

**Erie Day School**  
**Anti-Bullying and/or Harassment Policy**

**1. Purpose**

The purpose of this policy is to set forth the Erie Day School's ("EDS") policy prohibiting Bullying and/or Harassment by students. EDS strives to provide an environment that is physically and emotionally safe and secure for all students. EDS recognizes that such an environment promotes good citizenship, increases school attendance and engagement, and supports academic achievement. EDS acknowledges the negative impact that Bullying and/or Harassment have on student health, welfare, and safety and on the learning environment at school. All administrators, faculty, staff, parents, volunteers, and students are expected to refuse to tolerate Bullying and/or Harassment in any form and to demonstrate behavior that is respectful and civil.

The scope of this policy includes the prohibition of every form of Bullying and/or Harassment, whether in the classroom, on school premises, immediately adjacent to school premises, when a student is traveling to or from school, or at a school-sponsored event, whether or not held on school premises.

**2. Definitions**

**Bullying and/or Harassment** – Bullying and/or Harassment is intentional conduct that occurs in a School Setting that meets all of the following criteria:

- i. Is directed at one or more students; and
- ii. Is severe, persistent or pervasive; and
- iii. Is conveyed through physical, verbal, technological (i.e. through means of social networking, e-mail, instant messaging, text messages, tweets, blogs, photo and video sharing, chat rooms, bash boards, website, or wireless handheld device, currently in use or later developed and used by students) or emotional means; and
- iv. Is reasonably perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress; and
- v. Adversely affects a student's ability to participate in, or benefit from, EDS's educational programs or activities.

**Retaliation** – Retaliation means conduct that occurs in a School Setting for the purpose of harming an EDS student, physically or emotionally, because he/she opposed an incident of Bullying and/or Harassment or Retaliation; made a complaint or report of Bullying and/or Harassment or Retaliation; and/or participated in an investigation of a complaint or report of Bullying and/or Harassment or Retaliation on the alleged violator, the alleged victim, a witness or any other role.

**School Setting** – A school setting shall mean in the school, on school grounds, in school vehicles, or at any activity sponsored, supervised or sanctioned by EDS.

### 3. Prohibited Conduct

EDS prohibits Bullying and/or Harassment by EDS students.

EDS also prohibits any Retaliation by EDS students against a person who makes a good faith report of Bullying and/or Harassment or who participates in good faith in an investigation of reported Bullying and/or Harassment.

### 4. Reporting and Investigation

EDS encourages students or parents/guardians of students who believe they are being subjected to Bullying and/or Harassment or Retaliation, or who witness Bullying and/or Harassment or Retaliation, to immediately report such incidents to the Head of School or to any other member of the school staff, including teachers, guidance counselors, coaches, and/or administrators. Any administration, faculty or staff member who receives such a report shall immediately notify the Head of School. The Head of School or his/her designee shall complete the Bullying and/or Harassment Incident Report Form or the Retaliation Incident Report Form attached and incorporated herein by reference as Attachment 1 and Attachment 2. A failure to immediately report may impair EDS's ability to investigate and properly address any prohibited conduct.

All reports of Bullying and/or Harassment or Retaliation shall be investigated promptly and thoroughly by the Head of School or his/her designee. The Head of School or his/her designee will prepare a written incident investigation report.

### 5. Disciplinary/Corrective Action

If, after a prompt and thorough investigation, the Head of School or his/her designee finds that there has been no violation of this policy, the Head of School or his/her designee shall notify the parent/guardian of the alleged victim and the alleged violator of such a finding.

When considering appropriate disciplinary/corrective action for a student who commits an act of Bullying and/or Harassment or Retaliation the following factors will be considered:

- i. Age, development, and maturity levels of the parties involved;
- ii. Degree of harm (physical and/or emotional distress);
- iii. Surrounding circumstances;
- iv. Nature and severity of the behavior(s);
- v. Incidences of past or continuing pattern(s) of behavior(s);
- vi. Relationship between the parties; and
- vii. \Context in which the alleged incident(s) occurred.

Any student who violates this policy, or who intentionally make(s) a false report or complaint, shall be subject to appropriate disciplinary/corrective action which **shall** include at a minimum: (i) documented warning; and (ii) parent/guardian notification and; (iii) conference with parent/guardian and student. Additional disciplinary action(s) that **may** be imposed include, but are not limited to, loss of school privileges, exclusion from school-sponsored activities, counseling within school, out of school suspension, and/or expulsion.

A student, who intentionally makes a false claim, offers false statements, or refuses to cooperate with the Head of School or his/her designee in the investigation regarding Bullying and/or Harassment shall be subject to appropriate disciplinary/corrective action.

## **6. Confidentiality**

EDS will attempt to treat all complaints of Bullying and/or Harassment or Retaliation confidentially and will respect the privacy of all persons involved with the investigation of a complaint including, but not limited to, the complainant, the person against whom a report is filed, the alleged victim, and witnesses. Certain disclosures, however, may be necessary in order to conduct a prompt and thorough investigation.

## **7. Conflict of Interest/Recusal**

The Head of School and/or his/her designee responding to a complaint, conducting or participating in an investigation, or participating in a decision concerning possible disciplinary/corrective action("Responders") shall conduct themselves at all times in a manner that promotes confidence in the integrity and impartiality of the process. Responders shall not allow their family, social, or other relationships to influence their conduct or judgment. Responders also shall not convey or knowingly permit others to convey the impression that anyone is in a special position to influence the outcome of the investigation and/or disciplinary/corrective action decision.

In all cases where a potential or actual conflict of interest exists, a Responder shall recuse himself/herself. In the event the Head of School has a conflict of interest, he/she shall promptly refer the matter to the Executive Committee of the Board of Trustees which shall designate a substitute Responder.

## **8. Publication/Distribution of Policy**

Within fifteen (15) days after the adoption of this policy and thereafter at least once each school year, the Head of School shall make this policy available on EDS Internet website.

**Attachment 1**  
**Bullying and/or Harassment Incident Report Form**

Name of Person Reporting the Concern (include grade):

Name of Alleged Victim (include grade):

Name(s) of Alleged Violator (include grade):

Date of Alleged Incident (include time and location):

Describe what happened (include specific physical, verbal and/or non-verbal acts):

Were there any other witnesses? If so, who?

Have similar incidents involving the same persons happened before? If so, when?

**Attachment 2**  
**Retaliation Incident Report Form**

Name of Person Reporting the Concern (include grade):

Name of Alleged Victim (include grade):

Name(s) of Alleged Violator (include grade):

Date of Alleged Incident (include time and location):

Describe what happened (include specific physical, verbal and/or non-verbal acts):

Were there any other witnesses? If so, who?

Have similar incidents involving the same persons happened before? If so, when?