

HAZING, HARASSMENT, INTIMIDATION, AND BULLYING

As used in this policy “hazing” means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person.

As used in this policy, “harassment, intimidation, or bullying” (hereinafter “bullying”) means either:

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 causes both mental 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; or
2. Violence within a dating relationship.

Hazing and/or bullying can include many different behaviors. Examples of conduct that could constitute prohibited behaviors include, but are not limited to:

1. physical violence and/or attacks;
2. threats, taunts and intimidation through words and/or gestures;
3. extortion, damage or stealing of money and/or possessions;
4. exclusion from the peer group or spreading rumors;
5. repetitive and hostile behavior with the intent to harm others through the use of information and communication technologies and other web-based/online sites (also known as "cyber-bullying"), such as the following:
 - A. posting slurs on websites, social networking sites, blogs or personal online journals;
 - B. sending abusive or threatening emails, website postings or comments and instant messages;
 - C. using camera phones to take embarrassing photographs or videos of students and/or distributing or posting the photos or videos online; and
 - D. using websites, social networking sites, blogs or personal online journals, emails or instant messages to circulate gossip and rumors to other students.
6. excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

Hazing and/or bullying, including those activities engaged in via computer and/or electronic communications devices, are inconsistent with the educational process and are prohibited at all times on school property, on school transportation, and at all school sponsored events. Permission, consent, or assumption of risk by an individual subjected to hazing and/or bullying does not lessen the prohibition contained within this policy. No District employee shall encourage, permit, condone or tolerate any hazing and/or bullying activities. No students, including leaders of student organizations, are permitted to plan, encourage, permit, condone, tolerate, or engage in any hazing and/or bullying.

All District employees are required to be particularly alert to possible conditions, circumstances, or events that might include hazing and/or bullying. If any hazing and/or bullying or planned hazing and/or bullying is discovered, the discovering employee shall inform the involved students of the prohibition contained in this policy and shall see that the students are required to end all hazing and/or bullying activities immediately.

Notice and Publication

The prohibition against hazing, and/or bullying shall be publicized in student handbooks and in the publications that set the standard of conduct for schools and students in the District. In addition this policy shall be incorporated into employee handbooks and training materials.

At least once per school year, a written statement describing this policy and the consequences for violations of the policy will be sent to each student's custodial parent or guardian. The statement may be sent with regular student report cards or may be delivered electronically.

Students

Any student who believes that he/she has been or is the victim of hazing and/or bullying should immediately report the situation to the appropriate building principal or his/her designee, or the Superintendent. The student may also report concerns to a teacher, counselor, or other school employee who shall be responsible for notifying the building principal.

District Employees

District employees who witness acts of hazing and/or bullying as defined above, shall promptly notify the building principal/designee of the event observed, and promptly file a written incident report concerning the events witnessed.

District employees who receive student or parent reports of suspected hazing, and/or bullying shall promptly notify the building principal/designee of such report(s).

District employees and volunteers have qualified civil immunity for damages arising from reporting an incident of hazing and/or bullying, if the person reports an incident of hazing and/or bullying promptly and in good faith compliance with the procedures of this policy.

Imposition of Discipline

If the investigation finds an instance of hazing and/or bullying has occurred, it will result in appropriate remedial and/or disciplinary action. Students found responsible for hazing or bullying, including those

students responsible for bullying by an electronic act, may be subject to discipline for their misconduct, including suspension and/or expulsion pursuant to the Student Code of Conduct.

Anonymous complaints that are not otherwise verified, however, cannot provide the basis for disciplinary action.

Remedial and/or Non-disciplinary Interventions

When verified acts of hazing, bullying and/or dating violence are identified early and/or when such verified acts do not reasonably require a disciplinary response, students may be counseled as to the definition of the behavior, its prohibition and their duty to avoid any conduct that could be considered hazing and/or bullying.

If a complaint arises out of conflict between students or groups of students, peer mediation may be considered.

