

Oakdale School

Bullying Policy

This policy should be considered an addendum to the School Discipline Policy for a specific set of circumstances.

1. STATEMENT OF PHILOSOPHY

Oakdale School is committed to creating a safe, healthy, learning environment for all students that enhances personal safety and encourages respect, dignity, and equality among students.

Oakdale School is committed to creating and maintaining a learning environment that is free from bullying, harassment, and hazing. BULLYING, SEXUAL HARASSMENT, HARASSMENT, OR HAZING WILL NOT BE TOLERATED ANYWHERE AT OAKDALE SCHOOL. This includes school facilities, premises, and non-school property if the student is at any school-sponsored, school-approved or school-related activity, event or function (i.e. field trips or competitive athletic events) where students are under the supervision of staff.

This policy and definitions include electronically transmitted acts.

2. DEFINITIONS

Bullying

- ❖ Bullying is the exploitation of a less powerful person, by an individual taking unfair advantage that is repeated over time, and has a negative effect on the victim.
- ❖ Bullying is aggressive behavior or intentional harm
- ❖ Bullying can be physical, verbal, or emotional
- ❖ Bullying is carried out repeatedly over time; not a one time action
- ❖ Bullying occurs within an interpersonal relationship characterized by an imbalance of power
- ❖ **Bullying:** Name calling, racial slurs, pushing, crowding, or concerning hitting, pinching, making fun of a person's body, telling mean jokes about someone, threatening to hurt someone, obscene gestures, hitting someone, taking things without permission.

Bullies

Bullies do not necessarily target a specific individual to bully. Therefore, the Oakdale School district does not limit bullying to cases that have a victim that has been bullied. The emphasis is on the nature of the bullying behavior. A series of incidents may not identify a recipient of bullying by definition but a series of incidents may well identify a bully. This policy will be applied as needed in those situations.

Sexual Harassment

- ❖ Sexual harassment is a form of discrimination based on sex. Discrimination based on sex means treating someone differently because she or he is female or male. Sexual harassment is illegal and is prohibited by Title IX of the 1972 Education Amendments and Title VII of the Civil Rights Act of 1964.
- ❖ Sexual harassment is unwanted and unwelcome sexual behavior
- ❖ Sexual harassment can be physical, verbal, including gestures or displays
- ❖ Sexual harassment can happen once, several times or on a daily basis
- ❖ Sexual harassment interferes with the victim's academic or social life

- ❖ Sexual harassment is touching someone in ways that are **not OK** with her/him, making fun of someone's private body parts, passing a note that says sexual things about someone's body, continuing to tell dirty jokes around someone after she/he as asked the person to stop, making slurs about someone's sexual orientation, pressuring someone for sexual touches.

Harassment

Harassment is intimidation by threats of or actual physical violence; the creation by whatever means of a climate of hostility or intimidation; or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred, contempt, or prejudice or to have the effect of insulting or stigmatizing an individual. Harassment includes but is not limited to harassment on the basis of race, sex, creed, color, national origin, religion, marital status, or disability.

Hazing

For the purposes of this policy, hazing is defined as an activity that recklessly or intentionally endangers the mental health or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization sanctioned or authorized by the board of education.

"Endanger the physical health" shall include, but is not limited to, any brutality of a physical nature, such as whipping; beating; branding; forced calisthenics; exposure to the elements; forced consumption of any food, alcoholic beverage, drug, or controlled dangerous substance; or other forced physical activity which could adversely affect the physical health or safety of the individual.

"Endanger the mental health" shall include any activity, except those activities authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.

3. EDUCATION

Oakdale School believes that the best way to prevent bullying is through education and will provide an educational program concerning the prevention of bullying.

4. SPEAK UP WHEN POSSIBLE

If possible, the target should tell the bully/harasser to stop. To the extent that a person feels safe and comfortable, doing so, a target is first encouraged to confront the bully / harasser, telling them to stop because their actions are unwelcome. Bystanders are also encouraged to speak up when possible, telling the bully or harasser to stop the conduct because it is disrespectful, unwelcome, hurtful, unfair, etc.

5. REPORTING

Reporting bullying and harassment to school staff is encouraged. Anyone may report bullying and harassment. They may report it to a teacher who will report the incident to an administrator. The staff is expected to act on all reports and to pass the report on to the school administrator. It is preferred that reports of bullying be made in person or in writing signed by the reporting party. However, in order to encourage full and complete reporting of such prohibited activities any person may report such incidents in writing and anonymously by providing such reports to the personal attention of any school staff member.

6. **TATTLING VS. REPORTING**

Oakdale School defines **tattling** as telling an adult about another student's actions with the sole purpose of getting that student in trouble.

Oakdale School defines **reporting** as telling an adult about another student's actions with the purpose of getting help with a difficult situation, e.g., one that is threatening or hurtful.

Since there is a great deal of discretionary judgment involved in the difference between tattling and reporting the teacher or school authority being told will have the authority of decision.

