



ORLEANS PARISH SCHOOL BOARD PUBLIC HEARING

McDonogh #35 Senior High School Auditorium
1331 Kelerec Street
New Orleans, LA 70116
Tuesday, December 20, 2011
4:45PM

Call to Order & Purpose of Hearing

General Counsel Edward Morris

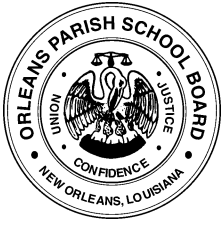
Presentation

Mrs. Cynthia Cade, Policy Committee
Chairperson

Second Readings

- Amended Policy J939 – Bullying, Intimidation, Harassment and Hazing

Q & A



ORLEANS PARISH SCHOOL BOARD PUBLIC HEARING GUIDELINES

1. The public hearing will begin with a presentation of Second Reading of Amended Policies J939 by the Superintendent and/or his designee(s).
2. Anyone wishing to address the Board Policies should fill out a card located on the table and submit it to the Board Secretary. Cards will be received up to one-half hour after the meeting begins (**Notation: The Public Hearing begins at 4:45 PM**).
3. General Counsel to the Board will be responsible for the orderly and efficient conduct of the hearing and may set a reasonable time limit for each presentation depending on the number of cards received.
4. Each speaker will be limited to two (2) questions per item. General Counsel will recognize the speaker and give him/her permission to proceed. The speaker shall state his/her name and address for the Board records.
5. Those who have a group concern are encouraged to select a spokesperson from the group to address the concern.
6. Speakers are expected to be as concise as possible and to present their questions and comments in an objective manner in accordance with good taste and decorum and without reference to or insinuations against the Board, its members, or school system employees.
7. The Superintendent or his designee will serve as the official respondent to questions posed by the public.
8. Disruptions or disorderly conduct at the public hearing will constitute grounds for the presiding officer to ask security personnel to remove the offender.

J939 – BULLYING, INTIMIDATION, HARASSMENT, AND HAZING

The Orleans Parish School District is committed to maintaining a safe, orderly, civil and positive learning environment so that no student feels threatened while in school or participating in school-related activities. Students and their parents/guardians shall be notified that the school, school bus, and all other school environments are to be safe and secure for all. Therefore, all statements or actions of a bullying, intimidating, threatening, harassing, hazing, or any other violent nature made on campus, at school-sponsored activities, on school buses, at school bus stops, and en route from home to the bus stop and from the bus stop home shall not be tolerated. Even if made in a joking manner, these statements or actions threatening other students, school personnel, or school property shall be unacceptable.

All students, teachers, and other school employees shall take responsible measures within the scope of their individual authority to prevent violations of this policy.

BULLYING, INTIMIDATION, HARASSMENT

~~***Bullying, intimidation*** and ***harassment*** shall mean any intentional gesture or written, verbal, or physical act that a reasonable person under the circumstances should know will have the effect of harming a student, damaging his/her property, or placing a student in reasonable fear of harm to his/her life or person or damage to his/her property and is so severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for a student.~~

For purposes of this Subsection, the terms “harassment”, “intimidation”, and “bullying” shall mean either of the following:

Any intention gesture written, verbal, electronic transmission or communication, or physical act that a reasonable person under the circumstances should know will have the effect of harming a student or damaging his property or placing a student in reasonable fear or harm to his life or person or damage to his property which is so severe, persistent or pervasive that it creates an intimidating, threatening, or abusive educational environment for a student.

Any intimidating, threatening, or abusive gesture or written, verbal, electronic transmission or communication or physical act by a student directed at another student occurring on school property, on a school bus, or at a school-sponsored event that a reasonable person under the circumstances would perceive as being motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, sexual orientation, gender, gender identity or expression, physical characteristic, political persuasion, mental disability, or physical disability, as well as attire or association with others identified by such categories.

HAZING

Hazing shall mean any knowing behavior, whether by commission or omission, of any student to encourage, direct, order, or participate in any activity which subjects another student to potential physical, mental, or psychological harm for the purpose of initiation or admission into, affiliation with, continued membership in, or acceptance by existing members of any organization or

extracurricular activity at a public elementary or secondary school, whether such behavior is planned or occurs on or off school property, including any school bus and school bus stop. Hazing does not mean any adult-directed and school-sanctioned athletic program practice or event or military training program.

