

PENN-TRAFFORD SCHOOL DISTRICT

SECTION: PUPILS

TITLE: BULLYING/INTIMIDATION

ADOPTED: June, 2007

REVISED: December 2, 2008

249. BULLYING/INTIMIDATION	
1. Purpose	The Board strives to provide a safe, positive learning climate for students in the schools. Therefore, it shall be the policy of the district to maintain an educational environment in which bullying and intimidation are not tolerated.
2. Authority	<p>The Board prohibits bullying and intimidation of students by all district students and staff members, contracted individuals, vendors, and volunteers in the schools. The Board encourages students who have been subject to bullying and intimidation to promptly report such incidents to the designated employees.</p> <p>The Board directs that complaints of bullying and intimidation shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations.</p> <p>No reprisals nor retaliation shall occur as a result of good faith charges of bullying and intimidation.</p>
3. Definition	<p>Bullying is any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts – i.e. internet, cell phone, personal digital assistant (pda), or wireless hand held device) that is reasonably perceived as being motivated either by any actual or perceived characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristics. Such behavior is considered harassment or bullying whether it takes place on or off school property, at any school-sponsored function, or in a school vehicle.</p> <p>“Bullying” is conduct that meets all of the following criteria:</p> <ul style="list-style-type: none"> • is directed at one or more pupils • substantially interferes with educational opportunities, benefits, or programs of one or more pupils; • adversely affects the ability of a pupil to participate in or benefit from the school district’s educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing emotional distress, and,

<p>4. Delegation of Responsibility Pol. 103</p>	<p>•is based on a pupil's actual or perceived distinguishing characteristics (see above), or is based on an association with another person who has or is perceived to have any of these characteristics. The Penn-Trafford Board of Directors expects students to conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.</p> <p>In order to maintain an educational environment that discourages and prohibits bullying and intimidation, the Board designates the Assistant Superintendent or his/her designee as the district's Compliance Officer.</p> <p>The Compliance Officer shall publish and disseminate this policy and the complaint procedure at least annually to students, parents/guardians, employees, independent contractors, vendors, and the public. The publication shall include the position, office address and telephone number of the Compliance Officer.</p> <p>The administration shall be responsible to provide training for students and employees regarding all aspects of bullying and intimidation.</p> <p>Each staff member shall be responsible to maintain an educational environment free from bullying and intimidation.</p> <p>Each student shall be responsible to respect the rights of their fellow students and district employees and to ensure an atmosphere free from bullying and intimidation.</p> <p>The building principal or designee shall be responsible to complete the following duties when receiving a complaint of bullying and intimidation:</p> <ol style="list-style-type: none">1. Inform the student of the right to file a complaint and the complaint procedure.2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.4. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.
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<p>5. Guidelines</p>	<p><u>Complaint Procedure</u></p> <p>Step 1 – Reporting</p> <p>Any student who believes that s/he has been subjected to conduct that constitutes a violation of this policy shall be encouraged to report all incidents of such conduct verbally, or in writing, to a guidance counselor, administrator or any school personnel.</p> <p>A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal.</p> <p>If the building principal is the subject of a complaint, the student or employee shall report the incident directly to the Compliance Officer.</p> <p>The complainant or reporting employee is encouraged to use the report form available from the building principal, but oral complaints shall be acceptable.</p> <p>In making a complaint, the complaining party has the right to request that their name not be revealed. In addition, the student may request that another adult be present while the report is being filed. A complainant who wishes to remain anonymous will be advised that such anonymity may limit the district’s ability to fully respond to the complaint.</p> <p>Step 2 – Investigation</p> <p>Upon receiving a complaint, the building principal shall immediately notify the Compliance Officer. The Compliance Officer shall authorize the building principal to investigate the complaint immediately, unless the building principal is the subject of the complaint or is unable to conduct the investigation.</p> <p>The investigation shall be completed as soon as practicable, generally not later than fourteen (14) calendar days after receipt of the complaint. If the investigation exceeds fourteen (14) calendar days, the complainant and the accused shall be notified of the reason for the extended investigation. The investigation may include an interview with both parties to provide the complainant and accused with the opportunity to discuss the charges made. The building principal will attempt to remedy the situation by reaching mutual agreement at a conciliation meeting. The building principal shall determine whether interim measures should be taken pending the outcome of the investigation. Interim measures may include separating the alleged harasser and complainant, and in cases involving criminal conduct,</p>
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determining whether

law enforcement officials should be notified. The building principal shall make a written record of the conciliation meeting, the subject of the meeting and who was present. Parents/Guardians will be notified immediately and asked if they would like to be the third party's advocate.

Whether present or not, the parent/guardian will be sent a copy of the complete bullying/intimidation policy.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

If the complaint is not resolved to the satisfaction of both parties as the result of the investigation, the complainant and the accused will each submit a detailed written statement of account to the building principal, who will inform both parties of the date of an administrative conference. The notice will be given to both parties at least three (3) working days before the date of the conference. The notice shall include the place and time of the conference and the subject of the conference.

Should the building principal be the complainant or the accused, the Compliance Officer shall conduct the conference.

Both parties shall receive written notice of the decision rendered within ten (10) working days of the administrative conference.

Step 3 – District Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur.

Disciplinary actions shall be consistent with the Student Code of Conduct, Board policies and district procedures, applicable collective bargaining agreements, and state and federal laws.

Appeal Procedure

If it is determined that no violation of this policy occurred, the complainant may appeal this finding to the Compliance Officer within fifteen (15) calendar days of receiving the decision. The Compliance Officer shall make a decision within

fifteen (15) calendar days of receiving the appeal. If the Compliance Officer determines that bullying and intimidation occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction to the Compliance Officer.

If it is determined that a violation of this policy occurred, the accused may appeal this finding to the Compliance Officer within fifteen (15) calendar days of receiving the decision. The Compliance Officer shall make a decision within fifteen (15) calendar days of receiving the appeal.

Retaliation

Retaliation against individuals who, in good faith, report incidents of bullying and intimidation is prohibited. The district will take appropriate action against persons who retaliate against any individual who in good faith reports incidents of bullying and intimidation.

False Charges

Students who make false charges of bullying and intimidation may be subject to disciplinary actions.