

Anti-Harassment, Intimidation and Bullying Policy

The following policy must appear in any student handbook, and in any publications that set forth the comprehensive rules, procedures and standards for the School and students. Information regarding this policy must be incorporated into employee training materials. Annually, the School shall send a written statement describing the policy and the consequences for violating the policy to each student's custodial parent or guardian, either electronically or with report cards.

The School prohibits acts of harassment, intimidation, or bullying (including cyber-bullying) of any student on school property or at school-sponsored events (any event conducted on or off School property, including School buses and other School related vehicles, that is sponsored, recognized or authorized by the Board). A safe and civil environment in the School is necessary for students to learn and achieve high academic standards. Harassment, intimidation and bullying, like other disruptive or violent behaviors, are conduct that disrupts both a student's ability to learn and the School's ability to educate its students in a safe environment. Since students learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate bullying.

"Harassment, intimidation or bullying" means: any intentional written, verbal, graphic, or physical act towards a student or group of students exhibited toward other particular student more than once and the behavior both: (1) causes mental or physical harm to the other student; and (2) is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student. "Harassment, intimidation or bullying" also means violence within the dating relationship.

Harassment, intimidation, or bullying also means electronically transmitted acts, i.e. Internet, cell phone, personal digital assistance, or wireless hand-held device that a student has exhibited toward another particular student more than once that both (1) causes mental or physical harm to the other student/school personnel; and (2) is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student/school personnel.

Harassment, intimidation or bullying can include many different behaviors including overt intent to ridicule, humiliate or intimidate another student or school personnel. Examples of conduct that could constitute prohibited behaviors include:

- physical violence and/or attacks;
- Threats, taunts and intimidation through words and/or gestures;
- Extortion, damage or stealing of money and/or possessions;
- Exclusion from the peer group or spreading rumors; and

- Repetitive and hostile behavior with the intent to harm others through the use of information and communication technologies and other Web-based/online websites, such as the following:
 - Posting slurs on websites where students congregate;
 - Sending abusive or threatening instant messages;
 - Using camera phones to take embarrassing photographs of students and posting them online;
 - Using websites to circulate gossip and rumors to other students; and
 - Excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

The School reserves the right to discipline students' off campus behavior which substantially disrupts the School's educational process or mission, or threatens the safety or well-being of a Student or Staff member. Factors which may be considered in determining whether the behavior warrants discipline include, but are not limited to, the following: (1) whether the behavior created material and substantial disruption to the educational process or the School's mission due to the stress on the individual(s) victimized or the time invested by Staff in dealing with the behavior or its consequences; (2) whether a nexus to on-campus activities exists; (3) whether the behavior creates a substantial interference with a Student's or Staff member's security or right to educate and receive education; (4) whether the behavior invades the privacy of others; or (5) whether any threat is deemed to be a true threat by the administration or Board, using factors and guidelines set out by the courts or by common sense, reasonable person standards.

Some acts of harassment, intimidation, and bullying may be isolated incidents requiring that the school respond appropriately to the individuals committing the acts. Other acts may be so serious or part of a larger pattern of harassment, intimidation, or bullying that they require a response either in the classroom, School building, or by law enforcement officials. Consequences and appropriate remedial actions for students who commit an act of harassment, intimidation, or bullying range from positive behavioral interventions up to and including suspension or expulsion. Due process procedures for suspension and expulsion will be followed, as provided for under R.C. 3313.66. The disciplinary procedures and code of conduct of the School shall be followed and shall not infringe on any student's First Amendment rights under the United States Constitution.

