

5300 CODE OF CONDUCT - Section IX Regulations

BULLYING, DISCRIMINATION, HAZING AND HARASSMENT REGULATION

Any student or employee who believes that he or she has been subject to **bullying**, discrimination, hazing or harassment, either verbal or non-verbal, is encouraged to report all incidents, either orally or in writing, pursuant to District policy and regulation. Anyone with relevant information may report allegations of **bullying**, discrimination, hazing, or harassment, whether that person is a student, a District employee, a parent or guardian, or any other person who has relevant information. The person reporting the **bullying**, discrimination, hazing, or harassment need not be a witness to the alleged incident in order to report allegations thereof.

Bullying, discrimination, hazing or harassment by a student should be reported to the building principal, in his/her capacity as the school's Dignity Act Coordinator, as follows:

- Chancellor Livingston Elementary School:
Mr. Brett King, 845-871-5570, ext. 5571, bking@rhinebeckcsd.org
- Bulkeley Middle School:
Mr. John Kemnitzer, 845-871-5500, ext. 5552, jkemnitzer@rhinebeckcsd.org
- Rhinebeck High School:
Dr. Edwin Davenport, 845-871-5500, ext. 5501, edavenport@rhinebeckcsd.org

Bullying, discrimination, hazing or harassment by a staff member or other third-party adult shall be reported through the Building Principal, or directly, to one of the District's Title IX Compliance Officers, as follows:

- Mr. Marvin Kreps, 845-871-5570, ext. 5545, mkreps@rhinebeckcsd.org
- Ms. Christine Natoli, 845-871-5520, ext. 5524, cnatoli@rhinebeckcsd.org

A staff member shall promptly make an oral report, as outlined above, of any actual or suspected incident of bullying, discrimination, hazing, or harassment that they have witnessed, that they are informed of, that they have become aware of, and/or that they reasonably suspect, not later than one (1) school day after becoming aware of said incident. The staff member will file a report of said incident in writing no later than two (2) school days after making the oral report. The school's Dignity Act Coordinator will promptly investigate the complaint or will delegate the investigation to his designee (e.g. another certified administrator, the Title IX Compliance Officer, the Assistant Title IX Compliance Officer, or an outside investigator.)

Any person reporting bullying, discrimination, hazing, or harassment will be treated respectfully and appropriately by the Dignity Act Coordinator or his designee to whom he or she reports the allegations, and by any other person within the District's control who is involved in the reporting and/or investigation process.

The District will investigate allegations of bullying, discrimination, hazing or harassment to the best of its ability regardless of whether the alleged victim thereof is identified or is willing to speak with the Dignity Act Coordinator or his designee investigating the allegations.

Any staff member who fails to report a complaint of bullying, discrimination, hazing, or harassment will be in violation of this Board of Education policy and may be subject to disciplinary action and any applicable collectively negotiated agreement.

All complaints of bullying, discrimination, hazing, or harassment will be held in confidence to the extent practicable to enable the District to conduct a thorough investigation. While the District respects the privacy and anonymity of all parties and witnesses to complaints brought under this policy, it cannot guarantee absolute confidentiality. All staff members conducting investigations will make it clear to witnesses and others involved in the investigation that confidentiality is expected by everyone.

If the Dignity Act Coordinator or his designee has knowledge of or reason to know of the occurrence of any bullying, discrimination, hazing, or harassment, he shall investigate the incident referenced in the complaint promptly and thoroughly, even in the absence of a complaint. The investigation shall be commenced promptly after receipt of the complaint, or after the Dignity Act Coordinator or his designee has knowledge of or reason to know of the occurrence, and shall be concluded without unreasonable delay, as determined by the discretion of the Dignity Act Coordinator or his designee.

All complaints of bullying, discrimination, hazing, or harassment shall be taken seriously and a review of the complaint and an appropriate investigation shall be conducted to the extent possible. The Dignity Act Coordinator or his designee shall prepare a written report of the investigation. The report shall be filed by the Dignity Act Coordinator or his designee in the disciplinary file of the student alleged to have violated the policy. In the case of a complaint about an employee, the report shall be filed in the employee's personnel file. The fact of a disciplinary outcome of any investigation of a bullying, discrimination, hazing, or harassment complaint shall only be relayed to the student and his/her parent/guardian or to the employee, as the case may be, as well as the accused, in compliance with any and all laws and regulations. The written report becomes the final District determination 30 days after the issuance of the written report if no appeal is made, or 30 days after the issuance of the appeal determination.

If the result of the District's review of the complaint and a subsequent investigation indicates that bullying, discrimination, hazing, and harassment, or other inappropriate behavior has occurred resulting in the loss of another's right to an environment that is safe, civil and respectful, and that is not free from all forms of bullying, discrimination, hazing, or harassment, immediate and appropriate corrective action that is consistent with the District's Code of Conduct will be taken. Corrective action shall be calculated to end the bullying, discriminatory, hazing, and harassing behavior, to prevent retaliation, and be designed to ensure that the offending conduct does not limit and/or interrupt the ability of the complainant (and the victim, if different) to participate in, or benefit from, the educational services, programs and/or opportunities provided by the District.

It is the policy of the District to determine when appropriate disciplinary action should be taken against the offending individual. Disciplinary action up to and including discharge of an employee and permanent suspension of a student may occur, in accordance with the law. Follow-up inquiries shall be made to ensure that the bullying and harassment has not continued or resumed.

If the complainant, and/or his/her parent/guardian in the case of a student complainant, or the accused is not satisfied with the result of the investigation, an appeal of the finding may be made to the Board of Education.

The initiation of a complaint of bullying and harassment will not reflect negatively on the student or employee who initiates the complaint, nor will it affect the student's academic standing, rights, privileges, or the employee's job assignment, status, rights, privileges, or benefits.

8/14/12