

NEW SHOREHAM SCHOOL DISTRICT
BLOCK ISLAND SCHOOL

Definition

All members of the New Shoreham School Department community - faculty, staff, and students – as well as parents and guardians, are expected to treat each other with dignity and respect, and are entitled to work and attend school in a safe, respectful and peaceful environment. Behavior that undermines the ability of members of our school community to live in a safe, respectful and peaceful environment may take place face-to-face, in writing, electronically (sending or posting text or images using the Internet or other digital communication devices), individually, or in a group, and includes, but is not limited to:

Harassment: Harmful behavior towards another person, which is found to be annoying, bothersome, or physically and/or mentally injurious. Harassment is a form of discrimination and may reveal itself in many forms.

Gender and Sexual Harassment: Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, bullying, or other verbal or physical conduct or communication of a sexual nature when:

- submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education; or
- submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment or educational environment.

Any form of gender or sexual harassment will not be tolerated. The following is prohibited:

- verbal harassment or abuse;
- pressure for sexual activity;
- sexually motivated or inappropriate patting, pinching or physical contact, other than necessary restraint of pupil(s) by teachers, administrators or other school personnel to avoid physical harm to persons or property;
- sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
- sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status;
- posting of images regarding matters of a personal or intimate nature; or

- behavior or words directed at an individual because of gender or gender preference.

Racial Harassment: Racial harassment consists of physical or verbal conduct relating to an individual's race or ethnic background when the conduct:

- has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;
- has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
- otherwise adversely affects an individual's employment or academic opportunities.

Religious Harassment: Religious harassment consists of physical or verbal conduct which is related to an individual's religious beliefs when the conduct:

- has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;
- has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
- otherwise adversely affects an individual's employment or academic opportunities.

Bullying: Any assault, threatening, battery, stalking, menacing, intimidation, extortion, humiliation, taunting, malicious rumor-mongering, or attack. It may be individual or group-based behavior (such as in shunning), but involves the intimidation of others through the real or threatened infliction of physical, verbal, written, electronic, or emotional abuse. It is a deliberate, hurtful behavior that is often repeated over a period of time and it is difficult for those being bullied to defend themselves. The person who bullies has and exercises power inappropriately over the victim.

Hazing: Any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include, but not be limited to whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of the student or any other person, or which subjects the student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation including the withholding of any food, water or air. The hazing by any school official is prohibited.

Dating Violence: A pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control his or her dating partner.

Prohibition

No form of behavior that undermines the ability of members of our school community to live in a respectful and peaceful environment as described in this policy will be tolerated in school as defined within this policy. For purposes of non-discrimination, such behavior is prohibited whether related to race, color, creed, national or ethnic origin, religion, disability, age, sexual orientation, physical appearance, physical or mental capacity, gender identity or expression, or citizenship status. For the purpose of this policy, school includes: classrooms, throughout school buildings, on school property, immediately adjacent to school property, school busses and

vehicles, school bus stops, while traveling to and from school, at any school sponsored activity or event, regardless of location.

Goal

The goal of this policy and of the school district is to operate schools and programs that are non-violent and are respectful and resolve differences through peaceful, non-violent means. To accomplish this goal, this policy provides for actions that are preventive to create a community where proscribed behavior is unwelcome, and consequential, that prescribes intervention when individuals engage in prohibited behavior. Consequences may include referral to appropriate police and governmental officials.

Evaluation

The school district may use various means to evaluate this policy, both quantitative and qualitative. Examples of data that may be used to evaluate this policy include, but are not limited to:

- Discipline data (for example suspensions and office referrals)
- School climate surveys, both formal and informal
- Incident reports and other anecdotal data

Prevention

Preventive activities are undertaken to create peaceful, safe and respectful school communities, ones in which individuals are unlikely to engage in behavior that violates this policy. Policy expectations for preventive actions include:

1. Assess the effectiveness of school improvement planning and recommend changes.
2. Build positive connections between staff and students and a positive tone in staff-student interactions.
3. Provide notices of professional development programs for staff and administration that include creating a respectful and peaceful environment, behaviors that undermine the policy goal (for example bullying, harassment, and dating violence), warning signs, and appropriate responses and interventions for teachers and staff.
4. Provide education to students to address behaviors that undermine the policy goal (for example bullying, harassment, and dating violence), warning signs, appropriate responses and interventions, and the school's violence prevention policy.
5. Refer counseling for offenders after enforcement or consequences as appropriate and needed.
6. Involve families in discussions of respect, school environment, and safety.
7. Support for targets and victims, including those subject to repeat victimization.
8. Empower bystanders to tell adults, support targets, and discourage behavior that undermines the ability of members of our school community to live in a respectful and peaceful environment (for example bullying, harassment, and dating violence).
9. Periodic surveys about safe and unsafe areas and times.

