

Harassment and Bullying Policy

Revised: September 2022

INTRODUCTION

The Summit School is committed to providing a positive, safe, supportive, and orderly learning environment that promotes respect, dignity, and equality among its students, and in which students receive a quality education without undue disruption or interference.

The Summit School strives to ensure that all students are free from harassment and discrimination, including bullying, cyberbullying, and harassment including sexual harassment. The Summit School will not tolerate harassment, intimidation, coercion, bullying, or cyberbullying that: (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or (b) reasonably causes or would reasonably be expected to cause a student to fear for his/her physical safety; or (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs on or off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Definitions:

Acts of harassment, intimidation, coercion, and bullying include, but are not limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, economic status, sexual orientation, gender or sex. The Summit School considers isolating another student on the basis of any of these actual or perceived statuses to be a form of harassment and bullying.

Gender means the actual or perceived sex of an individual and includes a person's gender identity or expression.

Sexual Orientation means a person's actual or perceived heterosexuality, homosexuality or bisexuality.

Cyberbullying means coercion, intimidation, harassment or bullying that occurs through any form of electronic communication or information technology, including, but not limited to, e-mail, instant messaging, blogs, chat rooms, pagers, cell phones, gaming systems and all forms of social media and websites.

Cyberbullying may occur both on and off school grounds, and may involve student use of the school's Internet network or student use of personal electronic devices while at school, such as cell phones, digital cameras, and personal computers to engage in cyberbullying.

Examples of cyberbullying include, but are not limited to:

- Sending cruel, false, and vicious email, instant, or text messages;
- Creating websites (or blogs) that have stories, cartoons, pictures, and jokes ridiculing others;
- Hacking an email account and sending mean or embarrassing materials to others;
- Engaging someone in electronic communication, tricking that person into revealing sensitive personal information, and forwarding that information to others; and
- Posting of a student's image/photo without his/her permission.

“Bullying”

Bullying is unwanted, aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose. Bullying can take many forms including, but not limited to:

- Verbal bullying is saying or writing mean things. Verbal bullying includes teasing, name-calling, inappropriate sexual comments, taunting, and threatening to harm.
- Social bullying, sometimes referred to as relational bullying, involves hurting someone's reputation or relationship. Social bullying includes leaving someone out on purpose, telling other children not to be friends with someone, and spreading rumors about someone.
- Physical bullying involves hurting a person's body or possessions. Physical bullying includes hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's things, and making mean or rude hand gestures.

Although this policy focuses on the bullying of a student by another student, it should be noted that bullying against any individual on school property, on school buses, or at school-sponsored events is strictly prohibited. This includes, but is not limited to, bullying of staff members against students, students against staff members, and staff members against other staff members. In addition to appropriate disciplinary action in accordance with school policies, such conduct may be referred to local law enforcement authorities.

Additionally, sexting is inappropriate and will not be tolerated. Sexting, as defined by the NYS Department of Criminal Justice Services, is the sending, receiving, or forwarding of sexually suggestive nude or nearly nude photos through text messages or email.

Sexual harassment is generally considered a misuse of power and consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education; or
- Submission to or rejection of that conduct or communication by an individual is used as a factor in a decision affecting that individual's employment or education; or
- That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education environment.

Sexual harassment may include, but is not limited to:

- verbal harassment or abuse of a sexual nature;
- subtle pressure for sexual activity;
- inappropriate or unwelcomed touching, patting or pinching of a sexual nature;
- intentional brushing against a student's or an employee's body;
- demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status;
- demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status;
- use of sexually or gender degrading words or comments, spoken or written;
- display in the school, on school grounds, school bus, or at school-sponsored events of sexually suggestive pictures;
- leering of a sexual nature; and
- spreading of sexual rumors.

In addition to appropriate disciplinary action in accordance with school policies, such conduct may be referred to local law enforcement authorities. Sexual harassment also includes conduct that is criminal in nature, such as rape, sexual assault, stalking, and similar offenses. Although sexual misconduct may also be considered sexual harassment, criminal sexual behavior will be reported to local law enforcement authorities.

There are also many things that can happen in school that are unfair, but they may not be a violation of these policies or illegal. If it is not clear whether a particular situation is harassment or bullying, talk to any trusted adult, such as a teacher, social worker, or school administrator.

It is also important to know that it is illegal to discriminate against someone because he/she has opposed illegal discrimination, filed a complaint, or assisted in an investigation. This is called retaliation, and the law protects those who oppose illegal behavior.

