

1 | **J939 – ANTI-BULLYING, INTIMIDATION, HARASSMENT, AND ANTI-HAZING**  
2 | **ZERO TOLERANCE**  
3 |

4 | The Orleans Parish School ~~District Board~~ is committed to maintaining a safe, orderly, civil and  
5 | positive learning environment for all students, regardless of race, color, religion, ancestry, national  
6 | origin, sexual orientation, gender, gender identity or expression, physical characteristics, political  
7 | persuasion, mental or physical disability, attire or association with others identified by such  
8 | categories, so that no student feels threatened while in school or participating in school-related  
9 | activities. All students shall be protected equally and without regard to the subject matter or the  
10 | motivating animus of the bullying. ~~Students and their parents/guardians shall be notified that the~~  
11 | ~~school, school bus, and all other school environments are to be safe and secure for all.~~  
12 | ~~Therefore, all statements or actions of a bullying, intimidating, threatening, harassing, hazing, or~~  
13 | ~~any other violent nature made on campus, at school sponsored activities, on school buses, at~~  
14 | ~~school bus stops, and en route from home to the bus stop and from the bus stop home shall not be~~  
15 | ~~tolerated. Even if made in a joking manner, these statements or actions threatening other~~  
16 | ~~students, school personnel, or school property shall be unacceptable. Therefore, no statements or~~  
17 | ~~actions of bullying or hazing, as each is defined herein, made or occurring on campus, at school-~~  
18 | ~~sponsored activities or events, on school buses, at school bus stops, and on the way to and from~~  
19 | ~~school by a student against another student shall be tolerated. Even if done in a joking manner,~~  
20 | ~~bullying and hazing shall be unacceptable.~~  
21 |

22 | This policy shall be incorporated into the Student Code of Conduct, implemented in an ongoing  
23 | manner throughout the school year, and integrated with the school's curriculum, discipline  
24 | policies, and other violence prevention efforts.  
25 |

26 | All students, teachers, ~~and other school employees,~~ and volunteers shall take reasonable and  
27 | responsible measures within the scope of their individual authority to prevent violations of this  
28 | policy.  
29 |

30 | **BULLYING, INTIMIDATION, HARASSMENT**  
31 |

32 | For purposes of this Policy, the terms “~~harassment~~”, “~~intimidation~~”, and “~~bullying~~” shall mean  
33 | either of the following:  
34 |

- 35 | 1. Any intentional gesture, written, verbal, electronic transmission or communication, or  
36 | physical act that a reasonable person under the circumstances should know will have the  
37 | effect of harming a student or damaging his property or placing a student in reasonable  
38 | fear or harm to his life or person or damage to his property which is so severe, persistent  
39 | or pervasive that it creates an intimidating, threatening, or abusive educational  
40 | environment for a student.  
41 |
- 42 | 2. Any intimidating, threatening, or abusive gesture or written, verbal, electronic  
43 | transmission or communication or physical act by a student directed at another student  
44 | occurring on school property, on a school bus, or at a school-sponsored event that a  
45 | reasonable person under the circumstances would perceive as being motivated by any  
46 | actual or perceived characteristic, such as race, color, religion, ancestry, national origin,  
47 | sexual orientation, gender, gender identity or expression, physical characteristic, political

1 persuasion, mental disability, or physical disability, as well as attire or association with  
2 others identified by such categories.

3  
4 3. A pattern of any one or more of the following:

5  
6 a. Gestures, including but not limited to obscene gestures and making faces.

7  
8 b. Written, electronic, or verbal communications, including but not limited to calling  
9 names, threatening harm, taunting, malicious teasing, or spreading untrue rumors.  
10 Electronic communication includes but is not limited to a communication or  
11 image transmitted by email, instant message, text message, blog, or social  
12 networking website through the use of a telephone, mobile phone, pager,  
13 computer, or other electronic device.

14  
15 c. Physical acts, including but not limited to hitting, kicking, pushing, tripping,  
16 choking, damaging personal property, or unauthorized use of personal property.

17  
18 d. Repeatedly and purposefully shunning or excluding from activities.

19  
20 e. where the pattern of behavior is exhibited toward a student, more than once, by  
21 another student or group of students and occurs, or is received by, a student while  
22 on school property, at a school-sponsored or school-related function or activity, in  
23 any school bus or van, at any designated school bus stop, in any other school or  
24 private vehicle used to transport students to and from schools, or any school-  
25 sponsored activity or event.

26  
27 4. A pattern of behavior, as provided in Paragraph 1 above, must have the effect of  
28 physically harming a student, placing the student in reasonable fear of physical harm,  
29 damaging a student's property, placing the student in reasonable fear of damage to the  
30 student's property, or must be sufficiently severe, persistent, and pervasive enough to  
31 either create an intimidating or threatening educational environment, have the effect of  
32 substantially interfering with a student's performance in school, or have the effect of  
33 substantially disrupting the orderly operation of the school.

