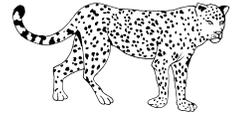


Laurens Central School District Board Policy



STUDENTS – 7450

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Subject: Dignity For All Students

The Board of Education of Laurens Central School is committed to providing an educational and working environment that promotes respect, dignity and equality. The Board recognizes that discrimination, such as harassment, hazing and bullying are detrimental to student learning and achievement. These behaviors interfere with the mission of the District to educate its students and disrupt the operation of the school. Such behavior affects not only the students who are its targets, but also those individuals who participate in and witness such acts.

To this end, The Board condemns and strictly prohibits all forms of discrimination, such as harassment, hazing and bullying on school grounds, school buses and at all school-sponsored activities, programs and events. Discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds which can be reasonably expected to materially and substantially interfere with the requirements of appropriate discipline in the operation of the school or impinge on the rights of other students are prohibited and may be subject to disciplinary consequences.

Definitions

Bullying

Bullying is understood to be a hostile activity which harms or induces fear through the threat of further aggression and/or creates terror. In order to facilitate implementation of this policy, provide meaningful guidance and prevent behaviors from rising to a violation of law, this policy will use the term bullying (which is usually subsumed under the term “harassment”) to describe a range of misbehaviors such as harassment, hazing, intimidation or discrimination. The accompanying regulation provides more guidance regarding the definition and characteristics of bullying.

Discrimination

Discrimination is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as enumerated in the *Definitions* section, under “Harassment,” below).

Harassment

Harassment been defined in various ways in federal and state law and regulation. The Board recognizes that these definitions are important standards, but the Board’s goal is to prevent misbehavior from escalating in order to promote a positive school environment and to limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that 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; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. The harassing behavior may be based on any characteristic, including but not limited to a person’s actual or perceived:

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- race,
- color,
- weight,
- national origin,
- ethnic group,
- religion,
- religious practice,
- disability,
- sex,
- sexual orientation, or
- gender (including gender identity and expression).

In some instances, bullying or harassment may constitute a violation of an individual's civil rights. The District is mindful of its responsibilities under the law and in accordance with District policy regarding civil rights protections.

Prevention

The school setting provides an opportunity to teach children, and emphasize among staff, that cooperation with and respect for others is a key District value. A program geared to prevention is designed to not only decrease incidents of bullying but to help students build more supportive relationships with one another by integrating the bullying prevention program into classroom instruction. Staff members and students will be sensitized, through District-wide professional development and instruction, to the warning signs of bullying, as well as to their responsibility to become actively involved in the prevention of bullying before overt acts occur.

In order to implement this program the Board of Education will designate the Building Principal as its Bullying Prevention Coordinator (BPC) at its annual organizational meeting. The role of the Bullying Prevention Coordinator is to coordinate and enforce this policy. In addition, the Shared Decision Making Committee, overseen by the Bullying Prevention Coordinator (BPC), will serve as a District-wide task force on bullying prevention. The committee will include representation from staff, students, administration and parents and will assist the administration in developing and implementing specific prevention initiatives, including early identification of bullying and other strategies. In addition, the program will include reporting, investigating, remedying and tracking allegations of bullying. The accompanying regulation provides more detail on the specific programs and strategies implemented by the District.

Intervention

Intervention by adults and bystanders is an important step in preventing escalation and resolving issues at the earliest stages. Intervention will emphasize education and skill-building.

Successful intervention may involve remediation. Remedial responses to bullying and harassment include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target. Remediation may be targeted to the individual(s) involved in the bullying behavior or environmental approaches which are targeted to the school as a whole.

In addition, intervention will focus upon the safety of the target. Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with this policy and regulation.

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Provisions for students who do not feel safe at school

The Board acknowledges that, notwithstanding actions taken by District staff, intervention may require a specific coordinated approach if the child does not feel safe at school. Students who do not feel safe at school are limited in their capacity to learn and reach their academic potential. Staff, when aware of bullying, should determine if accommodations are needed in order to help ensure the safety of the student and bring this to the attention of the Building Principal. The Building Principal, other appropriate staff, the student and the student's parent/guardian will work together to define and implement any needed accommodations.

The District recognizes that there is a need to balance accommodations which enhance student safety against the potential to further stigmatize the targeted student. Therefore, each case will be handled individually, and the student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Follow-up discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

Training

The Board recognizes that in order to implement an effective bullying prevention and intervention program, professional development is needed. The Superintendent and the Building Principal/Bullying Prevention Coordinator will incorporate training to support this program in new teacher orientation and the annual professional development plan, as needed. 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. The BPC will be trained in accordance with state requirements and will continue their professional development so as to successfully support this policy and program.