Any solicitation to engage in hazing, and the aiding and abetting another person who engages in hazing shall be prohibited. The consent, stated or implied, of the hazing victim shall not be a defense in determining disciplinary action.

REPORTING PROCEDURES

Any student who believes he or she has been the victim of bullying, intimidation, threatening behavior, harassment or hazing by a student, teacher, administrator or other school personnel, or by any other person who is participating in, observing or otherwise engaged in activities including sporting events and other extracurricular activities, under the auspices of the school district or a school within the school system, is encouraged to immediately report the alleged acts to any appropriate school district official.

Any teacher, administrator, or other school personnel who has or receives notice that a student has or may have been the victim of bullying, intimidation, threatening behavior, harassment, or hazing at school or any school activity shall be *required* to immediately report the alleged acts to an appropriate school district official.

At the School Building Level

The principal shall be the person responsible at the school level for receiving oral or written reports of bullying, intimidation, threatening behavior, harassment, or hazing of a student. Any other school administrator, teacher, or other school personnel who receives a report of bullying, intimidation, threatening behavior, harassment or hazing of a student shall immediately inform the principal, who shall notify the Superintendent or his/her designee.

Other Sites

Building administrators designated by the Superintendent at each administrative, support, or maintenance site shall be responsible for receiving oral or written reports of bullying, intimidation, threatening behavior, harassment, or hazing of a student. Upon receipt of a report, the building administrator shall immediately notify the Superintendent or his/her designee.

INVESTIGATION OF COMPLAINTS AND REPORTS

The Superintendent or his/her designee shall immediately investigate or authorize the investigation of all reports and complaints involving alleged bullying, intimidation, threatening behavior, harassment or hazing of students. Investigations may consist of personal interviews with the complainants or the individual who is alleged to have been bullied, intimidated, threatened, harassed or hazed, the individual or individuals against whom the complaint is made, witnesses, and any other persons who may have knowledge of the alleged incident or incidents or

circumstances leading to or giving rise to the complaint. Other methods of investigation also may be used and pertinent documents may be examined by the investigator.

During the pendency of an investigation, the school district may take immediate steps, at its discretion, to protect the complainant, students, teachers, administrators or other school personnel pending completion of the investigation.

Investigations shall be completed as soon as practicable. A written report shall be prepared upon the completion of the investigation. If the complaint involves the Superintendent of Schools, the report shall be made and filed directly with the School Board. The written report shall include determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

DISCIPLINARY ACTION

The school district shall take appropriate action in response to a report following an investigation of any alleged bullying, intimidation, threatening behavior, harassment, or hazing of a student. When the report determines that the alleged act or conduct appears to be in violation of this policy, disciplinary action shall be taken as outlined in the *Student Code of Conduct*. The principal/designee shall contact the parent, tutor, or legal guardian of the pupil being disciplined for alleged misconduct to notify them of the disciplinary action.

Whenever the act or conduct determined to be a violation of this policy may also constitute a violation of state or federal criminal statute, the appropriate law enforcement officer shall be promptly notified.

Any student, school employee, or school volunteer who in good faith reports an incident of harassment, intimidation, or bullying to the appropriate school official in accordance with the procedures established by local board policy shall be immune from a right of action for damages arising from any failure to remedy the reported incident.

Appeal

The parent of a student disciplined for violation of this policy may appeal to the Superintendent or his/her designee no later than five (5) days after being notified of the disciplinary action. The Superintendent or his/her designee shall review all documentation regarding the incident, and if determined to be necessary by the Superintendent or designee, conduct a hearing on the matter. The results of the review or hearing shall be sent to the parents or legal guardian within three (3) school days. The decision of the Superintendent shall be final, except for a student expulsion, which may be appealed to the School Board in accordance with statutory provisions.

DISSEMINATION OF POLICY

This policy shall be conspicuously posted in each school in a place or places accessible to all students, teachers and other personnel.

The school district shall develop a method for discussing this policy with students which shall take into account their level of understanding based upon their grade level or other consideration generally applicable to students enrolled in the same class or grade. The school district also shall discuss this policy with administrators and teachers, and other school personnel whose employment duties bring them into contact with students.

Ref: La. Rev. Stat. Ann. §§17:183, 17:416, 17:416.13.