

POLICY

Students

SUBJECT: DIGNITY FOR ALL STUDENTS ACT

The Board of Education recognizes that learning environments that are safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting and intimidation. Therefore, in accordance with the Dignity for All Students Act, Education Law, Article 2, the District will strive to create an environment free of discrimination and harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District's educational mission.

The District condemns and prohibits all forms of discrimination and harassment of students based on actual or perceived race, color, weight, height, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students on school property and at school-sponsored activities and events that take place at locations off school property. In addition, any act of discrimination or harassment, outside of school sponsored events, which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline.

Dignity Act Coordinator

At least one (1) employee at every school shall be designated as the Dignity Act Coordinator(s). The Dignity Act Coordinator(s) will be thoroughly trained to handle human relations in the areas of race, color, weight, height, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity or expression) and sex. The Board of Education shall appoint the Dignity Act Coordinator(s) and share the name(s) and contact information with all school personnel, students, and parents/persons in parental relation.

If a Dignity Act Coordinator vacates his/her position, another school employee shall immediately be designated for an interim appointment as Coordinator, pending approval from the Board of Education, within thirty (30) days of the date the position was vacated. In the event a Coordinator is unable to perform the duties of the position for an extended period of time, another school employee shall immediately be designated for an interim appointment as Coordinator, pending return of the previous Coordinator to the position.

Training

Training will be provided each school year for all District employees in conjunction with existing professional development training to raise staff awareness and sensitivity of harassment and discrimination directed at students that are committed by students or school employees on school property or at a school function. Training will include ways to promote a supportive school environment that is free from discrimination and harassment, emphasize positive relationships, and demonstrate prevention and intervention techniques to assist employees in recognizing and responding to harassment and discrimination, as well as ensuring the safety of the victims.

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SUBJECT: STUDENT DISCRIMINATION GRIEVANCE GUIDELINES

General Statement

The Montauk Union Free School District does not discriminate on the basis of sex, sexual orientation, age, marital status, military status, political affiliation, race, creed or religion, color, national origin, or use of a recognized guide dog, hearing dog or service dog, or disability in the employment and educational opportunities it offers, including career and technical educational opportunities as required by Title IX of the 1972 Educational Amendments and Section 504 of the Rehabilitation Act of 1973.

Guidelines

Students of the Montauk Union Free School District are protected from discrimination in the following areas:

- 1) Admission to schools
- 2) Access to enrollment in courses
- 3) Access to and use of school facilities
- 4) Counseling and guidance materials, tests, and practices
- 5) Career and technical education
- 6) Physical education
- 7) Competitive athletics
- 8) Graduation requirements
- 9) Student rules, regulations, and benefits
- 10) Financial assistance
- 11) Health services
- 12) School-sponsored extracurricular activities
- 13) Most other aids, benefits, or services

Grievance Process

Any student suspecting discrimination on the basis of sex, sexual orientation, age, marital status, military status, political affiliation, race, creed or religion, color, national origin, disability, or use of a recognized guide dog, hearing dog or service dog may make a claim of discrimination. This claim or grievance is filed with the Superintendent/designee, who will assist with the grievance process if necessary. The following information should be included on the grievance:

- 1) The exact nature of the grievance - actions, policies, or practices believed to be discriminatory and any person believed to be responsible.
- 2) The date, time and place of the alleged discriminatory action(s).

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SUBJECT: STUDENT DISCRIMINATION GRIEVANCE GUIDELINES (Cont'd.)

- 3) The names of witnesses or persons who have knowledge about the grievance.
- 4) Any available written documentation or evidence that is relevant to the grievance.
- 5) The actions that could be taken to correct the grievance.

The Superintendent/designee shall cause a review of the grievance to be conducted (including necessary meetings and interviews) and a written response mailed to the complainant within ten school days after receipt of the complaint.

If it is agreed that discrimination occurred, corrective action will be taken to restore denied rights.

If there is not agreement, a written appeal may be submitted to the Board of Education indicating the reasons for disagreement. The Board of Education shall consider the appeal at its next regularly scheduled meeting following receipt of the appeal.

A complaint of illegal discrimination may also be filed with the Federal Office for Civil Rights, United States Department of Education.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

NOTE: Refer also to Regulation #3420R -- Anti-Harassment in the School District

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SUBJECT: SEXUAL HARASSMENT OF STUDENTS

Refer to Section #6121 for regulations and forms relating to Sexual Harassment.

SUBJECT: BULLYING: PEER ABUSE IN THE SCHOOLS

The School District is committed to creating and maintaining a learning environment which is free of discrimination and intimidation. Based upon the principle that every student is entitled to be treated with dignity and respect, bullying of a student by another student is strictly prohibited on school property, in school buildings, on school buses, at school sponsored events and/or activities whether occurring on or off campus. Bullying, like other disruptive or violent behavior, is conduct that interferes with the student's ability to learn as well as the school's ability to educate its students in a safe and secure environment. The prohibition of bullying - along with the range of possible intervention activities and/or sanctions for such misconduct - will be included in the *District Code of Conduct* for all grade levels. Any student who is in violation of District policy and/or regulation prohibiting bullying behavior will be subject to appropriate disciplinary measures (and/or intervention strategies as may be determined by administration) in accordance with applicable laws and/or regulations, District policy and administrative regulations and the *District Code of Conduct*.

