

## **Prohibition Against Harassment, Intimidation, and Bullying**

Students who have been determined to have engaged in prohibited behaviors are subject to disciplinary action, which may include suspension or expulsion from school. OHVA's commitment to addressing such prohibited behaviors, however, involves a multifaceted approach, which includes education and the promotion of a school atmosphere in which harassment, intimidation or bullying will not be tolerated by students, faculty or school personnel.

Harassment, intimidation or bullying means any of the following:

1. Any intentional written, verbal, graphic, or physical act that a student or group of students exhibited toward another particular student more than once and the behavior both causes mental or physical harm to the other student **and** is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student.
2. Violence within a dating relationship.
3. Any act committed through the use of a cellular telephone, computer, pager, personal communication device, or other electronic communication device ("cyberbullying") and the behavior causes mental or physical harm to the other student/school personnel **and** is sufficiently severe, persistent or pervasive that it create an intimidating, threatening or abusive educational environment for the other student/school personnel.

In evaluating whether conduct constitutes harassment, intimidation, or bullying, special attention should be paid to the words chosen or the actions taken, whether such conduct occurred in front of others or was communicated to others, how the perpetrator interacted with the victim, and the motivation, either admitted or appropriately inferred.

The prohibition of harassment, intimidation, bullying (including cyberbullying) extends to all school-sponsored activities which means any activity provided as part of the online curriculum and related resources, as well as any activity conducted on or off school-property that is sponsored, recognized, or authorized by the OHVA Board of Trustees or the OHVA administration.

### **Complaint Procedures**

The following procedures shall be used for reporting, investigating, and resolving complaints of harassment, intimidation and/or bullying (including cyberbullying).

Grade principals, assistant principals, and the Head of School have the responsibility for conducting investigations concerning claims of harassment, intimidation and/or bullying. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any student, OHVA employee, K12 employee or third party who has knowledge of conduct in violation of this policy or feels they have been a victim of behavior in violation of this policy **shall** immediately report his/her concerns.

Teachers and other school staff, who witness acts of harassment, intimidation, or bullying, as defined above, shall promptly notify the appropriate principal and/or his/her designee of the event observed, and shall promptly file a written incident report concerning the events witnessed. Teachers and other school

staff who receive student or parent reports of suspected harassment, intimidation, and bullying shall promptly notify the appropriate principal and/or his/her designee of such report(s). If the report is a formal, written complaint, such complaint shall be forwarded promptly (no later than the next school day) to the appropriate principal or his/her designee. If the report is an informal complaint by a student that is received by a teacher or other professional employee, s/he shall prepare a written report of the informal complaint which shall be promptly forwarded (no later than the next school day) to the appropriate principal or his/her designee.

In addition to addressing both informal and formal complaints, school personnel are encouraged to address the issue of harassment, intimidation, or bullying in other interactions with students. School personnel may find opportunities to educate students about harassment, intimidation, and bullying and help eliminate such prohibited behaviors through class connect discussions, counseling, and reinforcement of socially appropriate behavior. School personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating, or intimidating another student even if such conduct does not meet the formal definition of "harassment, intimidation, or bullying."

All complaints will be promptly investigated in accordance with the following procedures:

- Step One: Any complaints, allegations, or rumors of harassment, intimidation and/or bullying shall be presented to the appropriate principal or assistant principal or the Head of School. Students may also report their concerns to teachers or counselors who will be responsible for notifying the appropriate administrator. Complaints against a principal shall be filed directly with the Head of School. Complaints against the Head of School shall be filed with the Board President. Information may be initially presented anonymously. All such information will be reduced to writing and should include the specific nature of the offense (e.g., the person(s) involved, number of times and places of the alleged conduct, the target of the suspected harassment, intimidation and/or bullying, and the names of any potential witnesses). If the person filing the formal complaint is an adult, s/he must sign the charge affirming its veracity. If the person filing the formal complaint is a minor, s/he may either sign the charge or verbally affirm its veracity before two (2) administrators.
- Step Two: The administrator/Board President receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The administrator/Board President will arrange such meetings as may be necessary with all concerned parties within five (5) work days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The administrator/Board President conducting the investigation shall notify the complainant and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined. A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the Head of School.
- Step Three: If the complainant is not satisfied with the decision at Step Two, s/he may submit a written appeal to the Head of School or designee. Such appeal must be filed within ten (10) work days after receipt of the Step Two decision. The Head of School or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to review and discuss the appeal. The Head of School or designee shall provide a written decision to the

complainant's appeal within ten (10) work days of the appeal being filed.

Documentation related to the incident, other than any discipline imposed or remedial action taken, will be maintained in a file separate from the student's education records or the employee's personnel file.

