

STUDENT HARASSMENT AND BULLYING PREVENTION AND INTERVENTION

The Board of Education 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 schools. Such behavior affects not only the students who are its targets but also those individuals who participate 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).

Hazing

Hazing is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

Harassment

Harassment has 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:

- 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.

Curricular material that raises awareness and sensitivity to discrimination or harassment and civility in the relationships of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, sexes or gender expression or identities will be included in the instructional program K-12.

Student Harassment and Bullying Prevention and Intervention - Continued

In order to implement this program the Board will designate at its annual organizational meeting a Dignity Act Compliance Officer. The role of the Compliance Officer is to coordinate and enforce this policy. In addition, the Superintendent will establish a district-wide Bullying Prevention Committee that will be overseen by the Compliance Officer. Committee will include representation from all constituent groups within the school community. The district-wide committee 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.

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 or district 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.

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 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. 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, the Compliance Officer, and the

Student Harassment and Bullying Prevention and Intervention – Continued

Professional Development Team 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 Compliance Officer 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 can't 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, **Equal Opportunity and Nondiscrimination, or 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 their building principal or other administrator who supervises their employment. 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 their building principals or other administrator who supervises their employment. Supervisors will refer the information to appropriate district staff 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.

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 wrong and 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.

Student Harassment and Bullying Prevention and Intervention - Continued

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 website. A bullying complaint form will be available on the district's website. 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 for its consideration.

The Board will receive the annual VADIR report, for each building and for the district as whole, with particular attention to the trends in the incidence of bullying. In addition, the Board will receive on an annual basis a more detailed report of the number of bullying incidents that occur, disaggregated by school, student demographic information and type of incident. Based on the review of the data, the Board may consider further action, including but not limited to modification of this policy and additional training.

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).

LIVINGSTON MANOR CENTRAL SCHOOL DISTRICT

INTERNET PROTECTION POLICY

General Information

Internet access will be provided to students in accordance with the terms of this policy. Internet access from school computers is reserved solely for educational purposes. Unauthorized use by outside groups is prohibited. Use by student clubs and organizations is limited to those times when the internet access points are not in use for instruction, and shall be limited to educational purposes and governed by this policy. Access to the internet will be under the direction and supervision of the staff assigned to the particular internet access area or computer.

The school district reserves the right to monitor all internet activity including transmission and receipt of e-mail. Use of e-mail is limited to school district purposes.

Every computer in the district having internet access shall not be operated by a student unless internet access from the computer is subject to filtering software. Such filtering software shall be designed and it shall operate so that images which are obscene, pornographic or harmful to minors shall not be displayed. Such filtering software shall also be designed and it shall operate so that images or language which advocate or promote violence or hatred against particular individuals or groups of individuals or promotes the superiority of one racial, ethnic or religious group over another shall not be displayed. For purposes of this policy, the phrase *harmful to minors* means any picture, image, graphic image file, or other visual depiction that, taken as a whole, and with respect to minors, appeals to prurient interest in nudity, sex or excretion; depicts, describes or represents in a patently offensive way with respect to what is suitable for minors an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals and, taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.

Prohibited Conduct

No student shall while using a computer or other device connected to the internet:

1. Access, transmit or retransmit material which promotes violence or advocates destruction of property, including information concerning the manufacture of destructive devices, such as explosives, fireworks, smoke bombs, incendiary devices or the like;
2. Access, transmit or retransmit any information which is harmful to minors as that phrase is defined in this policy.

Internet Protection Policy – Continued

3. Access, transmit or retransmit material which advocates or promotes violence or hatred against particular individuals or groups of individuals or advocates or promotes the superiority of one racial, ethnic or religious group over another.
4. Use or possesses bootleg software. Bootleg software means any software which has been downloaded or is otherwise in the user's possession without the appropriate registration of the software, including the payment of any fees owing to the owner of the software.
5. Use encryption software from any access point within the school district.
6. Transmit credit card or other personal identification information, including home addresses or telephone numbers from any school district computer.
7. Transmit e-mail through an anonymous remailer.
8. Access the internet from a school district computer using a non-school district internet account.
9. Use an instant messenger service or program, internet relay chat or other forms of direct electronic communication, or enter a chat room without the express permission of the staff member supervising the computer resource.
10. Commit or attempt to commit any willful act involving the use of the network which disrupts the operation of the network within the school district or any network connected to the internet, including the use or attempted use or possession of computer viruses or so-called hacking or other unlawful activities on line.
11. Disable or attempt to disable filtering software. However, such filtering software may be disabled for bona fide research or other lawful purposes, when the building principal of the building in which such research or other lawful activity will be conducted has given written permission to disable the filtering software.

In addition to those penalties set forth in the student discipline code, a violation of this internet policy may also result in loss of internet privileges.

Internet Protection Policy – Continued

Opinions, advice, services, and all other information expressed on line are those of the on-line authors and not of the school district. The internet contains information pertaining to a variety of subjects. Not all of this information is accurate or reliable, particularly where the advice of medical, legal, accounting, or other professionals would be appropriate. Users are advised not to rely on advice found on the internet. The school district is not responsible for such advice.

The school district does not guarantee or imply that access to the internet will always be available when students want access or that the software provided by the district will always work as intended. The school district is not responsible for failures in the operation or technical functioning of the internet or the computers or software used to access the internet.