Consequences

The consequences of behavior that violates this policy are both educational and disciplinary. Educational consequences are designed to develop awareness of actions taken and their consequences on other(s) and to develop the ability to act alternatively. Disciplinary actions are designed to communicate the prohibition against proscribed behavior, to safeguard the victim, and to reinforce the importance of educational interventions. Disciplinary actions may vary with individual circumstance, including repetition, age, victim impact, and may include:

- Admonitions, warning and counseling
- Parent contact and conference
- Loss of privileges and participation including transportation, social and extracurricular activities, recess, or other unstructured time
- Other disciplinary actions that are part of the school's plan
- Police involvement
- "Stay-away" agreements and orders
- The development of safety plans for victims and targets
- Short and long term suspension (expulsion)
- Any changes necessary (such as schedules or assignments) should be based on victim preference and be imposed on the perpetrator, and not the victim.
- Mediation should NOT be used as an intervention where there is a power differential between the parties or where there is a perpetrator and victim. Rather, mediation is for dispute resolution.

When determining the consequences for harassment, the following standards may be utilized:

- Consequences that are to students predictable, inevitable, immediate, and escalating with repeat behaviors
- Based on uniform expectations for all
- Consider the impact on the victim
- Effective consequences are small (so they can be used consistently) and escalate with repeated aggression

Interventions – What to Do

If you have been (a) physically or verbally attacked in any manner, (b) threatened with harm or (c) discriminated against while participating in a school-related activity because of your race, color, religion, national origin, ethnic background, gender, sexual orientation or disability, or if you witness these acts against another student:

- Notify the police in an emergency or if your personal safety is in danger.
- In all circumstances where you are the subject to any prohibited behavior under this policy you should notify the school principal or other person in charge.

- Victims of dating violence should not approach the offender but should seek assistance from a trustworthy adult.
- Students can talk about the situation with parents, school counselor or another adult whom they trust.
- If there is still a problem, make an appointment with your school Principal to explain why you believe your rights have been violated.
- If you are not able to meet with the Principal or that meeting does not resolve the situation, contact the Superintendent.
- If you feel that your concerns are not being appropriately addressed after meeting with the Principal and then the Superintendent, you may file a formal complaint with your School Committee which shall respond to you in a reasonable period.
- You may request an investigation of your complaint by contacting the State Department of Elementary and Secondary Education's Office of Equity or the person designated to coordinate or handle harassment and discrimination complaints in your school district.

Complaint Procedure

Complaints about violations of this policy will be responded to promptly. Retaliation against an individual bringing a complaint constitutes a violation of School Department policy as well as state and federal law. An individual found guilty of retaliation, or any individual who initiates a fraudulent claim, shall be subject to disciplinary action. All persons who believe that they are or may have been victims of behaviors prohibited under this policy or retaliation for filing a claim or complaint are encouraged to seek resolution promptly through the established informal and formal procedures of the school department.

Individuals seeking information regarding prohibited behavior under this policy may consult with any of the following offices or individuals for advice and assistance. Those who have been witness to prohibited behavior under this policy should report their observations as well. New Shoreham identifies here the following for a student or staff member to seek guidance:

- union representatives
- school counselors
- school principals
- central administrators
- Section 504 Coordinator
- Title IX coordinator.

Where harassment may reach the level of criminal activity, Law Enforcement is an appropriate contact. The official point of contact for this policy and its implementation is the Superintendent of Schools.

All employees of the New Shoreham School Department are expected to make every effort to respond to complaints from students and fellow employees regarding any prohibited behavior under this policy. This effort may be formal or informal depending on the circumstances. School personnel are expected to be proactive in this effort. Teachers and administrators are expected to

be positive role models. Due to the power relationship between the parties sexual relations between employees and students is harassment and therefore forbidden.

Students who engage in any prohibited behavior under this policy off school department premises at department-sponsored activities will be subject to discipline in accordance with the Code of Student Conduct.

Confidentiality will be respected during all complaint procedures and any person may consider submitting an anonymous complaint in writing, to the degree the procedure will allow. However, if an employee or student wishes to bring a complaint and remain anonymous, the ability of the New Shoreham School Department to respond may be limited.

The purpose of intervention should be to make any prohibited behavior under this policy CEASE! If at any time a complainant is uncomfortable with bringing a complaint to an individual, or if the complaint is against the person to whom the complaint is to be filed, the complainant may move directly to the Principal, Superintendent, School Committee, or state or federal agency as appropriate.

Complainants may report prohibited behavior under this policy to their teacher, school counselor, union representative, supervisor or manager, or, if they are involved in the allegation of sexual harassment, to the Superintendent at 466-7727.

Recipients will promptly inform the Principal, or, if the Principal is involved in the allegation of any prohibited behavior under this policy, to the Superintendent.

The Principal/Supervisor or his/her designee will thoroughly investigate the report of prohibited behavior under this policy as promptly as possible, keeping the matter as confidential as is practicable. After investigation, he/she will take whatever action is necessary to remedy any harm done by a proven instance of any prohibited behavior under this policy and the complainant will be notified of the action taken. If, after investigation, the Principal/Supervisor or his/her designee is unable to establish that any prohibited behavior under this policy has occurred, he/she will meet with the complainant and with the complained-against individually to explain both the results of the investigation. It is the responsibility of every member of the school community to cooperate fully with any investigation under this policy. This may be appealed to the Commissioner of Education/E.E.O.C. and/or O.C.R.

Adopted: June 21, 2010

New Shoreham School District, Block Island School