7. **CONFIDENTIALITY**

Oakdale School staff will strive to maintain confidentiality of any student target or bystander who reports bullying or sexual harassment. The school staff will also respect the confidentiality of the student accused of bullying or sexual harassment. Any disclosure of reported information, including the identity of a student, will be made only to individuals involved in the school's response to the incident. Everyone involved should be aware of the Safe Schools Hotline.

8. **NO RETALIATION**

Oakdale School will not tolerate retaliation for reporting bullying or harassment. School staff will discipline any student who retaliates against anyone who reports an incident, or against any person who testifies, or assists in an investigation. Retaliation includes, but is not limited to; any form of intimidation, reprisal, or harassment, whether physical or verbal.

9. **STUDENT ACCOUNTABILITY**

Oakdale School expects students to demonstrate respectful behavior throughout campus, on the bus, and at all school-sponsored events. Students whose behavior is found to be in violation of this policy will be subject to appropriate sanctions. These sanctions will fall into the administrative guidelines and authority as outlined in the school discipline policy.

The school counselor will conduct classes appropriate to age / grade level to help students identify and deal with bullying.

10. **STAFF ACCOUNTABILITY**

All school staff are expected to model respectful interaction with all students and staff, at all times. Staff are expected to respond to bullying and sexual harassment incidents immediately, and in a manner consistent with school policy. Training will be provided to educate and to enhance staff skills for responding effectively to bullying and sexual harassment.

Staff who witness an incident among students are expected to intervene by:

- ❖ Responding immediately
- ❖ Establishing the safety of the target
- ❖ Educating both students by identifying the unacceptable behavior and explaining its harmful impact on the target and other students
- ❖ Setting a logical, reasonable and educational consequence for the bullying or harasser, which promotes the safety of the target.
- ❖ Targets will not receive consequences unless retaliation occurs.

11. Investigation of Bullying

All formal or informal bullying complaints shall be promptly investigated as quickly as is reasonably possible. The following are established as guidelines for investigations that focus upon allegations of bullying.

- A. After receiving a report or complaint of bullying, the building principal or his/her designee (the Investigator) shall promptly investigate or authorize the undertaking of an investigation of the claim to determine if the District's policy against bullying has been violated.
- B. The investigation of a bullying claim may consist of personal interviews with the complaining party, the person or persons alleged to have engaged in the bullying conduct and any other persons or witnesses identified by the complaining party or other person who may have knowledge pertaining to the incidents or events alleged to have given rise to the claim. The investigation can also include a review of any written materials furnished by any party that is claimed to have some bearing on the issues raised by the complaint.
- C. In conducting the investigation, the investigator shall review all the relevant facts and circumstances to confirm or deny the claims of bullying in order to determine if the policy has been violated. Factors the investigator can consider include but are not limited to:
 1. The nature of the behavior
 2. How often the conduct occurred
 3. Whether there were past incidents or past continuing patterns of behavior
 4. The relationship between the parties involved
 5. The race, national origin, sex and age of the victim
 6. The identity of the perpetrator, including whether the perpetrator was in a position of power over the student allegedly subjected to harassment
 7. The number of alleged bullies
 8. The age of the alleged bully
 9. Where the bullying occurred
 10. Whether there have been other incidents in the school involving the same or other students
 11. Whether the conduct adversely affected the student's education or educational environment
 12. The context in which the alleged incidents occurred pending criminal charges, if any.
- D. While awaiting completion of the investigation and if circumstances warrant, the School District, as soon as reasonably possible, shall take appropriate and reasonable steps to protect the individual who is allegedly being bullied from the alleged harasser, until the matter can be fully investigated and the appropriate remedial steps taken.
- E. At the conclusion of the investigation and based upon facts taken as a whole and the totality of the circumstances, the investigator shall determine whether a violation of the School District's bullying policy has been established. If a violation is established, the School District will take prompt action to address the violation.

12. Disciplinary Action for Bullying Conduct:

- A. Any student engaging in bullying is subject to any and all disciplinary actions that may be imposed under the School District's Student Discipline / Behavior Policy. Administrative responses to bullying referrals will be determined by the frequency and/or severity or the nature of the incident(s) as outlined in section 11 – C.

- B. The administrator may use a variety of consequences in response to the bullying behavior. The district discipline policy addresses a list of consequences. These responses may include but are not limited to the following:
1. Conference with the student(s)
 2. Written and / or verbal apology to victimized student(s)
 3. Contact and / or conference with the parent(s) / guardian(s)
 4. Disciplinary Assignment
 5. Loss of privileges
 6. Restitution for damages
 7. In School Detention
 8. Short term suspension (shorter than 10 days)
 9. Long term suspension (10 days or longer)
 10. Law enforcement contact
 11. Referral to outside agencies
 12. Expulsion

Through education, the district is committed to stopping bullying before it starts. If those attempts are not successful then consequences will be applied. The application of consequences will be progressive in nature. For instance, if there has been a loss of privileges for a previous infraction, then a subsequent incident will be at least the same degree of consequence. At the end of a school year or a 6 month period whichever is longer, the process can start over at the discretion of the administrator. If there is a third incident in that time period, short term suspension will be mandatory.