

HARASSMENT, INTIMIDATION, OR BULLYING

1. Statement of Purpose
 - 1.1 The Wynford Local School District prohibits acts of harassment, intimidation or bullying. The district has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards; harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to education its students in a safe environment.
 - 1.2 Harassment, intimidation, or bullying of students or personnel by students, school personnel, or school volunteers is prohibited, whether in the classroom, or school property, on school buses or vehicles, at school-sponsored events, or in cyberspace.
2. Definition of Terms
 - 2.1 The Wynford Local School District establishes that "harassment, intimidation, or bullying" means any intentional written, verbal, graphic, or physical act or gesture that a student has exhibited toward another particular student more than one and the behavior both:
 - 2.1.1 causes mental or physical harm to the other student;
 - 2.1.2 is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student.
 - 2.2 "Harassment, intimidation, or bullying: also means electronically committed acts (i.e., acts conducted using electronic or wireless communication devices) that a student has exhibited toward another particular student more than once and the behavior both:
 - 2.2.1 causes mental or physical harm to the other student;
 - 2.2.2 is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student.
 - 2.3 "Harassment, intimidation, or bullying:" also means any intentional written, verbal, graphic, or physical act or gesture that a student has exhibited toward another particular student more than once, and based on any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic; and that both:
 - 2.3.1 causes mental or physical harm to the other student;
 - 2.3.2 is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student.

- 2.4 A “school-sponsored activity” means any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Ohio Board of Education.
- 2.5 “Harassment or bullying” shall not mean any action that would constitute protected free expression under the First Amendment to the Constitution of the United States.
3. Dissemination of Policy
- 3.1.1 The district shall annually disseminate the policy to staff, students, and parents, along with a statement explaining that it applies to all applicable acts of harassment, intimidation and bullying that occur on school property, at school-sponsored functions on school buses or school-related vehicles, or in cyber space. The policy shall appear in student handbooks and in all publications that set forth the school district’s comprehensive rules, procedures, and standards of conduct for schools and students in the district.
- 3.1.2 To ensure staff are prepared to prevent and effectively intervene with incidents of harassment, intimidation, or bullying, the district shall incorporate information about the policy into employee training manuals and programs.
4. Complaints
- 4.1 Written and Oral Complaints
- 4.1.1 The district requires the principal or the principal’s designee at each school to be responsible for receiving complaints alleging violations of this policy. Students, parents or guardians may file written complaints of suspected harassment, intimidation or bullying with any school staff member or administrator. A teacher or other school staff member who receives a written complaint shall promptly forward it (no later than the next school day) to the building principal or his/her designee for review and action.
- 4.1.2 Oral complaints shall also be considered official complaints. Students, parents or guardians, and school personnel may make oral complaints of conduct that they consider to be harassment, intimidation or bullying by verbally reporting to a teacher, school administrator, or other school personnel. A teacher or other school staff member who receives an oral complaint shall promptly document the complaint in writing, and shall promptly forward it (no later than the next school day) to the building principal for review and action.
- 4.1.3 Both written and oral complaints shall be reasonably specific as to the actions giving rise to the suspicion of harassment, intimidation and/or bullying, including person(s) involved, number of times and places of the alleged conduct, the target of the prohibited behavior(s), and the names of any potential student or staff witness.

- 4.2 Anonymous Complaints
 - 4.2.1 Students who make oral 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 complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that (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.

- 5. School Personnel Responsibilities and Individual Intervention Strategies
 - 5.1 Teachers and Other School Staff
 - 5.1.1 Teachers and other school staff, who witness acts of harassment, intimidation or bullying, as defined above, shall promptly notify the building principal and/or his/her designee of the event observed by filing a written incident report concerning the events witnessed.

 - 5.1.2 School personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student/school personnel, even if such conduct does not meet the formal definition of “harassment, intimidation or bullying.”

 - 5.2 Administrator Responsibilities
 - 5.2.1 Investigation
 - 5.2.1.1 The district requires the principal and/or the principal’s designee to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the principal and/or the principal’s designee shall conduct a prompt and thorough investigation of all written and oral complaints of suspected harassment, intimidation, or bullying. A written report of the investigation shall be prepared when the investigation is complete. Such report shall include: findings of fact, a determination of whether acts of harassment, intimidation or bullying were verified, and,, when prohibited acts are verified, a recommendation of intervention, including disciplinary action. Where appropriate, written witness statements shall be attached to the report.

 - 5.2.2 Responding to Incidents: Disciplinary and Non-Disciplinary Interventions
 - 5.2.2.1 Verified acts of harassment, intimidation, or bullying shall result in an intervention by the building principal or his/her designee that is intended to ensure that the prohibition against harassment, intimidation or bullying behavior is enforced, with the goal that any such prohibited behavior will cease.

