

# Notre Dame Regional School

## Anti-Bullying and Harassment Policy

### Statement of Policy

The harassment and bullying of students and/or employees by students, school employees and volunteers is not tolerated by Notre Dame Regional School in the school or at school related activities. This school is committed to providing all staff and students with a safe and civil environment in which all members of the school community are treated with dignity and respect.

The school prohibits harassment, bullying, hazing, or any other type of victimization of students or staff based upon of the following actual or perceived traits or characteristics: age, color, creed, national origin, race, religion, marital status, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political beliefs, socioeconomic status, or familial status.

This policy is in effect while students or employees are on property within the jurisdiction of Notre Dame Regional School; while on school-owned or school-operated vehicles; while attending or engaged in school-sponsored activities; and while away from school grounds and beyond school hours if the misconduct directly affects the good order, efficient management and welfare of the school.

If, after an investigation, a volunteer, student or employee is found to be in violation of this policy, the person shall be disciplined by appropriate measures up to and including disciplinary actions (detention, letter of discipline to be placed in personnel file, etc.), suspension, expulsion, or firing. If after an investigation a school volunteer is found to be in violation of this policy, the volunteer will not be permitted to serve the school in any capacity. "Volunteer" means an individual who has regular and significant contact with students and does not receive payment for his or her time and services.

### Behaviors that Constitute Harassment and Bullying

Harassment and bullying constitute any sustained (repeated behavior which is conducted over a period of time) electronic, written, verbal, or physical act or conduct toward a student or employee which is based on any actual or perceived trait or characteristic of the student or employee and which creates an objectively hostile school/work environment and that meets one or more of the following conditions:

- Places the student or employee in reasonable fear of harm to their personal property;
- Has a substantially detrimental effect on the student's or employee's physical or mental health
- Has the effect of substantially interfering with the student's academic performance or the employees work performance; or
- Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by the school.

"Electronic" means any communication involving the transmission of the information by wire, radio, optical cable, electromagnetic, or other similar means. "Electronic" includes but is not limited to communication via electronic mail, internet-based communications, social networks, pager services, cell phones, electronic text messaging, and/or similar technologies.

## **Further Conditions that Constitute Harassment and Bullying**

Harassment and bullying may include, but are not limited to, the following behaviors and circumstances:

- Verbal, nonverbal, physical or written harassment, bullying or other victimization that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort fear, or suffering to the victim;
- Implied or explicit threats concerning one's grades, achievements, property, etc., that have the purpose of effect of casing injury, discomfort, fear or suffering to the victim; and/or:
- Unreasonable interference with a student's performance or an employee's work product that results in the creation of an intimidating, offensive, or hostile learning or work environment.
- Conduct that is consistently perform over a period of time in which the offender persists, despite being asked to desist, in the offensive behavior thus offending the person or persons in the presence of the conduct (i.e., telling inappropriate jokes, racially inappropriate remarks, etc.)

Sexual Harassment means unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature and is considered harassing when:

- Submission to the conduct is made either implicitly or explicitly a term or condition of the student's education or beliefs;
- Submission to or rejecting of the conduct by a school employee is used as the basis for academic decisions affecting that student; or
- The conduct has the purpose or effect of substantially interfering with the student's academic performance by creating an intimidating, hostile or offensive educational environment.
- Conduct is consistently perform over a period of time in which the offender persists, despite being asked to desist (e.g., telling inappropriate jokes, using inappropriate language, making inappropriate gestures, inappropriate touching, etc.).

In situations between student and school officials, faculty, staff, or volunteers who have direct and consistent contact with students, bullying and harassment may also include the following behaviors:

- Requiring that a student submit to bullying or harassment by another student , either explicitly or implicitly, as a term or condition of the target student's education or participation in the school programs or activities; and/or
- Requiring submission to or reaction of such conduct as a basis for decisions affecting the student

## **Reporting Incidents of Bullying or Harassment**

Individuals who feel that they have been harassed should:

- Communicate to the harasser that the individual expects the behavior to stop. If the individual wants assistance communicating with the harasser, the individual can rely upon witnesses to help where witnesses have first hand information regarding the behavior in question and are willing to do so. The student can also ask a teacher to intervene in the problem.

- If bullying or harassment continues, the student must report harassment or bullying to his or her teacher. The teacher must intervene if the student is not comfortable telling the harasser that he or she expects to stop his or her behavior. The teacher may assign consequences for the bully's behavior as is appropriate and/or report the behavior to the principal and/or the designee. The teacher must record this incident and remain attentive to mitigate the reoccurrence of the behavior.
- If the teacher's intervention does not stop the behavior, the student/teacher should then report the incidents to the principal or the designee.
- When a staff member is aware of persistent incidents of bullying and/or harassing behavior they must intervene to stop it. If their attempts to stop the behavior are unsuccessful, then the teacher must report the problem to the principal or the designee.
- The term "designee" may include but not be limited to: the teacher in charge, the pastors, and/or the Ethics Committee.
- Determination of consequences and actions due to bullying not outlined in this document, or in addition to those outlined in this document may be decided by the principal and/or the pastors and/or the head teachers and/or the Ethics Committee.
- A staff member or volunteer who is a victim to bullying and harassment must report the behavior to the principal or pastors.
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### **Immunity from Liability for the Reporting of Bullying or Harassment**

Any person who promptly, reasonably, and in good faith reports an incident of bullying or harassment under this policy to a school official, shall be immune from civil or criminal liability relating to such report and to the person's participation in any administrative, judicial, or other proceeding relating to the report. Individuals who knowingly file a false complaint may be subject to appropriate disciplinary action as determined by the principal and/or the designee. Retaliation against a person because the person has filed a bullying or harassment complaint or assisted or participated in a harassment investigation or proceeding is prohibited.

