HARASSMENT, HAZING, AND BULLYING

The Board of Education (the Board) is committed to providing an educational and working environment that promotes respect, dignity, and equality. The Board recognizes that harassment, hazing, and bullying is detrimental to student learning and achievement, as well as the productivity and efficiency of the employees. It interferes with the mission of the Bethlehem Central School District (the District) to educate its students and disrupts the operation of the schools. Such behavior affects not only the students or employees 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 harassment, hazing, and bullying on school grounds (including all school buildings, Operations & Management, Transportation); school buses; and at all school-sponsored activities, programs, and events including those that take place at locations outside the District.

For the purposes of this policy, the terms “harassment” “hazing,” and “bullying” shall mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, 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 his or her physical safety; or
c) reasonably causes, or would reasonably be expected to cause, physical injury or emotional harm to a student; or
d) occurs off school property and creates, 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.

Acts of harassment and bullying shall include, but not be limited to, those acts based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender expression, gender identity, or sex. For the purposes of this definition the term “threats, intimidation, or abuse” shall include verbal and nonverbal actions.

“Hazing” is a form of harassment that involves committing an act against a student or coercing a student into committing an act that creates a risk of emotional, physical, or psychological harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The fact that the victim may consent to the act does not excuse the behavior or lessen the offense.

If the harassment is of a sexual nature, the District’s policy and regulation on Sexual Harassment, Policy # 0110 and 0110-R, provide additional information and clarification on the District’s responsibilities in this area.

In order for the District to effectively enforce this policy and to take prompt corrective measures, it is essential that all victims and persons with knowledge of harassment, hazing, and bullying report such behavior immediately to a District staff member, who will immediately report it to a principal, building administrator, or Title IX coordinator. The District will promptly investigate all complaints, formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner, although disclosure may be necessary to complete a thorough investigation.
If, after appropriate investigation, the District finds that a student, an employee, or a third party has violated this policy, prompt corrective action will be taken in accordance with the applicable collective bargaining agreement, District policy, and state and federal law.

All complainants and those who participate in the investigation of a complaint have the right to be free from retaliation of any kind.

The superintendent shall maintain and implement regulations for reporting, investigating, and remediying allegations of harassment, hazing, and bullying. These regulations are to be attached to this policy. In addition, educational programs shall be established for students and employees to raise awareness of the issues surrounding harassment, hazing, and bullying to implement preventative measures to help reduce incidents of harassment, hazing, and bullying.

This policy shall be posted in a prominent place in each District facility and shall also be published in student registration materials; student, parent, and employee handbooks; and other appropriate school publications.

Cross-ref:

0110, Sexual Harassment
5300, Code of Conduct

Ref:

Americans with Disabilities Act, 42 U.S.C. §12101 et seq.
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 §11(7)

Education Law §§313(3), 3201, 3201-a

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)

Adoption date: May 19, 2010
Re-Adopted: December 18, 2019