

**BULLYING AND OTHER FORMS OF AGGRESSIVE BEHAVIOR**

The Board of Education prohibits acts of harassment, intimidation, or bullying. The School District is committed to providing a safe, positive, and productive educational environment for all of its students. All members of the school community should be treated with dignity and respect. Bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Harassment, intimidation, or bullying of students or personnel by students, school personnel, or school volunteers is prohibited, whether in the classroom, on school property, on school buses or vehicles, at school-sponsored events, or in cyber-space. Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of students, administrators, faculty, staff, and volunteers.

**Definition**

"Harassment, intimidation, or bullying" means any intentional written, verbal, graphic, electronic gesture, or physical, or psychological act that a student or a group of students exhibits more than once toward another particular student(s) or violence within a dating relationship. It is conduct that meets all of the following criteria:

- A. a deliberate act which causes mental or physical harm to the other student(s);
- B. is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s);
- C. takes place on school property, in a school bus or vehicle, and those occurring off school property if the student, employee, or volunteer is at any school-sponsored, school approved or school related activity or function, such as field trips or athletic events where the students are under the school's control, in a school vehicle, or is engaged in school business.

Harassment, intimidation, or bullying includes, but is not limited to, such behaviors as stalking, bullying/cyberbullying, intimidating, menacing, coercion, name-calling, taunting, making threats, and hazing. It also includes behaviors that have the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

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The actions can be an electronically transmitted act (i.e., internet, e-mail, cellular telephone, personal digital assistance (PDA), or wireless hand-held devices) that a student(s) or a group of students exhibits toward another particular student(s) and the behavior both causes mental and/or physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s).

This policy has been developed in consultation with parents, District employees, volunteers, students, and community members as prescribed in R.C. 3313.666 and the State Board of Education's Model Policy.

#### **Procedure for Reporting Complaints**

Any student or student's parent/guardian who believes s/he has been or is the victim of harassment, intimidation, or bullying should immediately report the situation to the building principal, assistant principal, or the Superintendent. The student may also report concerns to teachers and other school staff who will be responsible for notifying the appropriate administrator or Board official.

Teachers and other school staff, who witness acts of harassment, intimidation, or bullying shall promptly notify the building principal/designee of the event observed by filing a written report. Submission of an "Incident Report Form" is required by all District employees. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

Complaints

Students and/or their parents/guardians may file reports regarding suspected harassment, intimidation, or bullying. Such reports shall be reasonably specific including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, intimidation, and/or bullying, and the names of any potential student or staff witnesses. Such reports may be filed with any school staff member or administrator, and they shall be promptly forwarded to the building principal for review, investigation, and action.

Students, parents/guardians, and school personnel may make informal or anonymous complaints of conduct that they consider to be harassment, intimidation, and/or bullying by verbal report to a teacher, school administrator, or other school personnel. Such complaints shall be reasonably specific including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, intimidation, and/or bullying, and the names of any potential student or staff witnesses. A school staff member or administrator who receives an informal or anonymous complaint shall promptly document the complaint in writing, including the information provided. This written report shall be promptly forwarded by the school staff member and/or administrator to the building principal for review, investigation, and appropriate action.

Individuals who make informal complaints as provided above may request that their name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. Anonymous complaints shall be reviewed and reasonable action shall be taken to address the situation, to the extent such action may be taken that (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of harassment, intimidation, and/or bullying.

When an individual making an informal complaint has requested anonymity, the investigation of such complaint shall be limited as is appropriate in view of the anonymity of the complaint. Such limitation of investigation may include restricting action to a simple review of the complaint subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

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**Consequences and Remedial and/or Disciplinary Actions**

The Board of Education requires its District administrators to develop and implement procedures that ensure both the appropriate consequences and remedial responses to a student or staff member who commits one (1) or more acts of harassment or bullying. The following factors, at a minimum, shall be given full consideration by school administrators in the development of the procedures for

**BOARD OF EDUCATION  
BRECKSVILLE-BROADVIEW HEIGHTS CITY  
SCHOOL DISTRICT**

STUDENTS  
5517.01/page 4 of 9

determining appropriate remedial and/or disciplinary measures for each act of harassment or bullying.

The following factors will be considered in determining the appropriate response to students who commit one (1) or more acts of bullying:

- A. the age, development, and maturity levels of the parties involved
- B. the degree of harm caused by the incident(s)
- C. the surrounding circumstances
- D. the nature and severity of the behavior
- E. past incidences or continuing patterns of behavior
- F. the relationship between the parties involved
- G. the context in which the alleged incidents occurred

Consequences and/or remediation for a student or staff member who commits one (1) or more acts of bullying may range from positive behavioral interventions to suspension or expulsion, in the case of a student, or suspension or termination in the case of an employee, as set forth in the applicable collective bargaining agreements or Board policy.

Consequences and/or remedial measures shall be designed to:

- A. correct the problem behavior;
- B. prevent another occurrence of the behavior;
- C. and protect the victim of the act.

