

HAZING AND BULLYING
(Harassment, Intimidation and Dating Violence)

Hazing means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person.

Throughout this policy the term bullying is used in place of harassment, intimidation and bullying.

Bullying, harassment and intimidation is an intentional written, verbal, electronic or physical act that a student has exhibited toward another particular student more than once. The intentional act also includes violence within a dating relationship. The behavior causes mental 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. This behavior is prohibited on school property, on a school bus or at a school-sponsored activity. Students found responsible for harassment, intimidation or bullying by an electronic act may be suspended. Discipline procedures will not infringe on any student's rights under the First Amendment to the Constitution of the United States. **When the behavior is sexual harassment, the Title IX sexual harassment grievance process will be followed, if applicable, prior to imposing any discipline that cannot be imposed without resolution of the Title IX process.**

Permission, consent or assumption of risk by an individual subjected to hazing, bullying and/or dating violence does not lessen the prohibition contained in this policy.

The District includes, within the health curriculum, age-appropriate instruction in dating violence prevention education in grades 7 to 12. This instruction includes recognizing warning signs of dating violence and the characteristics of healthy relationships.

Prohibited activities of any type, including those activities engaged in via computer and/or electronic communications devices or electronic means, are inconsistent with the educational process and are prohibited at all times. The District educates minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

No administrator, teacher or other employee of the District shall encourage, permit, condone or tolerate any hazing and/or bullying activities. No students, including leaders of student organizations, are permitted to plan, encourage or engage in any hazing and/or bullying.

Administrators, teachers and all other District employees are particularly alert to possible conditions, circumstances or events that might include hazing, bullying and/or dating violence. If any of the prohibited behaviors are planned or discovered, involved students are informed by

the discovering District employee of the prohibition contained in this policy and are required to end all such activities immediately. All hazing, bullying and/or dating violence incidents are reported immediately to the principal/designee and appropriate discipline is administered. **When employees have actual knowledge that the behavior is sexual harassment, they must contact the Title IX Coordinator.**

The Superintendent/designee must provide the Board President with a semiannual written summary of all reported incidents and post the summary on the District's website, to the extent permitted by law.

The administration provides training on the District's hazing and bullying policy to District employees and volunteers who have direct contact with students and by November 30 annually reports to the Ohio Department of Education compliance with this requirement through the consolidated school mandate report. If the District reports noncompliance the Superintendent/designee must provide a written explanation to the Board within 30 days explaining this noncompliance and a written plan of action for accurately and efficiently addressing the problem.

Additional training is provided to elementary employees in violence and substance abuse prevention and positive youth development.

District employees, students and volunteers have qualified civil immunity for damages arising from reporting an incident of hazing and/or bullying. Administrators, teachers, other employees and students who fail to abide by this policy may be subject to disciplinary action and may be liable for civil and criminal penalties in compliance with State and Federal law.

No one is permitted to retaliate against an employee or student because he/she files a grievance or assists or participates in an investigation, proceeding or hearing regarding the charge of hazing and/or bullying of an individual.

[Adoption date:]

LEGAL REFS.: Children's Internet Protection Act; 47 USC 254 (h)(5)(b)(iii);
(P.L. 106-554, HR 4577, 2000, 114 Stat 2763)
Education Amendments of 1972, Title IX; 20 USC 1681 et seq.
ORC 117.53
2307.44
2903.31
3301.22
3301.68
3313.666; 3313.667
3319.073; 3319.321

CROSS REFS.: AC, Nondiscrimination
ACA, Nondiscrimination on the Basis of Sex
ACAA, Sexual Harassment
EDE, Computer/Online Services (Acceptable Use and Internet Safety)
IGAE, Health Education
IIBH, District Websites
JFC, Student Conduct (Zero Tolerance)
JFCEA, Gangs
JFCK, Use of Electronic Communications Equipment by Students
JG, Student Discipline
JHG, Reporting Child Abuse and Mandatory Training
JO, Student Records
Student Handbooks

NOTE: The terminology of bullying in this policy also includes harassment and intimidation and is defined as an intentional written, verbal, electronic or physical act that a student has exhibited toward another particular student more than once. The behavior causes mental 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.

Violence within a dating relationship is also included in this prohibition against harassment, intimidation and bullying.

The Children's Internet Protection Act added a requirement that effective July 1, 2012, all school districts participating in the E-Rate program must include language in their internet safety policy regarding the education of minors concerning appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response and to develop an educational plan to implement the program. Helpful resources are available at OnGuardOnline.gov.

HB 116 (The Jessica Logan Act), signed by the Governor on February 2, 2012, requires districts to update Hazing and Bullying policies to include several new requirements by November 2012. The majority of language changes appear in Ohio Revised Code Section (RC) 3313.666.

Senate Bill 216 (2018) enacted RC 3301.68 requiring the Ohio Department of Education (ODE) to establish, distribute and monitor a consolidated school mandate report for school districts. Except where specifically required by law, ODE cannot require a separate report for the items included in the report. Each district must complete and file the report by November 30 annually.

The report must require each district or school to denote “yes” to indicate compliance or “no” to indicate noncompliance with the following prescribed items and to provide any other information that the department requests regarding those items:

- *Training on the use of physical restraint or seclusion on students;*
- *Training on harassment, intimidation, or bullying;*
- *Training on the use of cardiopulmonary resuscitation and an automated external defibrillator;*
- *The reporting of a district’s or school’s compliance with nutritional standards;*
- *Screening for hearing, vision, speech and communications, and health or medical problems and for any developmental disorders of students enrolled for the first time in kindergarten or first grade and*
- *Compliance with interdistrict and intradistrict open enrollment requirements.*

If a district or school denotes “no” on any item it must provide a written explanation to the board within 30 days for why that item was not completed and a written plan of action for accurately and efficiently addressing the problem.

On May 6, 2020, the U.S. Department of Education issued the long-awaited final Title IX regulations, which go into effect August 14, 2020. The Title IX regulations specifically define sexual harassment and establish detailed procedures for how school districts must respond to allegations of sexual harassment. Districts must follow the Title IX complaint process before the imposition of any disciplinary sanctions or other actions that are not supportive measures when the behavior is sexual harassment. This requirement will likely impact a district’s current procedures for handling student discipline. Districts should ensure that all sexual harassment complaints are handled in accordance with the Title IX regulations that are outlined in ACAA, Sexual Harassment and ACAA-R, Sexual Harassment Grievance Process.

THIS IS A REQUIRED POLICY