All school personnel, volunteers and students are required to report prohibited incidents of which they are aware to the Director or his/her designee. All other persons may report prohibited incidents of which they are aware to the Director or his/her designee. Anonymous communications, if necessary, may be made by telephone, electronic mail, or in writing. The Director or his/her designee is then responsible for determining whether an alleged incident constitutes a violation of this policy. In so doing, the Director or his/her designee shall conduct a prompt and thorough investigation of the reported incident, and prepare a report documenting the prohibited incident that is reported. Once an investigation is completed, if the reported incident has been substantiated, the Parent of any Student involved in the prohibited incident shall be

notified. To the extent permitted by R.C. § 3319.321 and the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g), Parents have access to any written reports pertaining to the prohibited incident, and, if the School has a website, the School shall post this summary of reported incidents on the School website. Semiannually, the Director will provide the Board President with a written summary of all reported incidents. All School personnel, volunteers and Students shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this policy.

The School prohibits reprisal or retaliation against any victim or person who reports an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Director or his/her designee after consideration of the nature and circumstances of the act, in accordance with School policies and procedures. However, Students who deliberately make false reports of harassment, intimidation, or bullying will be disciplined up to and including suspension or expulsion.

Deliberately making false reports about harassment, intimidation or bullying is prohibited, will not be tolerated, and may result in disciplinary action.

The School shall implement the following strategy for protecting victims: supervise and discipline offending students fairly and consistently; provide adult supervision during recess, lunch time, bathroom breaks and in the hallways during times of transition; maintain contact with parents and guardians of all involved parties; provide counseling for the victim if assessed that it is needed; inform School personnel of the incident and instruct them to monitor the victim and the offending party for the indications of harassing, intimidating and bullying behavior. Personnel are to intervene when prohibited behaviors are witnessed; check with the victim daily to insure that there has been no incidents of harassment/intimidation/bullying or retaliation from the offender or other parties.

Harassment, intimidation and bullying behavior can take many forms and can vary dramatically in seriousness and impact on the targeted individual and other students. Accordingly, there is no one prescribed response to verified acts of harassment, intimidation and bullying. While conduct that rises to the level of “harassment, intimidation or bullying” will warrant disciplinary action whether and to what extent to impose disciplinary action (*i.e.*, detention, in- and out-of-school suspension, or expulsion) is a matter left in the professional discretion of the Director. The following procedure sets forth possible interventions for the Director to enforce the prohibition against harassment, intimidation or bullying. Anonymous complaints that are not otherwise verified, however, shall not be the basis for disciplinary action.

1. Non-disciplinary Interventions

When verified acts of harassment, intimidation or bullying 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 harassment, intimidation or bullying, its prohibition and their duty to avoid any conduct that could be considered harassing, intimidating or bullying. If a complaint arises

out of conflict between students or groups of students, peer mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. The victim's communication and assertiveness skills may be low and could be further eroded by fear resulting from past intimidation and fear of future intimidation. In such cases, the victim should be given additional support. Peer mediation may be deemed inappropriate to address the concern at the discretion of the School administration.

2. Disciplinary Interventions

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

Nothing in this policy prohibits a victim from seeking redress under any provision of Ohio law that may apply.

Annually, the School shall require that all students be provided with age-appropriate instruction of this policy annually including written or verbal discussion of the consequences for violating this policy to the extent State or Federal funds are appropriated for this purpose. Students will also receive age-appropriate instruction in dating violence prevention education. The School will also provide training, workshops, and/or other courses on this policy for school employees and volunteers who have direct contact with students to the extent State or Federal funds are available.

The School shall incorporate training on this policy into the in-service training required under R.C. 3319.073. The School may provide training, workshops, or courses to other Staff and volunteers who have direct contact with students.

The School will send a written statement describing this policy and the consequences for violating this policy to each student's parent or guardian. The statement may be sent with regular student report cards or delivered electronically.

R.C. §§ 3313.666, 3313.667, 3319.073

See also Policy No. 271 Student Code of Conduct; Policy No. 273 Expulsion and Suspension; Policy No. 232 Technology and Internet Acceptable Use; Policy No. 234 Electronic Communication Devices; Policy No. 261 Student Expression; Policy No.

262 Student Bill of Rights/Responsibilities; and Policy No. 264 Sexual and Other
Forms of Harassment.

Adopted on: August 14, 2012

Revised: May 2017