Reporting Harassment or Bullying and Investigations

Students should report violations of this policy immediately to a staff member when the student is a victim of bullying, cyberbullying, harassment, coercion, isolation or intimidation. Staff members who witness or learn of an incident of harassment or bullying are required to report all incidents to an administrator. In addition, the Dignity for All Students Act (DASA) coordinator and principal in each building should be notified.

The school will investigate all complaints of harassment and discrimination and take prompt corrective measures as necessary. If, after an appropriate investigation, the school finds that this policy has been violated, corrective action will be taken in accordance with school policies and regulations, the Code of Conduct, and applicable laws and regulation.

Confidentiality and No Retaliation:

The Summit School will make efforts to respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the school's legal obligations and the necessity to conduct a complete investigation into the facts and circumstances, and to take disciplinary action when the conduct has occurred.

The school will not retaliate against any person who in good faith reports or participates in an investigation into inappropriate, prohibited conduct or violations of this policy.

DISCIPLINARY CONSEQUENCES

Discipline is most effective when it is progressive and deals with the problem at the same time and place it occurs, and in a way that students view as fair and impartial. Progressive discipline does not seek punishment, but rather emphasizes the students' ability to grow in self-discipline and to learn from their mistakes. Disciplinary consequences, when necessary, will be firm, fair, and consistent. Our ultimate goal is prevention. School personnel authorized to impose disciplinary penalties may consider a student's age, maturity, disability, Individualized Education Plan, Behavior Intervention Plan, prior disciplinary record, the nature of the offense and circumstances, as well as information from parents/guardians, teachers, and others as appropriate.

The Summit School strictly prohibits any kind of harassment and discrimination, including bullying, cyberbullying, and sexual harassment. If the conduct occurs on or off school grounds and causes or threatens to cause a substantial disruption at school, or interferes with the rights of students to be safe and secure, school administration may impose the following guidance interventions and disciplinary consequences, either alone or in combination:

- spoken or written behavior reminders;
- loss of privileges;
- parent/guardian notification;
- parent/guardian meeting;
- peer mediation/conflict resolution;
- intervention by counseling staff (individually or in a group);

- detention or suspension by school administration;
- referral to the Committee on Special Education; and/or
- referral to local law enforcement authorities, which may result in civil litigation or criminal prosecution.

Depending upon the infraction level, whenever possible interventions will begin with the lowest possible level of age-appropriate disciplinary response.

TRAINING AND DISSEMINATION OF INFORMATION

At The Summit School, training will include ways to promote a supportive school environment that is free from harassment and discrimination, will emphasize positive relationships, and will demonstrate prevention and intervention techniques to assist students, school employees, and parents/guardians in recognizing and responding to harassment and discrimination, as well as ensuring the safety of victims.

For Summit Staff: Training will be provided each school year for all school employees in conjunction with existing professional development training to raise staff awareness of and sensitivity to harassment and discrimination directed at students that are committed by students or school employees on school property or at a school function.

For Summit Students: Instruction in grades 3 through 12 will include a component on civility, citizenship, and character education. Such age-appropriate components will instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits, which will enhance the quality of their experiences in, and contributions to, the community. For example, school activities may include, but are not limited to:

- annual Internet safety and digital citizenship lessons;
- annual agreement and/or renewal of Summit's Acceptable Use Policy for Computer Use and Internet Access;
- student assemblies conducted by NYPD school safety agents and/or other professional representatives of external agencies/organizations;
- social skills development and training; and
- individual and group counseling.

For Summit Parents/Guardians: Working in collaboration with the Summit Parents' Association, we will sponsor parent workshops with well-regarded professionals in their fields of expertise to provide parents/guardians with training and the latest information about prevention and trends.

Additionally, the following actions will be taken to widely and effectively communicate our Harassment and Bullying Policy:

- This policy will be distributed to every new school employee upon initial employment and will be reviewed with the entire school staff during staff orientation

at the beginning of every school year thereafter.

- Information regarding this policy will be distributed to every student in grades 6-12 and reviewed and discussed with students during the first month of school. Students who enroll in the school after the review in September will receive a copy of the policy during their initial intake. The student's counselor/social worker will review the policy with the student at that time.
- This policy will be reviewed with and explained to all students in grades 3-5 in an age-appropriate fashion.
- This policy will be reviewed annually.
- This policy will be available online on the school Website.