Intervention Strategies

The building principal or his/her designee shall also implement appropriate strategies to protect the victim or other person from new or additional hazing and/or bullying and from retaliation following a report. Strategies to protect these individuals include, but are not limited to, the opportunity to report an incident anonymously, discipline pursuant to the Student Code of Conduct of students who violate this policy, monitoring or counseling by school personnel, or other appropriate action as determined by the building principal or his/her designee.

Training and Instruction

The administration provides training on the District's hazing and bullying policy to District employees and volunteers who have direct contact with students, and such training will be included in the in-service training in the prevention of child abuse, violence and substance abuse, school safety and violence prevention, and the promotion of positive youth development required pursuant to R.C. § 3319.073. Additional training is provided to middle and high school in the prevention of dating violence. The Board shall develop its own curricula for use in training regarding this policy and the prevention of dating violence.

To the extent that state or federal funds are appropriated for this purpose, the Board requires that all students enrolled in the District annually be provided with age-appropriate instruction, as determined by the Board, on this policy, including a written or verbal discussion of the consequences for violations of the policy.

Complaints

1. Formal Complaints

Students and/or their parents or guardians may file reports regarding suspected hazing and/or bullying. The reports should be written. Such written reports must 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. They are promptly forwarded to the building principal/designee for review and action.

2. Informal Complaints

Students, parents or 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.

The school staff member or administrator who receives an informal (or verbal) complaint shall reduce the substance of the informal complaint to writing. This written report by the school staff member and/or administrator is promptly forwarded to the building principal/designee for review and action.

3. Anonymous Complaints

Students who make informal complaints as set forth above may request that their name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. The anonymous complaint is reviewed and reasonable action is taken to address the situation, to the extent 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 hazing and/or bullying.

4. False Complaints

Administrators, teachers, other employees and students who fail to abide by this policy, or deliberately make false reports regarding hazing and/or bullying may be subject to disciplinary action and may be liable for civil and criminal penalties in compliance with State and Federal law.

Investigation

The principal/designee shall be notified of any formal or informal complaint of suspected harassment and/or bullying. Under the direction of the building principal/designee, all such complaints are investigated promptly.

If, during an investigation of alleged bullying, the Principal believes that the reported misconduct may have created a hostile environment and may have constituted unlawful discriminatory harassment based on a protected class status and/or civil right, the Principal shall report the act of bullying to the District's anti-harassment Compliance Officers who shall investigate the allegation. While the Compliance Officer investigates the allegation, the Principal shall suspend his/her bullying investigation. The Compliance Officer's written report shall also make a determination as to whether this policy has been violated.

A written report of the investigation is prepared when the investigation is complete. The report should include findings of fact, a determination of whether acts of hazing and/or bullying were verified, and when prohibited acts are verified, a recommendation for intervention or disciplinary action. Where appropriate, written witness statements may be attached to the report.

To the extent permitted by state and federal law, including R.C. § 3319.321 and the Family Education Rights and Privacy Act (“FERPA”), 20 U.S.C. § 1232g, the custodial parent or guardian of any student involved in an incident of hazing and/or bullying will have access to any written reports pertaining to the incident.

Police and Child Protective Services

Allegations of criminal misconduct and suspected child abuse are reported to Child Protective Services and/or law enforcement.

The District must also investigate incidents of hazing and/or bullying for the purpose of determining whether there has been a violation of District policy or regulations, even if law enforcement and/or the public children's services are also investigating. All District personnel must cooperate with investigations by outside agencies.

Semi-Annual Report

The Superintendent/designee must provide the Board President with a semiannual written report of all verified incidents of hazing and/or bullying and post the report on the District’s web site. Such information shall be provided pursuant to student confidentiality laws, including R.C. 3319.321 and FERPA.

Anti-Retaliation

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 hazing and/or bullying of an individual.

In implementing this policy, the District will not infringe a student’s rights under the First Amendment of the U.S. Constitution.

This policy does not create a new cause of action or a substantive legal right for any person.