Definitions/Examples of Prohibited Conduct

For purposes of this regulation, the term "bullying" among children is defined, in general, as: "a variety of negative acts carried out repeatedly over time. It involves a real or perceived imbalance of power, with a more powerful child or group attacking those who are less powerful." Bullying can take three forms:

- 1) Physical (including, but not limited to, hitting, kicking, spitting, pushing, taking personal belongings);
- 2) Verbal (including, but not limited to, taunting, malicious teasing, name calling, making threats);
- 3) Psychological (including, but not limited to, spreading rumors; manipulating social relationships; or engaging in social exclusion, extortion, or intimidation);

The District also prohibits "Internet bullying" (also referred to as "cyber-bullying") including the use of instant messaging, email, websites, chat rooms, and text messaging when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of District students or employees.

However, a single negative act as enumerated above may also constitute "bullying" (if not more serious misconduct) based upon the particular circumstances such as the seriousness of the act and/or the intent of the actor.

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SUBJECT: BULLYING: PEER ABUSE IN THE SCHOOLS (Cont'd.)**Reporting of Complaints: General Guidelines**

- 1) Any student who believes that he/she is being subjected to bullying behavior, as well as any other person who has knowledge of or witnesses any possible occurrence of bullying, shall report the bullying to any staff member or the Building Principal.
- 2) The staff member/Building Principal to whom the report is made (or the staff member/Building Principal who witnesses bullying behavior) shall investigate the complaint and take appropriate action to include, as necessary, a referral to the next level of supervisory authority and/or other official designated by the District to investigate allegations of bullying. Investigations of allegations of bullying shall follow the procedures utilized for complaints of harassment within the School District, including the filing of "informal" and/or "formal" complaints and levels of appeal.
- 3) All allegations of bullying, whether written or verbal, formal or informal, will be investigated thoroughly, promptly and impartially in accordance with law and/or regulations, District policy, administrative regulations, and the *District Code of Conduct*.
- 4) To the extent possible, within legal constraints, all allegations of bullying behavior will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a "need to know" basis. *When school officials receive a complaint or report of alleged bullying behavior that may be criminal in nature or that could lead to in-school or out-of-school violence, law authorities should be immediately notified.*
- 5) Administration shall also refer to and use, as appropriate, existing policies and administrative regulations (such as those addressing harassment in the school setting, threats of violence in the school, hazing of students), the *District Code of Conduct* and the appropriate School Safety Plan when investigating allegations of bullying.
- 6) The Superintendent/designee is to be informed as soon as possible regarding all allegations and/or reports regarding bullying of students and the status of any investigations.
- 7) All investigations of allegations of bullying in the school setting, as well as any action taken, shall be appropriately documented in order to create a written record that demonstrates the District's efforts to reduce incidents of bullying and to facilitate the evaluation of the District's efforts to reduce such behavior.

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SUBJECT: BULLYING: PEER ABUSE IN THE SCHOOLS (Cont'd.)

- 8) Parents of students subjected to possible bullying behavior and/or students filing a complaint of bullying behavior, as well as parents of accused students, may be notified by the appropriate administrator of such occurrence and/or allegations as warranted and in accordance with legal guidelines. Applicable due process procedures will be followed depending upon the nature of the investigation and possible disciplinary sanctions, including due process procedures mandated pursuant to federal and state law and regulation if the accused student has been identified as having a disability or is suspected of having a disability.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The District prohibits any retaliatory behavior directed against complainants, victims, witnesses and/or any other individuals who participated in the investigation of allegations of bullying. Follow-up inquiries and/or appropriate monitoring of the alleged bully and victim shall be made to ensure that bullying behavior has not resumed and that all those involved in the investigation have not suffered retaliation.

Knowingly Makes False Accusations

Any individual who *knowingly* makes false accusations against a student as to allegations of bullying behavior may also face appropriate disciplinary action.

District Responsibility/Training

The Principal will be responsible for informing students and staff on a yearly basis of District policy and regulations regarding the prohibition of bullying behavior by students.

Personnel at all levels are responsible for taking corrective action to prevent bullying behavior of which they have been made aware at School District sites or activities and/or reporting such behavior to their immediate supervisor. Further, staff training shall be provided to raise awareness of the problem of bullying within the schools and to facilitate staff identification of and response to such bullying behavior among students.

Prevention and intervention techniques within the District to prevent bullying behavior and to support and protect victims shall include building-level and classroom-level strategies and activities as determined by administration. Individual intervention will be provided by appropriate staff members to bullies, victims and their parents to help ensure that the bullying stops.