### **Investigation of Incidents**

The school will promptly and reasonably investigate allegations of bullying or harassment. The Principal or designee will be ultimately responsible for handling all complaints by students or employees alleging bullying or harassment that are ongoing and persistent and that have not been mitigated by the teacher. Based upon the investigation of the allegations, the principal will take appropriate actions with the intention of mitigating and correcting the situation. Appropriate actions may include but not be limited to: counseling, mediating, assigning a consequence, memorializing the event(s) to be placed in permanent/personnel folders, or removal from the school. The principal or designee will determine the need to bring allegations of bullying or harassment to the attention of the School Ethics Committee and to the attention of the Pastor(s). Harassing and bullying involving threats will be brought to attention of law enforcement.

### **Filing False Complaints**

An individual who knowingly files a false harassment/bullying complaint and any person who gives false statements in an investigation shall be subject to discipline by appropriate measures, as shall a person who is found to have retaliated against another in violation of this policy.

## **Retaliation**

A student found to have retaliated in violation of this policy shall be subject to measures up to and including, suspension or expulsion. A school employee found to have retaliated in violation of this policy shall be subject to measures up to and including termination of employment. A school volunteer found to have retaliated in violation of this policy shall be subject to measures up to and including, exclusion from school grounds and activities.

## **Anti-Bullying Training Programs for Students, Staff, and Volunteers**

The principal is responsible for organizing training programs for staff, volunteers, and students. This training will include how to recognize harassment and what to do in case a student is harassed. Notre Dame uses the Child Assault Prevention Program's CAP I Training, in compliance with Camden Diocese Policy, as the training program for all staff and volunteers who come into contact with children to ensure a safe environment for all children. In addition to diocesan requirements, Notre Dame Regional School will further require that our staff and volunteers participate in the CAP II which teaches guidelines for the recognition and prevention of bullying and harassment. All volunteers or staff members must participate in CAP I and CAP II training session once every three years. Students will participate yearly in an anti-bullying and harassment program.

The school will publish this policy annually. The school will review this policy with the children annually. This policy may be published by, but not limited to, the following means:

- Inclusion in the student handbook, which requires that students and parents sign that they have received and reviewed the materials.
- Inclusion in the faculty handbook, which requires that staff signs that they have received and reviewed the materials.
- Inclusion in registration materials, as a courtesy for new families that they may see that Notre Dame takes Anti-Bullying and Harassment seriously.
- Inclusion on the school's website, as a point of information.

## **Anti-Harassment/Bullying Investigation Procedures**

Individuals who feel that they have been harassed should:

- Communicate to the harasser that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual wants assistance communicating with the harasser, the individual can rely upon witnesses to help where witnesses have first hand information regarding the behavior in question and are willing to do so. Also the student can report harassment or bullying to his or her teacher and the teacher can intervene if the student is not comfortable telling the harasser that he or she expects to stop his or her behavior.

- If the harassment does not stop, the student should then report the incidents to the principal or the designee.

Staff responsibilities regarding reports of harassment or bullying:

- Staff should be sensitive to ongoing reports of bullying and harassment
- When a staff member is aware of persistent incidents of bullying and/or harassing behavior they should attempt to intervene to mitigate the harassing behavior. If their attempts at intervention do not result in a successful resolution, they must report the problem to the principal or the designee.

## **Complaint Procedure**

An individual who believes that he or she has been harassed or bullied will notify the teacher or the principal who will conduct an investigation. The person who is investigating the situation may ask the victim to fill out a Harassment/Bullying Complaint form and turn over evidence of the harassment, including, but not limited to, letters, pictures, web information, and any other materials that will support the allegations. Information received during this investigation is kept confidential to extent possible.

The investigator can be a teacher, head teacher, principal or a principal's designee. The investigator, with the approval of the principal if appropriate, has the authority to initiate an investigation in the absence of a written report complaint.

## **Investigation Procedure**

The investigator will reasonably and promptly commence the investigation upon receipt of the complaint. The investigator will interview the complainant and alleged harasser. The alleged harasser may file a written statement in response to the complaint. The investigator may also interview the witnesses as deemed appropriate. Upon completion of the investigation, the investigator may make written findings. The investigator, if not the principal, will provide a copy of the findings of the investigation to the principal.

## **Resolution of the Complaint**

Following the investigation and the findings, the principal, applicable parties and/or the designee will determine if the allegations are true. Students, volunteers and staff who are found to have engaged in harassing or bullying behavior will be subject consequences. The consequences listed above may or may not include the full array of possible penalties for engaging in this behavior and the decision for appropriate consequences rests solely with the principal and applicable parties (e.g., pastor, Ethics Committee, etc.) Decisions regarding consequences are binding.