applies while away from school grounds if the bullying behavior affects the school environment and/or welfare of the students.

This policy has been developed in consultation with parents, District employees, volunteers, students and community members as prescribed in Ohio law and the State Board of Education's Model Policy.

The district includes, within the health curriculum, age-appropriate instruction in dating violence prevention education in grades 7-12. The instruction includes recognizing the warning signs of dating violence and the characteristics of healthy relationships.

Harassment, intimidation or bullying means any intentional written, verbal, graphic or physical act that a student or group of students exhibits toward another particular student(s) more than once and the behavior both causes mental or physical harm to the other student(s) and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student(s). Aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical or emotional well-being. This type of behavior is a form of intimidation and harassment, although it need not be based on any of the legally protected characteristics, such as but not limited to race, color, national origin, gender, handicap, disability, age, sexual orientation, religion, marital status and limited English skills. It would include, but not be limited to, such behaviors as stalking, bullying/cyberbullying, intimidation, menacing, coercion, name-calling, taunting, making threats and hazing.

Harassment, intimidation or bullying also means electronically transmitted acts (i.e., Internet, e-mail (instant messaging), cellular telephone (text messaging), personal digital assistance (PDA), or a wireless hand-held device that a student(s) or a group of students exhibits toward another particular student(s) more than once and the behavior causes mental and/or physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student(s).

Any student or student's parent/guardian who believes he/she has been or is the victim of aggressive behavior should immediately report the situation to any school staff member or administrator. Reports shall be promptly forwarded to the building principal for review, investigation and action. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student, including dating violence. Reports may be made to those identified above.

All complaints about aggressive behavior that may violate this policy shall be promptly investigated. The building principal or designee shall prepare a written report upon completion of the investigation. Such report shall include findings of fact, a determination of whether acts of harassment, intimidation and/or bullying were verified, and when prohibited acts are verified, a recommendation for intervention, including disciplinary action shall be included in the report. Where appropriate, written witness statements shall be attached to the report.

If the investigation finds an act of harassment, intimidation, and/or bullying has occurred, it will result in prompt and appropriate remedial and/or disciplinary action. These actions may be up to and including expulsion for students, discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement officials.

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of aggressive behavior is prohibited and will not be tolerated. Such retaliation in reference to a substantiated or unsubstantiated report shall be considered a serious violation of Board policy. Suspected retaliation should be reported in the same manner as aggressive behavior. Making intentionally false reports about aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

If a student or other individual believes there has been aggressive behavior, regardless of whether it fits a particular definition, he/she should report it and allow the administration to determine the appropriate course of action.

This policy shall not be interpreted to infringe upon the First Amendment rights of students i.e., to prohibit a reasoned and civil exchange of opinions, or debate, that is conducted at appropriate times and places during the school day and is protected by State or Federal law.

The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken. If after investigation, acts of bullying against a specific student are verified, the building principal or appropriate administrator shall notify the parent/guardian of the victim of such finding. In providing such notification care shall be taken to respect the statutory privacy rights of the perpetrator of such harassment, intimidation and/or bullying.

If after investigation, acts of harassment, intimidation and/or bullying by a specific student are verified, the building principal or designee shall notify in writing the parent/guardian of the perpetrator of that finding. If disciplinary consequences are imposed against such student, a description of such discipline shall be included in the notification.

Complaints

Students and/or their parents/guardians may file reports regarding suspected harassment, intimidation or bullying. Such reports shall be reasonably specific including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, intimidation and/or bullying, and the names of any potential student or staff witnesses. Such reports may be filed with any school staff member or administrator, and they shall be promptly forwarded to the building principal for review, investigation and action.

Students, parents/guardians and school personnel may make informal complaints of conduct that they consider to be harassment, intimidation and/or bullying by verbal report to a teacher, school administrator or other school personnel. Such informal complaints shall be reasonably specific including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, intimidation and/or bullying, and the names of any potential student or staff witnesses. A school staff member or administrator who receives an informal complaint shall promptly document the complaint in writing, including the information provided. This written report shall be promptly forwarded by the school staff member and/or administrator to the building principal for review, investigation and appropriate action.

Students who make informal complaints, as provided above, may request that their name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. Anonymous complaints shall be reviewed and reasonable action shall be taken to address the situation to the extent that such action (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of harassment, intimidation and/or bullying.

When a student making an informal complaint has requested anonymity, the investigation of such complaint shall be limited, as is appropriate, in view of the anonymity of the complainant. Such limitation of investigation may include restricting action to a simple review of the complaint subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report will be anonymous.

Privacy/Confidentiality

The 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 the Board's legal obligation to investigate, to take appropriate action and to conform with any discovery or disclosure obligations. All records generated under this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law.

Reporting Requirement

At least semi-annually, the Superintendent shall provide to the President of the Board a written summary of all reported incidents and post the summary on the District web site. The list shall be limited to the number of verified acts of harassment, intimidation and/or bullying, whether in the classroom, or on school property, to and from school, or at school-sponsored events.

Allegations of criminal misconduct and suspected child abuse will be reported to the appropriate law enforcement agency and/or to Child Protective Services in accordance with statute. District personnel will cooperate with investigations by such agencies.

Immunity

A District employee, student or volunteer shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this policy and Ohio law if that person reports an incident of harassment, intimidation and/or bullying promptly, in good faith, and in compliance with the procedures specified in this policy. Such immunity from liability shall not apply to an employee, student or volunteer determined to have made an intentionally false report about harassment, intimidation and/or bullying.

Notification

Notice of this policy will be annually circulated to and posted in conspicuous locations in all school buildings and departments within the District and discussed with students, as well as incorporated in the teacher, student and parent/guardian handbooks. State and federal rights posters on discrimination and harassment shall also be posted at each building.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying. The Superintendent/designee shall provide appropriate training to all members of the school District community related to the implementation of this policy and its accompanying administrative guidelines. All training regarding the Board's policy and administrative guidelines with respect to aggressive behavior and bullying in general will be age and content appropriate.

To the extent that state and federal funds are appropriate for these purposes, the district shall also provide training, workshops, and/or courses on this policy for school employees and volunteers that have direct contact with students. Time spent by school staff in these training programs shall apply toward mandated continuing education requirements.

The Superintendent is directed to develop administrative guidelines to implement this policy. Guidelines shall include reporting and investigative procedures. The complaint procedure established by the Superintendent shall be followed.

[Adoption date: December 22, 2009]

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LEGAL REFS.: ORC 117.53
2307.44
2903.31
3301.22
3313.666; 3313.667
3314.03
3319.073

CROSS REFS.: AC, Nondiscrimination
EDE, Computer/Online Services (Acceptable Use and Internet Safety)
IIBH, District Web Site Publishing
JFC, Student Conduct (Zero Tolerance)
JFCK, Use of Electronic Communications Equipment by Students
JHG, Reporting Child Abuse
Student Handbooks