

## **BULLY PREVENTION AND INTERVENTION**

The Peru Central School District Board of Education is committed to promoting and sustaining an environment that is free from bullying for all employees and students. Bullying of students and staff is abusive behavior that harms victims and negatively impacts the school culture by creating an environment with increased fear, distrust, intimidation and intolerance.

Bullying, in the context of this policy, is defined as inappropriate persistent behavior including threats and/or intimidation of others, treating other cruelly, terrorizing, coercing, or habitual put downs and/or badgering others. To this end, the board condemns and strictly prohibits all forms of face-to-face, phone-to-phone and e-mail bullying on school grounds, school buses and at all school-sponsored activities. Use of the district's information technology networking for sending communications of a bullying nature is expressly prohibited.

Common characteristics of bullying include but are not limited to:

1. **Physical** – hitting, kicking, taking or damaging a victim's property.
2. **Verbal** – using words to berate, hurt, humiliate or intimidate.
3. **Relational** – maliciously spreading rumors, persistently accusing particular others of misconduct and/or poor professional practice without following the district's policy on complaint procedures, and/or actively excluding a person from the peer group to cause emotional harm.

Bullying does not only depend upon the offender's intention, but also upon how the target perceives the behavior. The Board and school district condemn all unwelcome behavior of an intimidating nature that has the purpose or effect of creating an intimidating, hostile, or offensive working environment. The Board and school district further recognize that responding appropriately to bullying in schools is essential to ensure a healthy, productive environment in which students can learn and employees can work productively.

District procedures are to be consistent with any applicable provisions contained in the District's collective bargaining agreements and the tenure laws.

### **Dignity Act Coordinator**

One employee from each district school building (usually the principal) shall be appointed, upon approval of the Board of Education, as the Dignity Act Coordinator. This individual will be trained to handle human relations in the areas of harassment based on race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

### **Prevention**

The Board directs the Superintendent to develop regulations that will define bullying, put steps in place to prevent bullying from occurring and give students and staff the necessary tools to intervene should they witness bullying. Additionally, the Board directs the Superintendent to develop training programs for all staff to recognize bullying and the methods to properly gather and report information to the appropriate building administrator. Additionally, building administrators will receive training in the methods to properly investigate and resolve bullying issues.

### **Reporting Complaints**

Any employee, student or volunteer who believes that he or she has been subjected to bullying should report the alleged misconduct to one's teacher, guidance counselor, Principal or other appropriate administrator or staff member, so that appropriate corrective action may be taken at once.

In the absence of a victim's complaint, the employee or supervisor who has good reason to suspect the occurrence of bullying is to request the appropriate individuals closest to the situation promptly commence an investigation.

### **Investigation/Resolution and Remedial Action**

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

In the case of telephone or e-mail bullying, the school district may place limits on an individual's access to the district's telephone system and/or the district's information technology network, if such limits are necessary and warranted to remedy the situation.

Anyone subjecting complainants or witnesses to any form of retaliation will also be subject to disciplinary action in the manner prescribed by law and consistent with any applicable provisions in the District's collective bargaining agreements. If the investigation reveals that no bullying has occurred, or if the complainant is not satisfied with the remedial action taken after a finding of bullying, the complainant may appeal to the next appropriate individual for students, the appropriate individual would be a counselor or building administrator.

### **Staff and Student Awareness of this Policy**

Principals, on an annual basis, are to inform parents and students of this policy and to inform parents of that school's initiatives to advance this policy at that grade span.

Principals and operations supervisors are to include reference to this policy, at least annually, at staff meetings, as part of in-service training and professional development, to promote sustained awareness and attention regarding this policy among the members of department and grade level teams.

This policy is to be included in future editions of the district's code of conduct. All district employees are to receive a copy of this policy, via the district office, within two months of adoption. Principals are expected to share information regarding this new policy with students and their parents within a month following district office publication and campus-wide distribution of the adopted policy.

Original Adoption Date: February 12, 2008  
Re-Adoption First Reading: September 12, 2017

Cross-ref: 0100, Equal Opportunity and Nondiscrimination  
0110, Sexual Harassment  
5300, Code of Conduct

Ref: Dignity for all Students Act, Education Law, §10 – 18  
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, 41 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)