

STUDENT HARASSMENT, INTIMIDATION AND BULLYING

Harassment, intimidation or bullying (including cyberbullying) is an intentional written, verbal, electronic or physical act that a student has exhibited toward another particular student or school personnel more than once, and such behavior causes both, mental or physical harm to the other student or school personnel, and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student or school personnel. When these elements are met, a prohibited incident of harassment, intimidation or bullying has occurred. Harassment, intimidation or bullying of any student or school personnel on school property, on a school bus or at school-sponsored events is prohibited.

The law defines “harassment, intimidation or bullying” to be either of the following:

- 1) Any intentional written, verbal, electronic or physical act that a student has exhibited toward another particular student more than once and the behavior both:
 - a) Causes mental or physical harm; and
 - b) Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for other students; or
- 2) Violence within a dating relationship.

Cyberbullying of students or school personnel at any time and at any location by students is prohibited. Cyberbullying is the use of information and communication technologies such as e-mail, cell phone and pager text messages, instant messaging (IM), defamatory personal web sites, and defamatory online personal polling web sites, to support deliberate, repeated, and hostile behavior by an individual or group, that is intended to harm others.

Cyberbullying includes, but is not limited to the following:

- posting slurs or rumors or other disparaging remarks, making threats of any kind, and discussing threats of any kind about a student or school personnel on a web site or on weblog;
- sending e-mail or instant messages that are mean or threatening, or so numerous as to drive-up the victim’s cell phone bill;
- using a camera phone to take and send embarrassing photographs;
- posting misleading or fake photographs on web sites.

Permission, consent or assumption of risk by an individual subjected to harassment, intimidation or bullying does not lessen the prohibition contained in this policy.

Prohibited activities of any type, including those activities engaged in via computer and/or electronic communications devices, including cellular telephones, pagers, or personal communications devices, are inconsistent with the educational process and are prohibited at all times. Students found responsible for harassment, intimidation or bullying by an electronic act may face suspension.

No administrator, teacher or other employee of the District shall encourage, permit, condone or tolerate any harassment, intimidation or bullying activities. No students, including leaders of student organizations, are permitted to plan, encourage or engage in any harassment, intimidation or bullying.

Administrators, teachers and all District employees are particularly alert to possible conditions, circumstances or events that might include hazing or bullying. If harassment, intimidation or bullying or planned harassment, intimidation or bullying is discovered, involved students are informed by the discovering District employee of the prohibition contained in this policy and are required to end all harassment, intimidation or bullying activities immediately. All student harassment, intimidation or bullying incidents are reported immediately to the school principal or other administrator designated by the school principal, and appropriate discipline is administered. School personnel are also required to report prohibited incidents of which they are aware to the principal or other designated administrator who shall document the report, investigate it, respond as appropriate, and develop a strategy for protecting the victim from additional prohibited incidents and from retaliation following a report.

An appropriate response could include student disciplinary action under the Code of Student Conduct. A copy of this policy, and an explanation of the seriousness of bullying by electronic means, will appear in future editions of the Code, and be made available to students and their custodial parents or guardians. Once each school year a written statement describing this policy and the consequences for violations thereof shall be sent to each student's custodial parent or guardian. This statement may be sent with student report cards or may be sent electronically.

The Chief Executive Officer/designee must provide the Board of Education Chair with a quarterly written report of all reported incidents of harassment, intimidation or bullying and post the report on the District's website to the extent permitted by student privacy and records laws.

The administration provides training on the District's harassment, intimidation or bullying policy, to District employees and volunteers who have direct contact with students. Such training shall include human trafficking content. Additional training is provided to elementary employees in violence and substance abuse prevention and positive youth development, and to middle and high school grade employees in the prevention of violence within a dating relationship.

The District shall provide all students with age-appropriate instruction on this policy, including written or verbal discussions of the consequences for violations of the policy.

Custodial parents or guardians of students involved in a prohibited incident will be notified and have access to any written report regarding the incident to the extent permitted by student privacy and records laws.

District employees, students and volunteers may have qualified civil immunity for damages arising from reporting an incident of harassment, intimidation or bullying in good faith and in accordance with this policy.

Administrators, teachers, other employees and students who fail to abide by this policy may be subject to disciplinary action and may be liable for civil and criminal penalties in compliance with State and Federal law.

No one is permitted to retaliate against an employee or student because he/she files a grievance or assists or participates in an investigation, proceeding or hearing regarding the charge of harassment, intimidation or bullying of an individual. The District shall provide a means by which a person may report an incident anonymously. Students are prohibited from deliberately making false reports of harassment, intimidation or bullying, and any student responsible for deliberately making such a false report may be subject to a full range of disciplinary consequences.

[Adoption date: December 11, 2007; amended June 28, 2011; amended December 11, 2012; amended January 27, 2015]

References:

Ohio Revised Code (O.R.C) 3313.666, 3313.667; 3319.073
O.R.C. 9.01, 149.41, 149.43, 1347 et seq., 3113.33, 3319.321
34 C.F.R. Part 99
20 U.S.C., Section 1232f through 1232i (FERPA)
26 U.S.C. 152
20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act
CROSS REFERENCES
JG, Student Discipline Policy/Student Code of Conduct