

HARASSMENT, HAZING & BULLYING

The Board of Education is committed to providing an educational and working environment that promotes respect, dignity and equality. The Board recognizes that harassment, hazing and bullying is detrimental to student learning and achievement. It interferes with the mission of the District to educate its students and disrupts the operation of the schools. Such behavior affects not only the students or employees 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 harassment, hazing and bullying on school grounds, school buses and at all school-sponsored activities, programs and events including those that take place at locations outside the district.

For the purposes of this policy, the terms “harassment”, “hazing”, and “bullying” collectively shall refer to, but are not limited to, any intentional written, verbal, or electronic communication or physical act which intimidates or threatens another on the basis of their actual or perceived race, color, national origin, ethnic group, weight, creed, religion, religious practice, marital status, sex, age, sexual orientation, disability, socio-economic status, class or club affiliation or other distinguishing characteristic. The actual or apparent permission or consent by a person being harassed, hazed, or bullied does not lessen the prohibitions contained in this policy or the enforcement of this policy.

If the harassment is of a sexual nature, policy/regulation #0110-R provides additional information and clarification on the District’s responsibilities in this area.

In order for the Board to effectively enforce this policy and to take prompt corrective measures, it is essential that all victims and persons with knowledge of harassment, hazing and/or bullying report such behavior immediately to the Title IX Officer or the Building Principal. The District will promptly investigate all complaints, be they formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner, although limited disclosure may be necessary to complete a thorough investigation.

If, after appropriate investigation, the District finds that a student, an employee or a third party has violated this policy, prompt corrective action will be taken in accordance with the applicable collective bargaining agreement, district policy and/or state law, as the case may warrant.

All complainants and those who participate in the investigation of a complaint have the right to be free from retaliation of any kind.

The Superintendent of Schools shall maintain and implement regulations for reporting, investigating and remedying allegations of harassment, hazing and bullying. These regulations are to be attached to this policy. In addition, training programs shall be established for students and employees to raise awareness of the issues surrounding harassment and to implement preventative measures to help reduce incidents of harassment, hazing and bullying.

This policy shall be posted in a prominent place in each district facility and shall also be published in student registration materials, student, parent and employee handbooks, and other appropriate school publications.

Each year, a committee of administrators, teachers, parents, and students shall be convened to review this policy's effectiveness and compliance with applicable state and federal law, and to recommend revisions to Board if warranted.

Cross-ref: RCSD Policy #0110, Sexual Harassment
RCSD Code of Conduct

Ref: Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.*
Title VI, Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.*
Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*; 34 CFR §100 *et seq.*
Title IX, Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*
§504, Rehabilitation Act of 1973, 29 U.S.C. §794
Individuals with Disabilities Education Law, 20 U.S.C §§1400 *et seq.*
Executive Law §290 *et seq.* (New York State Human Rights Law)
Education Law §§313(3), 3201, 3201-a
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)
Faragher v. City of Boca Raton, 524 U.S. 775 (1998)
Burlington Industries v. Ellerth, 524 U.S. 742 (1998)
Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)
Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

Adopted by the Board of Education: April 13, 2011
Revised: March 5, 2012