SUBJECT: BULLYING: PEER ABUSE IN THE SCHOOLS (Cont'd.)**Strategies to Reduce Bullying**

The following is a list of suggested strategies and training classes to mediate bullying based upon information provided by the *Office of Juvenile Justice and Delinquency Prevention*:

- 1) Publicize rules against bullying and post them school-wide, accompanied by a range of possible sanctions. (Note: Sanctions for bullying are also to be addressed in the *District Code of Conduct*.)
- 2) Use student and adult mentors to assist victims and bullies. Build self-esteem and foster mutual understanding of and appreciation for differences in others.
- 3) Develop a buddy system that pairs students with a particular friend or older buddy with whom they share class schedule information and plans for the school day and on whom they can depend for help.
- 4) Provide an on-campus parents' center that recruits, coordinates and encourages parents to take part in the educational process, to volunteer and to assist in school activities and projects.
- 5) Add adult classes in parenting skills and student classes in anger management, assertiveness training and behavior modification training.
- 6) Disseminate the *District Code of Conduct* to teachers, students and parents as mandated pursuant to law and regulation.
- 7) Emphasize discipline that stresses appropriate behavior instead of reprimands that focus on punishing wrong behavior.
- 8) Build friendship groups that support children who are regularly bullied by peers.
- 9) Create peer mediation programs and teen courts to train students to mediate problems among themselves.
- 10) Make available conflict and dispute resolution curricula, in an age-appropriate manner, at designated grade levels.
- 11) Increase staff supervision in areas such as hallways, cafeterias, playgrounds and athletic playing fields, locker rooms, buses, as well as at school sponsored events - whether on or off campus in order to reduce the opportunity for bullying behavior by students.

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- 12) Involve school counselors or mental-health professionals where appropriate.
- 13) Involve community members in the District's anti-bullying activities (e.g., convene meetings with leaders of the community to discuss the School District's anti-bullying program, involve media to help publicize the District's anti-bullying prevention and intervention activities, and engage community members as appropriate in the development of school-community activities to promote anti-bullying behavior.

Dissemination/Publication of District's Prohibition against Bullying Behavior by District Students

The District's policy and regulations prohibiting bullying behavior by students will be published in appropriate school publications such as teacher/employee handbooks, student handbooks and/or school calendars. A copy of District policy and regulations prohibiting bullying behavior by students will be available upon request. Further, the District prohibition of bullying by students - along with the range of possible intervention activities and/or sanctions for such misconduct - shall be included in the *District Code of Conduct* for all grade levels.

NOTE: Refer also to Regulations #3420R -- Anti-Harassment in the School District
#7551R -- Sexual Harassment of Students
#7553R -- Hazing of Students
District Code of Conduct

MONTAUK UNION FREE SCHOOL DISTRICT

DASA Report Form

Offender: _____

School filling report: _____

Date/time of incident: _____

Person completing this report: _____

Part I. Basic Information

Incident occurred (check one):

- During regular school hours
- Before or after regular school hours

Location of incident (check one):

- Auditorium
- Bus
- Girls bathroom
- Hallway
- Playing field
- Boys bathroom
- Cafeteria
- Girls locker room
- Parking Lot
- Pool
- Boys locker room
- Classroom
- Gymnasium
- Playground
- Cyber Offense
- Other (specify below)

Incident occurred (check one):

- On school property
- At school sponsored function off school grounds
- Off school property (select this only if it is a cyber offense)

Incident was (check all that apply):

- Gang related
- Bias related

Part II. DASA

Description of Incident: (Please use as much detail as possible, such as who was involved, how it happened and if there were any injuries)

Teacher/Person reporting incident: (Last name, first name): _____

Bias(es) of Incident (check all that apply):

<input type="checkbox"/> Actual or perceived race	<input type="checkbox"/> Color	<input type="checkbox"/> Disability	<input type="checkbox"/> Ethnic group
<input type="checkbox"/> Gender	<input type="checkbox"/> National origin	<input type="checkbox"/> Religion	<input type="checkbox"/> Religious practices
<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Weight	<input type="checkbox"/> Other

Part III. Actions Taken

Actions Taken (check all that apply): *Please include the number of days (in school or out of school suspension)*

- | | |
|---|--|
| <input type="checkbox"/> Counseling or treatment programs | <input type="checkbox"/> Reprimand |
| <input type="checkbox"/> Teacher removal _____ | <input type="checkbox"/> Lunch detention |
| <input type="checkbox"/> Suspension from class or activities _____ | <input type="checkbox"/> Other outside agency |
| <input type="checkbox"/> Out of school suspension _____ | <input type="checkbox"/> Parent meeting |
| <input type="checkbox"/> Transferred to Alternate Education Program | <input type="checkbox"/> Parent phone call |
| <input type="checkbox"/> Referred to law enforcement or juvenile justice system | <input type="checkbox"/> Recess privileges revoked |
| <input type="checkbox"/> Other - specify | |

Consequences determined by: _____

Victims: _____

Witnesses: _____

Additional Notes:
