

X. HARASSMENT/BULLYING/CYBERBULLYING/INTIMIDATION/HAZING POLICY

A. GENERAL POLICY

The St. Martin Parish School Board is committed to maintaining a safe, orderly, civil and positive learning environment so that no individual feels threatened while in school or participating in school-related activities. Students and their parents/guardians shall be notified that the school, school bus, and all other school environments are to be safe and secure for all. Therefore, all statements or actions of bullying, cyberbullying, intimidating, threatening, harassing, hazing, or any other violent nature made on campus, at school-sponsored activities, on school buses, at school bus stops, and en-route from home to bus stop and from bus stop to home shall not be tolerated. Even if made in a joking manner, these statements or actions threatening other students, school personnel or school property shall be unacceptable.

All students, teachers, and other school employees shall take responsible measures within the scope of their individual authority to prevent violations of this policy.

Bullying, Intimidation and Harassment

Bullying, intimidation and harassment shall mean any intentional gesture or written, verbal, or physical act that a reasonable person under the circumstances should know will have the effect of harming an individual or damage his/her property or placing an individual in reasonable fear of harm to his/her life or person or damage to his/her property and is so severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive environment for an individual.

Cyber bullying

Cyber bullying shall mean harassment, intimidation, or bullying of a student on school property by another student using a computer, mobile phone, or other interactive or digital technology or harassment, intimidation, or bullying of a student while off school property by another student using any such means when the action or actions are intended to have an effect on the student when the student is on school property.

Hazing

Hazing shall mean any knowing behavior, whether by commission or omission, of any student to encourage, direct, order, or participate in any activity which subjects another student to potential physical, mental, or psychological harm for the purpose of initiation or admission into, affiliation with, continued membership in, or acceptance by existing members of any organization or extracurricular activity at a public elementary or secondary school, whether such behavior is planned or occurs on or off school property, including any school bus and school bus stop. Hazing does not mean an adult-directed and school-sanctioned athletic program practice or event or military training program.

Any solicitation to engage in hazing, and the aiding and abetting another person who engages in hazing shall be prohibited. The consent, stated or implied, of the hazing victim shall not be a defense in determining disciplinary action.

C. HARASSMENT/BULLYING/ INTIMIDATION BASED ON RACE, COLOR, ETHNICITY, NATIONAL ORIGIN OR DISABILITY

For purpose of this policy, racial harassment/bullying/cyberbullying/intimidation of an individual consists of verbal or physical conduct relating to an individual's race, color, ethnicity, national origin or disability when

1. the harassing conduct is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening or abusive educational environment.

2. the harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. the harassing conduct otherwise adversely affects and individual's learning opportunities.

Examples of conduct which may constitute harassment/bullying/cyberbullying/intimidation include:

- graffiti containing racially offensive language-name calling, jokes, or rumors;
- threatening or intimidating conduct directed at another because of the other's race, color, ethnicity, national origin or disability;
- notes or cartoons;
- racial slurs, negative stereotypes, and hostile acts which are based upon another's race, color, ethnicity, national origin or disability;
- written or graphic material containing racial comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of or in a manner reasonably related to, race, color, ethnicity, national origin or disability; and/or
- other kinds of aggressive conduct such as theft or damage to property which is motivated by race, color, ethnicity, national origin or disability.

B. HAZING

Hazing shall mean any knowing behavior, whether by commission or omission, of any student to encourage, direct, order, or participate in any activity which subjects another student to potential physical, mental, or psychological harm for the purpose of initiation or admission into, affiliation with, continued membership in, or acceptance by existing members of any organization or extracurricular activity at a public elementary or secondary school, whether such behavior is planned or occurs on or off school property, including any school bus and school bus stop. Hazing does not mean an adult-directed and school-sanctioned athletic program practice or event or military training program.

Any solicitation to engage in hazing, and the aiding and abetting another person who engages in hazing shall be prohibited. The consent, stated or implied, of the hazing victim shall not be a defense in determining disciplinary action.

C. REPORTING PROCEDURES

Any individual who believes he or she has been the victim of sexual harassment, harassment/bullying/intimidation, cyberbullying on race, color, national origin, sexual orientation, or disability or hazing by a student, teacher, administrator, or other school personnel of the St. Martin Parish School Board or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extra-curricular activities, under the auspices of the St. Martin Parish School Board, is encouraged to immediately report the alleged acts to an appropriate School Board official designated by this policy.

Any teacher, administrator, or other school official who has or receives notice that a student has or may have been the victim of sexual harassment, harassment/bullying/intimidation, cyberbullying based on race, color, national origin, sexual orientation, or disability or hazing by a student, teacher, administrator or other school personnel of the School Board, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extra-curricular activities, under the auspices of the School Board, is required to immediately report the alleged acts to an appropriate School Board official as designated by this policy.

Any other person with knowledge or belief that a student has or may have been the victim of sexual harassment, harassment/bullying/intimidation, cyberbullying based on race, color, national origin, sexual orientation, or disability, or hazing as set forth above, is encouraged to immediately report the alleged acts to an appropriate School Board official designated by this policy.

The School Board encourages the reporting party or complainant to use the report form available from the principal of each school or available from the School Board Office or Instructional Center, but oral reports shall be considered complainants as well. Use of the formal reporting form is not mandated. Nothing in this policy shall prevent any person from reporting harassment directly to the School Board Human Rights Supervisor or to the superintendent.

1. In each school, the principal is the person responsible for receiving oral or written reports of sexual harassment, harassment/bullying/intimidation, cyberbullying based on race, color, national origin, sexual orientation, or disability, or hazing at the building level. Any adult School Board personnel who receive a report of sexual harassment, harassment/bullying/intimidation based on race, color, national origin, sexual orientation, or disability or hazing shall inform the school principal immediately.

Upon receipt of a report, the principal must notify the School Board Human Rights Supervisor immediately, without screening or investigating the report. The principal may request but may not insist upon a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the principal to the Human Rights Supervisor. If the report was given verbally, the principal shall personally reduce it to written form within 24 hours and forward it to the Human Rights Supervisor. Failure to forward any harassment/bullying/intimidation/cyberbullying/hazing report or complaint as provided herein shall result in disciplinary action against the principal. If the complaint involves the school principal, the complaint shall be made or filed directly with the Superintendent or the Human Rights Supervisor by the reporting party or the complainant.

2. The St. Martin Parish School Board has designated Supervisor of Child Welfare & Attendance as the Human Rights Supervisor with responsibility to identify, prevent, and remedy harassment/bullying/intimidation/cyberbullying/hazing for student. The St. Martin Parish School Board Human Rights Supervisor for students shall:

- receive reports or complaints of sexual harassment, harassment/bullying/intimidation, cyberbullying based on race, color, national origin, sexual orientation, or disability, or hazing;

- oversee the investigative process;

- be responsible for assessing the training needs of St. Martin Parish staffs and student in connection with the dissemination, comprehension, and compliance with this policy;

- arrange for necessary training required for compliance with this policy; and

- insure that any investigation is conducted by an impartial investigator who has been trained in the requirements of equal educational opportunity, including harassment/ bullying/intimidation/cyberbullying/hazing, and who is able to apply procedural and substantive standards which are necessary and applicable to identify unlawful harassment/bullying/intimidation/cyberbullying/hazing, recommend appropriate discipline and remedies when harassment/bullying/intimidation/cyberbullying/hazing is found, and take other

appropriate action to rectify the damaging effects of any prohibited discrimination, including interim protection of the victim during the course of the investigation.

If any complaint involves a Human Rights Supervisor, the complaint shall file directly with the Superintendent. The St. Martin Parish School Board shall conspicuously post this policy against harassment and violence in each school that the School Board maintains, in a place accessible to students, faculty, administrators, employees, parents, and members of the public. This notice shall include the name, mailing address, and telephone number of the state agency responsible for investigating allegations of discrimination in educational opportunities and the mailing address and telephone number of the United States Department of Education, Office of Civil Rights.

3. A copy of this policy shall appear in the student handbook and shall be made available upon request of parents, students, and other interested parties.
4. The School Board will develop a method of discussing this policy with students and employees. Training on the requirements of Non-discrimination and the appropriate responses to issues of harassment/bullying/intimidation/cyberbullying/hazing will be provided to all school personnel on an annual basis, and at such other times as the School Board in consultation with the human rights supervisor determines is necessary or appropriate.
5. This policy shall be reviewed at least annually for compliance with state and federal law.
6. The St. Martin Parish School Board will respect the privacy of the complainant, the individuals against whom the complaint is filed, the witnesses as much as possible, consistent with the School Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

F. RETALIATION

The St. Martin Parish School Board will discipline or take appropriate action against any pupil, teacher, administrator, or other school personnel who retaliates against or attempts to retaliate against any person who reports alleged harassment/bullying/intimidation/cyberbullying/hazing or violence, files a complaints of harassment/bullying/intimidation/cyberbullying/hazing who testifies, assists or participates in any investigation, hearing or proceeding related to such harassment/bullying/intimidation/cyberbullying/ hazing or violence. Retaliation includes but is not limited to may form of threat, intimidation, reprisal or discrimination.

G. STUDENT COMPLAINTS AND GRIEVANCES

The St. Martin Parish School Board, recognizing that problems may arise in schools, shall require student concerns, complaints or grievances to be registered with the school principal or designee. If concerns of students cannot be resolved informally, a written complaint shall be initiated, dated and signed by the complainant, and submitted to the principal.

For the discussion and consideration of the grievance, any student or group of students should request in writing a meeting time and place of the school principal. One faculty member or other designated representative may be present at such meeting. Such time and place will be designated immediately upon receipt of the written request.

If a grievance is not satisfactorily resolved after meeting with the principal, a student or group of students shall follow the procedures outlined in policy [GAE, Complaints and Grievances](#), for further consideration of their grievance (for further procedures please refer to page 100 *Policy GAE*).