

SUBJECT: ANTI-BULLYING AND HARASSMENT POLICY

The Board of Education of the Plainview-Old Bethpage Central School District is committed to providing an educational environment that promotes respect, dignity and equality. 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 bullying or harassment. Such behavior affects not only the individuals who are its targets, but also those who participate in or witness such acts.

Therefore, it is the policy of the District to prohibit bullying and harassment on district property, district transportation, and at school-sponsored events and functions. Furthermore, acts of bullying and harassment are prohibited, whether they are committed directly or indirectly, in person (face-to-face), via cyberbullying or remotely by use of electronic communication or technology. This holds true on school property, at a school function, on a school or coach bus, or off school property under circumstances where there is a sufficient nexus to the school environment.

DEFINITIONS:

"Bullying" and "Harassment":

1. "Bullying" and "harassment" mean the creation of a hostile educational environment:
 - a. by written, verbal, non-verbal or physical conduct, threat, intimidation or abuse, including such behavior conducted via electronic communication, i.e. cyber bullying,
 - b. that has the effect of substantially interfering with the education of a student of the District or reasonably causes, or would be expected to cause, a person to fear for his or her physical or emotional safety.

Conduct that is considered bullying and harassment can take many forms, including verbal acts and name-calling; graphic and written statements, or other conduct that may be physically threatening, harmful, or humiliating, if and to the extent such conduct creates a hostile educational environment as described in Paragraphs 1(a) and 1(b) above.

2. Bullying and/or harassing conduct, threats, intimidation or abuse includes but is not limited to such conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or gender identity.
3. The creation of a hostile educational environment as a result of bullying and harassment does not have to include the intent to harm depending on the severity of the incident, be directed at a specific target, or involve repeated incidents.
4. There are at least three kinds of bullying: verbal, physical and social/relational.

(Barbara Coloroso, The Bully, The Bullied & The Bystander, 2003)

“Electronic communication” means a communication transmitted by means of an electronic device, including but not limited to, a telephone, cellular phone, computer, video gaming devices, laptop, pager, or other hand-held device, communications transmitted through email, text message, instant message, voicemail, social networking sites, webpage, video, blogs and twitter.

REPORTING:

In order for the Board to effectively enforce this policy and to take prompt corrective measures when the policy is violated, it is essential that all targets and/or complainants and persons with knowledge of the occurrence of bullying, harassment, or similar behavior report it immediately to District administrative staff.

The District will promptly investigate all complaints, whether informal or formal, verbal or written. Complaints will be treated confidentially to the extent possible, but disclosure may be required to complete a thorough investigation. If, after investigation, the District finds that there has been a violation of this policy, corrective action will be taken.

Any person having reasonable cause to suspect that a student has been subjected to bullying or harassment who, acting in good faith, either reports such information to school officials, to the Commissioner of Education, or to law enforcement authorities, or otherwise participates in proceedings related to such bullying or harassment, may have immunity from any civil liability arising from making such report or participating in the related investigation if such immunity is provided for by law.

Retaliation against complainants or others who report incidents of bullying or harassment or for participation in a related investigation or proceeding constitutes a violation of this policy. False reports or retaliation against the alleged bully or harasser also constitutes a violation of this policy. Acts of retaliation should be reported to the Building Administrators. The District/Building Administrators will investigate such reports and if, after investigation, the District/Building Administrators find that there has been a violation of this policy, prompt corrective action will be taken.

POLICY IMPLEMENTATION:

The Superintendent of Schools shall develop and implement regulations for reporting, investigating, and addressing allegations and incidents of bullying and harassment.

The Board recognizes that the effective implementation of this policy requires that the Policy be part of a District-wide educational program which shall include elements of prevention, intervention and consequences:

Prevention will include:

- (1) training for administrators and all school staff, in identifying bullying and harassment and to increase awareness of the prevalence, causes, and consequences of bullying and harassment, and sharing strategies for preventing such behavior and developing a culture of respect and responsibility;
- (2) promoting student involvement in anti-bullying and anti-harassment efforts, peer support, mutual respect, and creating a District-wide culture that encourages students and others to report incidents of bullying and harassment, or similar behavior to an adult;
- (3) collaborating with families and the community to inform parents and guardians about the prevalence, causes, and consequences of bullying and harassment;
- (4) Providing instruction for students in grades K-12 in civility, empathy, citizenship and character education that emphasizes acceptance of differences and a culture of respect for others.

Intervention will include:

- (1) training for administrators and all school staff on how to respond appropriately to students who engage in bullying or harassing behavior, are targets of such behavior, and are bystanders who do not report such behavior;
- (2) remedial measures designed to correct the bullying or harassing conduct, prevent another occurrence, and protect the target;
- (3) development of nondiscriminatory instructional and counseling methods; and
- (4) thorough training of at least one staff member at every school to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex, or gender identity. This staff member's contact information will be included in student registration materials, student, parent, and employee handbooks, on the school website, and other appropriate school publications, and will be distributed to students and staff annually at the beginning of the school year.

Consequences will include:

- (1) discipline, including suspensions and expulsions consistent with the Student Code of Conduct or termination consistent with all rights under law, collective bargaining agreements and other applicable agreements; and
- (2) recognition for positive behavior exhibited by students who take an active role in addressing prohibited behaviors.

This policy shall be posted in a prominent place in each District facility, shall also be included in the code of conduct in plain language, student registration materials, student, parent and employee handbooks, on the District website and other appropriate school publications, and distributed to students and staff annually at the beginning of the school year. A summary of this policy shall be included as a part of the District's summary of the code of conduct.

Cross Ref: [insert cross refs, Code of Conduct]

References: Americans With Disabilities Act, 42 U.S.C. section 12101 *et seq.*
Title VI, Civil Rights Act of 1964, 42 U.S.C. section 2000d *et seq.*
Title VII, Civil Rights Act of 1964, 42 U.S.C. section 2000e *et seq.*
Title IX of the Education Amendments of 1972, 20 U.S.C. section 1681 *et seq.*
34 CFR 100 *et seq.*
20 U.S.C 1681 *et seq.*
Section 504, Rehabilitation Act of 1973, 29 U.S.C. section 794
IDEA, 20 U.S.C. section 1400 *et seq.*

Education Law, Article 2
Executive Law section 290 *et seq.*
Executive Law sections 313(3), 3201, 3201-a
U.S. Department of Education, Office for Civil Rights, *Dear Colleague Letter*,
October 26, 2010.

New Policy
Adopted: 9/12/11