

# OHIO STATE SCHOOL FOR THE BLIND ANTI-HARASSMENT, ANTI-INTIMIDATION & ANTI-BULLYING POLICY

## SCOPE

This policy applies to all students, staff, and parents/guardians, and all other visitors at the Ohio State School for the Blind.

## POLICY

The Ohio State School for the Blind (OSSB) strictly prohibits all forms of harassment and bullying on school grounds, school busses, and at all school-sponsored programs, activities, and events, including those that take place at locations outside of OSSB.

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the education environment.

Many behaviors that do not rise to the level of harassment, intimidation, or bullying may still be prohibited by other district policies or building, classroom, or program rules.

It is vital that harassment, intimidation, or bullying be identified only when the specific elements of the definition are met because the designation of such prohibited incidents carry special statutory obligations. However, misconduct by one student against another student, whether appropriately defined or not, will result in appropriate disciplinary consequences for the perpetrator.

## HARASSMENT AND BULLYING

Harassment, intimidation, or bullying behavior by any student or school personnel in the Ohio State School for the Blind is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school.

## DEFINITION

In accordance with House Bill 276

- A. Harassment, intimidation, or bullying behavior means **any intentional act\* that has the following effect or results:**
- a. Causes mental and physical harm to a student or school personnel, including placing an individual in reasonable fear of physical harm and/or damage to personal or educational property
  - b. Is severe enough, or persistent or pervasive enough to create an intimidating, threatening, or abusive environment for the other student/school personnel.

\*“Intentional act” refers to the individual’s choice to engage in the act. It does not refer to the act itself nor to its ultimate impact or effect.

B. Harassment, intimidation, or bullying means **any intentional written, verbal, graphic or physical act**, either openly or secretly, by a student or group of students toward another particular student/students or school personnel more than once, with the intent to harass, intimidate, injure, threaten, ridicule or humiliate. School-related behavior that OSSB considers unacceptable and often a part of harassment and bullying may include, but is not limited to the following actions:

- Physical violence and/or attacks (including within a dating relationship)
- Threats, taunts, and intimidation through words and/or gestures.
- Any comments regarding race, ethnicity, socioeconomic status, gender, national origin, sexual orientation, political or religious affiliation, physical characteristics, academic or athletic performance, disability or English language proficiency.
- Extortion, stealing of money or damage to possessions.
- Exclusion or shunning from peer group.
- Spreading rumors

C. Harassment, intimidation, or bullying also means **electronically transmitted acts** (Internet, cell phone, personal digital assistant (PDA), or wireless hand-held device) that a student has exhibited toward another particular student more than once. This behavior is also known as “**cyber-bullying.**” School-related behavior that OSSB considers unacceptable and often a part of harassment and bullying may include, but is not limited to the following actions:

- Posting slurs on Web sites where students congregate (e.g. Facebook) or on Weblogs (personal online journals/diaries)
- Sending abusive or threatening text messages or Instant messages.
- Using camera phones to take embarrassing photos of students and posting online
- Using web sites to circulate gossip and rumors to other students.
- Excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

These behaviors and behaviors like them are prohibited on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, or at any official school bus stop.

## **REPORTING AN INCIDENT**

### **Formal Complaints**

1. If a student and his parents or guardians believes that harassment or bullying has taken place, a written report may be filed with the school Principal.
2. The written report should include the following specific information:

- Person(s) involved, including alleged perpetrator and target
- Number of times the actions occurred.
- The place of the incident
- Potential student or staff witnesses
- Actions giving rise to the suspected incident of bullying, harassment, or intimidation.
- Other details (exact words, conversations, actions) which have a bearing on the report.

The Principal will review the complaint and take action according to the guidelines set forth in the OSSB Discipline Policy found in the Student/Parent Handbook.

### **Informal Complaints**

1. If a student has reason to believe that harassment or bullying has occurred, the incident should be promptly reported to a teacher, houseparent, the school Principal, school psychologist, or other OSSB staff member.
2. The staff member or administrator who receives the informal complaint must immediately document the complaint in writing, including all the information specified below:
  - Person(s) involved, including alleged perpetrator and target
  - Number of times and
  - the place of the incident
  - potential student or staff witnesses
  - Actions giving rise to the suspected incident of bullying, harassment, or intimidation.
  - Other pertinent details (words, conversations, actions) which have a bearing on the report. Other details (exact words, conversations, actions) which have a bearing on the report.
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3. The Principal will review the complaint and take action according to the guidelines set forth in the OSSB Discipline Policy found in the Student/Parent Handbook.

### **Anonymous Complaints**

1. Students who make informal complaints as described above may request that their name be kept confidential by school staff and administrators who receive the complaint. The anonymous complaint will be reviewed and acted upon as a regular complaint, but only to the extent that the action taken
  - does not disclose the source of the complaint, and
  - is consistent with the due process rights of the student alleged to have committed acts of harassment, intimidation and/or bullying.
2. The staff member or administrator who receives the anonymous informal complaint must immediately document the complaint in writing, including all the

information specified above.

3. The anonymous complaint shall be reviewed and reasonable action taken to address the situation, to the extent that the action taken
  - does not disclose the source of the complaint
  - is consistent with the due process rights of the student alleged to have committed acts of harassment, intimidation and/or bullying.
4. **Confidentiality:** It is the policy of OSSB to respect the privacy of all persons who report harassment or bullying. However, situations that allege child abuse or other illegal activity may require disclosure of staff and/or student name(s) to the appropriate authorities.

## **RETALIATION**

1. Any individual who retaliates against a person who reports or assists in the investigation of harassment or bullying is subject to disciplinary action.
2. Retaliation includes, but is not limited to:
  - verbal or physical threats
  - intimidation
  - ridicule
  - bribes
  - destruction of property
  - spreading rumors
  - stalking
  - harassing phone calls
  - any other form of intimidation or harassment.

## **REPORTING OBLIGATIONS.**

1. **Report to the Parent or Guardian of the Perpetrator**
  - If after investigation, acts of harassment, intimidation and bullying by a specific student(s) are verified, the School Principal or his/her designee shall notify IN WRITING the parent or guardian of the perpetrator.
  - If disciplinary action is imposed against the student, a description of such discipline shall be included in the notification.
2. **Reports to the Parent or Guardian of the Victim**
  - If after investigation, acts of harassment, intimidation and bullying are verified against a specific student(s), the School Principal or his/her designee shall notify the parent or guardian of the victim.
  - If disciplinary action has been imposed against the perpetrator, care must be taken to respect the privacy rights of the perpetrator of the behavior in question.
3. **Reports to Police and Child Protective Services**

- Allegations of criminal misconduct will be reported to law enforcement, and suspected child abuse must be reported to Child Protective Services, according to required timelines.
- The Ohio State School for the Blind must also investigate for the purpose of determining whether there has been a violation of OSSB School Policy or Procedure, even if law enforcement or CPS is also investigating. All OSSB personnel must cooperate with investigations by outside agencies.
- In addition to, or instead of, filling a bullying/harassment/intimidation complaint through this policy, a complainant may choose to exercise other options, including but not limited to filing a complaint with outside agencies or filing a private lawsuit. Nothing prohibits a complainant from seeking redress under any other provision of the Revised Code or common law that may apply.