Reporting and Investigation

Although it can be difficult to step forward, the District cannot effectively address bullying if incidents are not reported. Students who have been bullied, parents whose children have been bullied or other students or staff who observe bullying 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. At all times, complaints will be documented, tracked, and handled in accordance with the regulations and procedures accompanying this policy, or, if applicable, Policy #6190 Equal Opportunity Employer, Policy #6180 Sexual Harassment and the District's Code of Conduct. If a staff person is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with their supervisor. Incidents will be included in the Violent and Disruptive Incident Reporting (VADIR) system when applicable.

There shall be a duty for all school personnel to report any incidents of student-to-student and staff-to-student bullying that they observe to the Building Principal, the Superintendent or their direct supervisor. In addition, there shall be a further duty for all school personnel to report any incidents of student-to-student and staff-to-student bullying of which they are made aware by students to the Building Principal, the Superintendent or their direct supervisor. Supervisors will refer the information to the Building Principal or the Superintendent for investigation as designated in regulation. A District employee may be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident, whether or not the target complains.

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The results of the investigation shall be reported back to both the target and the accused in accordance with the accompanying regulation. If either of the parties disagrees with the results of the investigation, they can appeal the findings in accordance with the regulations that accompany this policy.

Disciplinary Consequences/Remediation

While the focus of this policy is on prevention, bullying acts may still occur. In these cases, offenders will be given the clear message that their actions are unacceptable and that the behavior must improve. Student 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 Code of Conduct, as applicable. If the behavior rises to the level of criminal activity law enforcement will be contacted.

Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and must be consistent with the District's Code of Conduct.

Non-Retaliation

All complainants and those who participate in the investigation of a complaint in conformity with state law and District policies, who have acted reasonably 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 web site. A bullying complaint form will be available on the District's web site. The District will ensure that the process of reporting bullying is clearly explained.

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 of Education for its consideration.

The District will ensure that reporting of information to the public will be in a manner that complies with student privacy rights under the Family Educational Rights and Privacy Act (FERPA).

Cross-ref: Equal Opportunity and Nondiscrimination
 Sexual Harassment
 Programs for Students with Disabilities
 Code of Conduct
 Violent and Disruptive Incident Reporting
 Staff Development

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Ref: Dignity for All Students Act, Education Law, §10-18
Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.*
Title VI, Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.*
Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*; 34 CFR§100 *et seq.*
Title IX, Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*
§504, Rehabilitation Act of 1973, 29 U.S.C. §794
Individuals with Disabilities Education Law, 20 U.S.C. §§1400 *et seq.*
Executive Law §290 *et seq.* (New York State Human Rights Law)
Education Law §§313(3), 3201, 3201-a
Tinker v. Des Moines Independent Community School Dist., 393 U.S. 503, (1969) *Davis v. Monroe County Board of Education*, 526 U.S. 629 (1999)
Gebser v. Lago Vista Independend School District, 524 U.S. 274 (1998)
Farragher v. City of Boca Raton, 524 U.S. 775 (1998)
Burlington Industries v. Ellerth, 524 U.S. 742 (1998)
Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)
Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

Adoption date: 7/22/2020

Laurens Central School
"A Community Center"
P. O. Box 301 - 55 Main Street
Laurens, New York 13796•Telephone (607) 432-2050
Fax (607) 432-4388

William F. Dorritie
Superintendent

John Mushtare
Building Principal

BULLYING REPORTING FORM

Date of Report: _____

Report Filed by: _____

Alleged Student/Staff Bully(ies):

_____	Grade/Position _____
_____	Grade/Position _____
_____	Grade/Position _____

Alleged Student Victim(s):

_____	Grade _____
_____	Grade _____

List the events that have occurred.

How long has this been happening? Be specific.

When and where is it happening? (Examples: at home, in class, on the bus, in the hallway, during lunch, in the locker room, between classes, in the bathroom)

What did you do when it happened? Please list all of the ways that you responded.

Witnesses (adults and/or students) who might have observed the incident.

Who have you reported this to? (Check all that apply)

Nobody Parent(s) Friend(s) Counselor

Administrator Bus Driver Teacher- Name: _____

Other- Name: _____

What would you like for an adult to do to help resolve the situation? (Example: listen to the victim, talk to the other student(s), watch out for similar behavior, tell an administrator)

Signature of Person Submitting This Form: _____

Name of Person Submitting This Form: _____

Date Submitted: _____

Date Received by Building Principal: _____

Signature of Building Principal: _____