

Anti-Harassment Policy for Students

- The Chenango Valley Central School District (district) recognizes the harmful and insidious nature of harassment, including on the basis of a protected characteristic (i.e., race, color, national origin, religion, age, disability, sexual orientation and/or veteran status), and the toll that harassment can have on the district's students.
- The district is fully committed to maintaining an educational environment that is free from all forms of harassment and discrimination that are prohibited by law and this policy.
- In keeping with this commitment, the district will not tolerate any harassment of its students at school, school-related functions, on school grounds or on school transportation.
- The district prohibits all forms of harassment that occurs in all areas of a student's educational experience.
- This policy applies to the actions of the district's staff or employees, students and any third party who may have contact with a student (such as vendors, visitors, coaches, advisors, volunteers and parents) while the student is at school, a school function, on school grounds or on school transportation.
- Any student who has experienced or witnessed any behavior which the student in good faith believes is harassment is to report said harassment immediately to a teacher, school counselor, school nurse, school psychologist, assistant principal, principal, Director of Pupil Services, Director of Technology or Assistant Superintendent (who are the Title IX Coordinators), or Superintendent. Any employee or staff of the district who has witnessed any such behavior is to report said behavior to the Title IX Coordinators.
- The district will promptly investigate all reports of harassment and pursuant to the results of said investigation will take appropriate disciplinary and/or corrective action that is in accordance with applicable laws, rules, regulations and/or collective bargaining agreements.
- The district prohibits any retaliation against students who have made good faith reports of harassment and/or who have participated in any investigation of harassment complaints.

Harassment

It is the district's policy to provide an educational environment that is free from all forms of harassment and discrimination that are prohibited by law and this policy (including but limited to, harassment that targets race, color, national origin, religion, age, disability, sexual orientation and/or veteran status) (harassment). Under this policy harassment is verbal or physical conduct that

denigrates or shows hostility or aversion toward an individual, (including but not limited to because of his/her race, color, religion, national origin, age, disability, alienage or citizenship status, marital status, creed, genetic disposition or carrier status, sexual orientation or any other characteristic protected by law or that of his/her relatives, friends or associates) and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive educational environment; (ii) has the purpose or effect of unreasonably interfering with an individual's educational experience; or (iii) otherwise adversely affects an individual's educational opportunities.

Harassing conduct includes but is not limited to:

- epithets, slurs, name calling, negative stereotyping or offensive 'slang';
- threatening, intimidating or hostile acts;
- denigrating jokes and/or displays or circulation of any written or graphic material (such as signs, pictures or cartoons) that denigrates, intimidates an individual or shows hostility or aversion toward an individual or group (including through email);
- pushing, shoving, threats or other intentional acts perpetrated in whole or in part of the victim's status;
- mimicking or mocking another's speech, accent, disability or behavior.
- repeated unwanted touching or inappropriate comments.

Every employee and staff member of the district has a responsibility to create and maintain an educational environment that is free of harassment. Harassing conduct whether committed by district staff, employees, students or third parties (vendors and visitors to school buildings) is strictly prohibited.

Scope of Policy

This policy covers conduct at school, at school-sponsored events and events on or off school grounds or on school transportation.

Timely Reporting – Complaint Procedure

An important objective of this policy is to prevent the development of an educational environment which because of prohibited conduct, unreasonably interferes with a student's educational experience or is intimidating, hostile or offensive. It is therefore essential and required that students and staff immediately report conduct which they believe is in violation of this policy. Such timely reporting is necessary so that a harassment complaint can be remedied before a harassing situation develops and so that the district can avoid the spread of harmful rumors.

Any student who believes that he/she has been subjected to conduct that is in violation of this policy should immediately report the facts of the incident and the name of the individuals involved to a teacher, school counselor, school nurse, school psychologist, assistant principal, principal, Assistant Superintendent or Superintendent.

Investigation of Complaints

The district's policy is to investigate all reported incidents thoroughly, promptly and in a discrete manner. The district recognizes that every investigation requires a determination based on all of the facts in the matter. The district also recognizes the serious impact that a false accusation can have and trust that all students, employees, agents and officials will act responsibly when making complaints.

Sanctions for Violations of this Policy

The district expects all employees and students to be aware of this policy and to abide by it at all times. If an investigation confirms that harassment has taken place, the district will take appropriate corrective and/or disciplinary action in accordance with the applicable laws, rules, regulations and collective bargaining agreements. Such corrective and/or disciplinary action may include counseling, reprimand, suspension and/or the termination of the offending party's employment (if the violator is a staff member or employee of the district) or suspension from school (if the violator is a student).

Bad Faith Complaints

Although the district encourages the reporting of harassment, students and the district's staff and employees must recognize that complaints made in bad faith (such as when the complainant knows that the complaint is false) can have a serious impact on other students and/or employees of the district who may experience adverse employment action and also suffer a compromise in their reputation. In addition, bad faith complaints of harassment disrupt the school and waste resources by triggering lengthy and potentially time-consuming investigations.

It is therefore misconduct under this policy for a student or staff member to make complaints of harassment in bad faith and doing so may result in corrective or disciplinary action taken against the complainant. For the purposes of this policy complaints are made in 'bad faith' when the complainant: (a) makes the complaint solely to harm, injure, degrade, defame or embarrass another person; (b) knows that the complaint is false; and/or (c) acts with reckless disregard to the truth when making the complaint.

Confidentiality

When investigating harassment complaints the district will maintain confidentiality to the extent that the district considers practicable, appropriate and necessary in order to meet the purposes of investigating and responding to harassment complaints and in order to achieve the other objectives of this policy.

Retaliation is Strictly Prohibited

The district strictly prohibits any district staff member or employee or student from retaliating against anyone who makes a good faith report of harassment or participates in an investigation under this policy. Any staff member or student who violates this provision of the policy will be subjected to appropriate discipline in accordance with applicable laws, rules, regulations and collective bargaining agreement. Such discipline may include counseling, reprimand, suspension and/or termination of employment (if the violator is a staff member or employee of the district) or suspension from school (if the violator is a student).

Title IX Coordinators

The Director of Pupil Services, the Director of Technology and Assistant Superintendent are designated as the Title IX Coordinators. Teachers, principals, assistant principals and any other employee or staff member who receives a complaint under this policy or who observes a violation of this policy must report such complaint or observation immediately to the Director of Pupil Services or Assistant Superintendent. The investigation of all violations of this policy and of all complaints filed under this policy shall be the responsibility of the Director of Pupil Services and Assistant Superintendent.

Responsibility

The district's staff and employees are responsible for strict compliance with all aspects of this policy. Therefore, they should review the manner and style in which they oversee and supervise students and the quality of the educational environment they create through their supervision. In particular, staff members and employees of the district should take pains not to condone or tolerate any conduct that might violate this policy.

Notice

This policy shall constitute notice to all staff and students that the district does not permit the harassment of students and that any harassment of students may result in disciplinary action, including termination or suspension. The district is not required to notify staff/students of each and every act of harassment that might be a violation of this policy.

Waiver

Any failure by a student to report any incidents of harassment may result in the full waiver of his/her claim.

Publication

The district shall promulgate this policy as follows:

A copy of this policy shall be provided to each employee, agent or official on the first payday of each September. With respect to an employee, agent or official who is hired during the school year this policy shall be provided to the employee, agent or official after the Board of Education has appointed the employee, agent or official.

This policy shall be included in the Student Handbook and in the School Calendar.

This policy shall be provided annually to the president of each bargaining unit.

The name, business address and telephone number of the district's Title IX Coordinators shall be published in the Student Handbook and in the district's newsletter.