**Investigation**

All complaints about behavior deemed to violate this policy shall be promptly investigated. The building principal or appropriate administrator shall prepare a written report of the investigation upon completion. Such report shall include a finding of the facts, a determination of whether acts of harassment, intimidation and/or bullying were verified, and, when prohibited acts are verified, a recommendation for intervention, including disciplinary action. Where appropriate, written witness statements shall be attached to the report.

If after the investigation, an act of harassment, intimidation, and/or bullying by a specific student is verified, the building principal or appropriate administrator shall notify in writing the parent/guardian of the perpetrator of that finding. If disciplinary consequences are imposed against such a student, a description of such discipline shall be included in the notification.

If the investigation finds an instance of harassment, intimidation, and/or bullying /cyberbullying by an electronic act or otherwise, has occurred, it will result in prompt and appropriate remedial and/or disciplinary action. This may include suspension or up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement officials.

Retaliation against any person, who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of harassment, intimidation and bullying are prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as harassment, intimidation and bullying.

Retaliation may result in disciplinary action as indicated above. Deliberately making false reports about harassment, intimidation, bullying and/or other aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Deliberately making false reports may result in disciplinary action as indicated above.

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If a student or other individual believes there has been aggressive behavior, regardless of whether it fits a particular definition, s/he should report it and allow the administration to determine the appropriate course of action.

The District shall implement intervention strategies (AG 5517.01) to protect a victim or other person from new or additional harassment, intimidation, or bullying and from retaliation following such a report.

The policy shall not be interpreted to infringe upon the First Amendment rights of students (i.e., to prohibit a reasoned and civil exchange of opinions, or debate, that is conducted at appropriate times and places during the day and is protected by State or Federal law).

The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken. If after the investigation, acts of bullying against a specific student are verified, the building principal or appropriate administrator shall notify the custodial parent/guardian of the victim of such finding. In providing such notification, care shall be taken to respect the statutory privacy rights of the perpetrator of such harassment, intimidation, and/or bullying.

If after investigation, acts of harassment, intimidation, and/or bullying by a specific student are verified, the building principal or appropriate administrator shall notify in writing the custodial parent/guardian of the perpetrator of that finding. If disciplinary consequences are imposed against such student, a description of such discipline shall be included in the notification.

Privacy/Confidentiality

The School District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law.

**Reporting Requirement**

The Superintendent shall provide to the President of the Board a written summary of all reported incidents and post the summary on the District web site on a semiannual basis. The list shall be limited to the number of verified acts of bullying, covered in this policy, whether in the classroom, on school property, on the way to and from school, or at school-sponsored events.

Allegations of criminal misconduct and suspected child abuse will be reported to the appropriate law enforcement agency and/or to the Child Protective Services in accordance with statute. District personnel shall cooperate with investigations by such agencies.

**Notification**

Notice of this policy will be annually circulated to all school buildings and posted in conspicuous locations and departments within the District. The policy will be discussed with students, as well as incorporated into the teacher, student, and parent/guardian handbooks. At least once each school year a written statement describing the policy and consequences for violations of the policy shall be sent to each student's custodial parent or guardian.

The policy and an explanation of the seriousness of bullying by electronic means shall be made available to students in the District and to their custodial parents or guardians.

State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires will be required to review and sign off on this policy and the related complaint procedures.

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**Education and Training**

In support of this policy, the Board promotes preventative educational measures to create greater awareness of harassment, intimidation, bullying, and violence within a dating relationship. The Superintendent shall provide appropriate training to all members of the School District community related to the implementation of this policy and its accompanying administrative guidelines. All training regarding the Board's policy and administrative guidelines and harassment, intimidation, bullying, and violence within a dating relationship in general, will be age and content appropriate.

Annually, the District shall provide all students enrolled in the District with age-appropriate instruction regarding the Board's policy, including a written or verbal discussion of the consequences for violations of the policy.

Students in grades seven (7) through twelve (12) shall receive age appropriate instruction in dating violence prevention education, including instruction in recognizing dating violence warning signs and characteristics of healthy relationships. Parents, who request to the building principal to examine the dating

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**BOARD OF EDUCATION  
BRECKSVILLE-BROADVIEW HEIGHTS CITY  
SCHOOL DISTRICT**

STUDENTS  
5517.01/page 9 of 9

violence prevention instruction materials used in the school, will be afforded an opportunity to review the materials within a reasonable period of time.

The District shall provide training, workshops, and/or courses on this policy for school employees and volunteers who have direct contact with students, to the extent that State or Federal funds are appropriated for these purposes. Time spent by school staff in these training programs shall apply toward mandated continuing education requirements.

In accordance with Board Policy 8462, the Superintendent shall include a review of this policy on bullying and other forms of harassment in the required training in the prevention of child abuse, violence, and substance abuse and the promotion of positive youth development.

**Immunity**

Pursuant to R.C. 3313.666, a School District employee, student, or volunteer shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this policy if that person reports an incident of harassment, intimidation, and/or bullying promptly, in good faith, and in compliance with the procedures specified in this policy. Such immunity from liability shall not apply to an employee, student, or volunteer determined to have made an intentionally false report about harassment, intimidation, and/or bullying.

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