5.2.2.2 The Wynford Local School District recognizes that acts of harassment, intimidation, or bullying can take many forms and can vary dramatically in seriousness and impact on the targeted individual and school community. Accordingly, there is no one prescribed response to verified acts of harassment, intimidation, and bullying. Disciplinary and appropriate remedial actions for a student or staff member who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to, and including, suspension or expulsion.

5.2.2.3 In determining appropriate interventions for each individual who commits an act of harassment, intimidation, or bullying, the building principal shall give the following factors full consideration:

- The degree of harm caused by the incident(s);
- The surrounding circumstances;
- The nature and severity of the behavior;
- The relationship between the parties involved; and
- Past incidences or continuing patterns of behavior.

5.2.2.3.1 Disciplinary Interventions

5.2.2.3.1.1 When acts of harassment, intimidation and bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints that are not otherwise verified, however, shall not be the basis of disciplinary actions.

5.2.2.3.2.2 In and out-of-school suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation.

5.2.2.3.2.3 Expulsion may be imposed only after a hearing before the Board of Education, a committee of the Board or an impartial hearing officer designated by the Board of Education in accordance with Board policy. This consequence shall be reserved for serious incidents of harassment, intimidation or bullying and/or when past interventions have not been successful in eliminating prohibited behaviors.

5.2.2.3.2 When verified acts of harassment, intimidation, or bullying are identified and/or when such verified acts do not reasonably require a disciplinary response, non-disciplinary interventions may be employed to deal with the identified situation.

6. Intervention Strategies for Classroom, School Building, or District
 - 6.1 The Wynford Local School District recognizes that overall school climate and school culture might overtly or inadvertently support prohibited behaviors. Accordingly, when the district responds to an individual who has committed a verified act of harassment, intimidation, or bullying, the district should consider whether taking action beyond the individual would prevent potential problems. Additionally, the Wynford Local School District will attempt to actively involve parents, school employees, school volunteers, students and community members in the remediation of prohibited behaviors.

7. Intervention Strategies to Protect Victims
 - 7.1 When responding to verified acts of harassment, intimidation, or bullying, the district shall consider potential strategies to protect victims from additional harassment, intimidation, or bullying, and from retaliation following a report.

8. Reporting Obligations
 - 8.1 Reports to the parent or Guardian of the Perpetrator
 - 8.1.1 If after investigation, acts of harassment, intimidation and bullying by a specific student are verified, the building principal or his/her designee shall notify in writing the parent or guardian of the perpetrator of that finding. If disciplinary consequences are imposed against such student, a description of such discipline shall be included in such notification.

 - 8.2 Reports to the victim and his/her parent or guardian
 - 8.2.1 If after investigation, acts of bullying against a specific student are verified, the building principal or his/her designee shall notify the parent the parent or guardian of the victim of such finding. In providing such notification, care must be taken to respect the statutory privacy rights of the perpetrator of such harassment, intimidation or bullying.

 - 8.3 List of verified acts of harassment, intimidation or bullying
 - 8.3.1 The Wynford Local School District administrators shall semiannually provide the president of the district board a written summary of all reported incidents and post the summary on the district Web site, if one exists. The list shall be limited to the number of verified acts of harassment, intimidation and bullying, whether in the classroom, on school property, to and from school, or at school-sponsored events.

9. Police and Child Protective Services
 - 9.1 Allegations of criminal misconduct will be reported to law enforcement, and suspected child abuse must be reported to Child Protective Services, per required timelines. The Wynford Local School District must also investigate for the purpose of determining whether there has been a violation of the Wynford Local School District Policy or procedure, even if law enforcement or CPS is also investigating. All the Wynford Local School District personnel must cooperate with investigations by outside agencies.

9.2 In addition to, or instead of, filing a bullying/harassment/intimidation complaint through this policy, a complainant may choose to exercise other options, including but not limited to filing a complaint with outside agencies or filing a private lawsuit.

Nothing prohibits a complainant from seeking redress under any other provision of the Revised Code or common law that may apply.

10. Training

10.1 Orientation sessions for students shall introduce the elements of this policy and procedure. Students will be provided with age-appropriate information on the recognition and prevention of harassment, intimidation or bullying, and their rights and responsibilities under this and other district policies, procedures, and rules, at student orientation sessions and on other appropriate occasions. Parents will be provided with information about this policy and procedure, as well as information about other district and school rules and disciplinary policies. This policy and procedure shall be reproduced in student, staff, volunteer and parent handbooks.

10.2 Information regarding the policy on harassment/intimidation/bullying behavior shall be incorporated into employee training materials and volunteers with direct contact with students. Time spent by school employees in the training, workshops or courses shall apply toward any state or district mandated continuing education requirements.

[Adoption date: March 17, 2008]

Legal Refs.: O.R.C. 3313.666 Family Educational Rights and Privacy Act of 1974