Monroe 2-Orleans BOCES Policy
Series 6000 – Students
Policy #6462 – STUDENT HARASSMENT AND BULLYING PREVENTION AND INTERVENTION (DIGNITY FOR ALL STUDENTS ACT)

The Board prohibits all forms of discrimination, harassment, hazing and bullying on BOCES owned or leased grounds, school buses and at all BOCES-sponsored activities, programs, work study locations, and events. Discrimination, harassment, hazing or bullying that takes place at locations outside of BOCES owned or leased grounds which can reasonably be expected to substantially interfere with the operation of the school or program or interferes with the student's education, ~~is prohibited,~~ may be subject to disciplinary consequences.

The administrative regulations define discrimination, hazing, harassment, bullying, and cyberbullying in more detail.

Dissemination, Monitoring, Review, and Reporting

This policy, or a plain language summary, shall be published in student registration materials, student, parent/legal guardian, and employee handbooks, and posted on the BOCES website. Annually all BOCES employees, parents/legal guardians, and students will receive a copy of the policy or plain language summary. The full policy is posted on the Internet; a copy will be provided upon request. A complaint form will be available on the BOCES website. The website with this policy will be regularly updated.

Each year this policy will be reviewed to assess its effectiveness and compliance with state and federal law.

BOCES will report to New York State Education Department on or before the BEDS reporting deadline or on a date determined by the Commissioner and on a form prescribed by the Commissioner a material incident of harassment, bullying, or discrimination that was the result of the investigation of a written or oral complaint or an incident directly observed by an employee. The report will include information such as the type of bias involved, type of incident, location, whether the incident involved physical or verbal conduct, including cyberbullying, whether the incident stemmed from employee or student behavior. This data will not be counted in the School Violence Index.

A material incident of harassment, bullying and/or discrimination means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying and/or discrimination by a student and/or employee on BOCES property or at a BOCES function and is subject to an oral or written complaint to the DASA Coordinators, principal, program administrator or their designee, or other school employee; and shall mean a verified incident or series of related verified incidents of harassment or bullying that occur off BOCES property that is substantially disruptive to schools and is subject to an oral or written complaint to the DASA Coordinators, principal, program administrator or their designee, or other school employee.

The District Superintendent will receive a regular report (once per school year and in a manner of BOCES choosing) from the building specific principal/program administrator on data and trends related to discrimination, harassment, and bullying.

The Board will receive the annual SSEC (School Safety Educational Climate) report, for each building and for the BOCES as a whole, with particular attention to the trends in the incidence of

bullying. Based on the review of the data, the Board may consider further action, including but not limited to modification of this policy and additional training.

BOCES recognizes allegations under this policy may also be a violation of the sexual harassment policy, see Policy 6440.

Ref: Dignity for All Students Act, Education Law, §10 – 18
Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.*
Title VI, Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.*
Title, VII, Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.;* 34 CFR §100 *et seq.*
Title IX, Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*
§504, Rehabilitation Act of 1973, 29 U.S.C. §794
Individuals with Disabilities Education Law, 20 U.S.C. §§1400 *et seq.*
Executive Law §290 *et seq.* (New York State Human Rights Law)
Executive Law §§313(3), 3201, 3201-a
Tinker v. DesMoines Independent Community School Dist., 393 US 503, (1969) *Davis v. Monroe County Board of Education*, 526 U.S. 629 (1999)
Gebser v. Lago Vista Independent School District, 524 U.S., 274 (1998)
Faragher v. City of Boca Raton, 524 U.S. 775 (1998)
Burlington Industries v. Ellerth, 524 U.S. 742 (1998)
Oncale v. Sundowner Offshore Services, Inc., 523 .S. 75 (1998)
Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

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