

Book	Policy Manual
Section	7000 - Students
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Policy #7533

SUBJECT: 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, harassment, hazing, intimidation and bullying on school property, school buses and at all school-sponsored activities, programs and events. Discrimination, harassment, hazing, intimidation or bullying that takes place at locations outside of school grounds, such as cyberbullying, 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 individuals who commit those acts may be subject to disciplinary consequences.

Definitions

“Bullying” and “Harassment”

Pursuant to the New York State Dignity for All Students Act (“DASA”), “bullying” and “harassment” have the same meaning. 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. DASA defines “bullying” and “harassment” as the creation of a hostile environment by conduct or by threats, intimidation or abuse (for the purposes of this definition the term, “threats, intimidation or abuse” includes verbal and non-verbal actions), including cyberbullying, that:

- a. 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
- b. reasonably causes or would reasonably be expected to cause a student to fear for their physical safety; or
- c. reasonably causes or would reasonably be expected to cause emotional harm or physical injury to a student.

“Bullying” and “harassment” are defined to include acts that occur on school property, on school buses, or at school-sponsored activities, programs or events. The terms “bullying” and “harassment” also include acts that occur off school property and create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

The harassing or bullying behavior may be based on any characteristic, including but not limited to a person’s actual or perceived:

- Race (including traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as but not limited to braids, locks and twists),
- Color,
- Weight,
- National Origin,
- Ethnic Group,
- Religion,
- Religious Practice,
- Disability,
- Sex,
- Sexual Orientation, or
- Gender (including gender expression and identity).

In this policy, the term “bullying” will be used to encompass all behaviors involving bullying, harassment, intimidation, cyberbullying and hazing.

Cyberbullying

Cyberbullying is defined as bullying (see above) through any form of electronic communication.

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. These categories are enumerated under the definition of “bullying” and “harassment,” above.

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.

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

Dignity Act Coordinators

In order to implement this program the Board will designate the Assistant Superintendent for Student and Staff Services as the District-Wide Dignity Coordinator. The role of the DC is to coordinate and enforce this policy. The DC will be responsible for coordinating and enforcing this policy in each school building, including but not limited to coordination of the work of the building-level committees; professional development for staff members and, the complaint process, and management of the Dignity Act's civility curriculum components.

The Board will designate the principal and psychologist(s) in each school as the Building Level Dignity Coordinators (BDC). The BDCs will be accountable for implementation of this policy at the building level.

The DC and the BDCs will receive training regarding DASA, this policy, and how to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression), and sex.

In the event a DC or a BDC vacates their position, another eligible employee will be immediately designated as an interim pending approval of the Board of Education within 30 calendar days. In the event a DC or BC is unable to perform their duties for an extended period of time, the District will immediately designate another eligible employee as an interim DC or BDC, pending the return of the previous individual to the position.

The District will widely disseminate the name, designated school, and contact information of each DC and BDC to all school personnel, students and parents or persons in parental relation by:

- a. Listing it in the Code of Conduct, with updates posted on the District's website;
- b. Providing it in a manner to be determined by the District to all parents or persons in parental relation before the beginning of each school year;
- c. Posting it in highly visible areas of school buildings; and
- d. Making it available at the District and school-level administrative offices.

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 report it in accordance with this policy, refer the student to designated resources for assistance, or to intervene in accordance with this policy.

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 DC and the District Professional Development Team will incorporate training to support this program in new teacher orientation and the annual professional development plan, as needed. All employees will be provided with training pursuant to this policy. The training may be provided in conjunction with existing professional learning and will include training to:

- a. Raise awareness and sensitivity to potential acts of bullying;
- b. Address social patterns of bullying;
- c. Inform employees on the identification and mitigation of bullying;
- d. Enable employees to prevent and respond to incidents of bullying;
- e. Make employees aware of the effects of bullying on students;
- f. Provide strategies for effectively addressing problems of exclusion, bias and aggression;
- g. Include safe and supportive school climate concepts in curriculum and classroom management; and
- h. Ensure the effective implementation of school policy on conduct and discipline.

Reporting and Investigation

Although it can be difficult to step forward, the District cannot 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, this policy and the District's Code of Conduct. The District will make a bullying complaint form available on its website.