**Anonymous Complaints:** Students making a complaint may request that their name be maintained in confidence by the school staff members or administrators who receive the complaint. The anonymous complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the complaint and is consistent with the due process rights of the students alleged to have committed acts of harassment, intimidation and/or bullying.

**Publication Requirements:** This policy shall be publicized in student handbooks, parent handbooks and in other school publications that set forth comprehensive rules, procedures and standards of conduct for students. Information regarding the policy shall be incorporated into employee training materials. The following statement shall be included:

**Harassment, intimidation, or bullying behavior by any student of OHVA is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. "Harassment, intimidation, or bullying", in accordance with R.C. 3313.666 means any intentional written, verbal, graphic or physical act including electronically transmitted acts via the Internet, cell phone, personal digital assistant (PDA), or wireless hand-held device, either overt or covert, by a student or group of students toward other students, including violence within a dating relationship, with the intent to harass, intimidate, injure, threaten, ridicule, or humiliate. Such behaviors are prohibited at an school-sponsored activity which means any activity provided as part of the online curriculum and related resources, as well as any activity conducted on or off school-property that is sponsored, recognized, or authorized by the OHVA Board of Trustees or the OHVA administration, that a reasonable person under the circumstances should know will have the effect of:**

- A. Causing mental or physical harm to the other students including placing an individual in reasonable fear of physical harm and/or damaging of students' personal property; and,**
- B. Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other students.**

**Retaliation/False Charges:** Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry related to a complaint of harassment, intimidation and/or bullying is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions. Suspected retaliation should be reported in the same manner as harassment, intimidation and/or bullying.

**Remedial Actions:** Verified acts of harassment, intimidation, or bullying shall result in an intervention by the appropriate principal or his/her designee that is intended to provide that the prohibition against harassment, intimidation, or bullying behavior is enforced, with the goal that any such prohibited behavior will cease.

Harassment, intimidation, and bullying behavior can take many forms and can vary dramatically in seriousness and impact on the targeted individual and other students. Accordingly, there is no one

prescribed response to verified acts of harassment, intimidation, and bullying. While conduct that rises to the level of "harassment, intimidation, or bullying," as defined above will generally warrant disciplinary action against the perpetrator of such prohibited behaviors whether or to what extent to impose disciplinary action (restrictions on computer access, suspension, expulsion) is a matter for the professional discretion of the appropriate principal and administrators. Anonymous complaints that are not otherwise verified, however, shall not be the basis for disciplinary action. Suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation. Expulsion may be imposed in accordance with Board policy. This consequence shall be reserved for serious incidents of harassment, intimidation, or bullying and/or when past interventions have not been successful in eliminating prohibited behaviors.

In addition to the prompt investigation of complaints of harassment, intimidation, or bullying and direct intervention when such prohibited acts are verified, school personnel may take other action deemed appropriate to ameliorate any potential problem with harassment, intimidation or bullying in school or at school-sponsored activities. Strategies should also be implemented to protect the victim of alleged harassment, intimidate and/or bullying from additional harassment, intimidation and/or bullying and from retaliation following a report. Such strategies may include more supervision or monitoring of the students involved, maintaining contact with parents or guardians of involved students, checking with the victim regularly to verify no further incidents.

**Training:** Students will be provided with age-appropriate information on the recognition and prevention of harassment, intimidation, or bullying, including dating violence prevention education in grades 7-12, and their rights and responsibilities under this and other OHVA policies, procedures, and rules, at student orientation sessions and on other appropriate occasions. Parents will be provided with information about this policy and procedure, as well as information about other OHVA rules and disciplinary policies. This policy and procedure shall be reproduced in student, staff, volunteer, and parent handbooks.

Information regarding the policy on harassment, intimidation, and bullying behaviors shall be incorporated into training materials used with employees. The in-service education provided to middle and high school employees shall include training in the prevention of dating violence. Time spent by school employees in the training, workshops, or courses shall apply toward any State or District-mandated continuing education requirements.

**Police and Child Protective Services:** Allegations of criminal misconduct and suspected child abuse will be reported to the appropriate law enforcement agency and/or to Child Protective Services (CPS), according to the prescribed timelines. The School District shall also investigate for the purpose of determining whether there has been a violation of school policy, even if law enforcement or CPS officials are also investigating. All School District personnel shall cooperate with investigations by outside agencies.

**Other Actions:** In addition to, or instead of, filing a harassment, intimidation or bullying complaint through this policy, a complainant may choose to exercise other options allowed under applicable law. Any school employee, administrator or student who reports an incident of harassment, intimidation or bullying promptly in good faith and in compliance with the procedures specified in this policy should be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this policy.

**Semiannual Summary:** The Head of School shall provide the OHVA Board with a written summary of all reported incidents and post the summary on the OHVA website to the extent permitted by law.