Staff members who observe or learn of incident(s) of bullying are required pursuant to State law to make an oral report to the building Principal, the Superintendent or their designee within one school day and fill out and file the District's reporting form with the building Principal, the Superintendent or their designee within two school days. If a staff member is unsure of the reporting procedure, the staff member expected to inquire about how to proceed by speaking with their supervisor.

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 Superintendent, the DC or the Superintendent's or DC's designee will lead or supervise the thorough investigation of all reports of bullying and ensure that all investigations are promptly completed after the receipt of a written report.

Additionally, other District policies and documents address harassment, bullying and discrimination of students. All complaints will be handled in accordance with the applicable District policies and/or documents. The determination as to which District policies and/or documents are applicable is fact specific, and the DC may work with other District staff, as appropriate, to determine which District policies and/or documents are applicable to the specific facts of the complaint.

The results of the investigation shall be reported back to both the target and the accused.

The Superintendent, the principal, their designee, or the DC will promptly notify the appropriate local law enforcement agency when it is believed that bullying constitutes criminal conduct. Verified bullying incidents that meet the criteria established by the State will be included in the Statewide reporting system when applicable, in accordance with law and regulation.

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.

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. Any person who retaliates is subject to immediate disciplinary action up to and including suspension or termination.

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 to students, staff and parents on an annual basis.

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.

At least once during each school year, each building principal will provide a report on data and trends related to bullying to the Superintendent in a manner prescribed by the District.

The Board will receive the annual School Safety and Educational Climate (SSEC) Summary Data Collection Form, the State-required report relevant to bullying, violent and disruptive incidents, and the school climate, for each building and for the District as a whole. 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). Revised by L&B – 4/2023

Comsewogue School District
290 NORWOOD AVENUE
PORT JEFFERSON STATION, NEW YORK 11776-2598

HARASSMENT AND/OR BULLYING COMPLAINT FORM

The purpose of this form is to inform the district of an incident or series of incidents of bullying and/or harassment so we can investigate and take appropriate steps. **If you feel unsafe, or if your child feels that way, fill out this form, but we urge you to speak directly with your child's principal as soon as possible so we can address your concerns.**

Student Name: _____ Student ID: _____

Grade: _____ School _____

Describe the incident(s). Please include when and where it happened.

List the name(s) of the individual(s) accused of bullying and/or harassment.

Were there any witnesses? Yes No If yes, please list the names of the individual(s).

I certify that all statements on this form are accurate and true to the best of my knowledge.

Signature _____ Date _____

Please attach any supporting documentation (i.e., copies of emails, notes, photos, etc.).

Return this form to your child's principal.

Note on confidentiality:

In order to investigate the complaint, the district will disclose the content of the complaint only to those persons who have a need to know. This form will not be shown to the accused student(s)/staff.

Distrito Escolar de Comsewogue

290 NORWOOD AVENUE

ESTACIÓN PORT JEFFERSON, NUEVA YORK 11776-2598

FORMULARIO DE QUEJA DE ACOSO Y/O INTIMIDACIÓN

El propósito de este formulario es informar al distrito de un incidente o serie de incidentes de intimidación y / o acoso para que podamos investigar y tomar las medidas apropiadas. **Si se siente inseguro, o si su hijo se siente así, complete este formulario, pero le instamos a que hable directamente con el director de su hijo lo antes posible para que podamos abordar sus inquietudes.**

Nombre del estudiante: ID del estudiante:
Grado: Escuela:

Describa el incidente o incidentes. Por favor, incluya cuándo y dónde sucedió.

Enumere el nombre (s) de la (s) persona (s) acusada (s) de intimidación y / o acoso.

¿Hubo testigos? Yes No En caso afirmativo, sírvase enumerar los nombres de la(s) persona(s).

Certifico que todas las declaraciones en este formulario son precisas y fieles a mi leal saber y entender.

Firma

Fecha

Por favor, adjunte cualquier documentación de respaldo (es decir, copias de correos electrónicos, notas, fotos, etc.).

Devuelva este formulario al director de su hijo.

Nota sobre la confidencialidad:

Con el fin de investigar la queja, el distrito divulgará el contenido de la queja solo a aquellas personas que tengan la necesidad de saberlo. Este formulario no se mostrará al estudiante /personal acusado.