34  
35 HAZING

36  
37 **Hazing** shall mean any knowing behavior, whether by commission or omission, of any student to  
38 encourage, direct, order, or participate in any activity which subjects another student to potential  
39 physical, mental, or psychological harm for the purpose of initiation or admission into, affiliation  
40 with, continued membership in, or acceptance by existing members of any organization or  
41 extracurricular activity at a public elementary or secondary school, whether such behavior is  
42 planned or occurs on or off school property, including any school bus and school bus stop.  
43 Hazing does not mean any adult-directed and school-sanctioned athletic program practice or  
44 event or military training program.

1 Any solicitation to engage in hazing, and the aiding and abetting another person who engages in  
2 hazing shall be prohibited. The consent, stated or implied, of the hazing victim shall not be a  
3 defense in determining disciplinary action.  
4

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7  
8 NOTICE TO STUDENTS AND PARENTS AND DISSEMINATION  
9

10 Students and their parents/guardians shall be notified that the school, school bus, and all other  
11 school environments are to be safe and secure for all.

12 The School Board shall inform each student, in writing and orally, at an orientation conducted  
13 during the first five days of each school year, of the prohibition against bullying and hazing of a  
14 student by another student; the nature and consequences of such actions, including the potential  
15 criminal consequences and loss of driver's license; and the proper process and procedure for  
16 reporting any incidents involving such prohibited actions. The school district shall develop a  
17 method for discussing this policy with students which shall take into account their level of  
18 understanding based upon their grade level or other consideration generally applicable to  
19 students enrolled in the same class or grade.  
20

21 This policy shall be conspicuously posted in each school in a place or places accessible to all  
22 students, teachers and other personnel and volunteers. A copy of this policy shall also be  
23 delivered to each student's parent or legal guardian.

24  
25 REPORTING PROCEDURES  
26

27 ~~Any student who believes he or she has been the victim of bullying, intimidation, threatening~~  
28 ~~behavior, harassment or hazing by a student, teacher, administrator or other school personnel, or~~  
29 ~~by any other person who is participating in, observing or otherwise engaged in activities~~  
30 ~~including sporting events and other extracurricular activities, under the auspices of the school~~  
31 ~~district or a school within the school system, is encouraged to immediately report the alleged acts~~  
32 ~~to any appropriate school district official.~~  
33

34  
35 ~~Any teacher, administrator, or other school personnel who personally observes, or who has or~~  
36 ~~receives notice that a student has or may have been the victim of bullying, intimidation,~~  
37 ~~threatening behavior, harassment, or hazing at school or any school activity shall be *required* to~~  
38 ~~immediately take such action as necessary and appropriate to stop the incident in question, if it is~~  
39 ~~ongoing, and report the alleged acts to an appropriate school district official.~~  
40

41 At the School Building Level  
42

43 ~~The principal shall be the person responsible at the school level for receiving oral or written~~  
44 ~~reports of bullying, intimidation, threatening behavior, harassment, or hazing of a student. Any~~

1 ~~other school administrator, teacher, or other school personnel who personally observes or~~  
2 ~~receives a report of bullying, intimidation, threatening behavior, harassment or hazing of a~~  
3 ~~student shall immediately take such action as necessary and appropriate to stop the incident in~~  
4 ~~question, if it is ongoing, and inform the principal, who shall notify the Superintendent or his/her~~  
5 ~~designee.~~

6  
7 Other Sites

8  
9 ~~Building administrators designated by the Superintendent at each administrative, support, or~~  
10 ~~maintenance site shall be responsible for receiving oral or written reports of bullying,~~  
11 ~~intimidation, threatening behavior, harassment, or hazing of a student. Upon receipt of a report,~~  
12 ~~the building administrator shall immediately notify the Superintendent or his/her designee.~~

13  
14 The principal or his/her designee shall be authorized to receive complaints alleging violation of  
15 this policy. All employees, parents, volunteers, or any other school personnel shall report  
16 alleged violations to the principal or his/her designee. Any written or oral report of an act of  
17 bullying or hazing shall be considered an official means of reporting such act(s). Complaints,  
18 reports, and investigative reports of bullying or hazing shall remain confidential, except as  
19 otherwise provided by state or federal law.

20  
21 Reports of bullying or hazing shall be made on the form developed for the purpose of reporting  
22 bullying, which shall include an affirmation of truth. Any incident of bullying or hazing shall be  
23 reported on this form, but additional information may be provided.

24  
25 Students and Parents

26  
27 Any student who believes that he/she has been, or is currently, the victim of bullying or hazing  
28 or any student, parent, or guardian, who witnesses bullying or hazing or who has good reason to  
29 believe bullying or hazing is occurring, may report the situation to a school official, who in turn  
30 shall report the incident to the principal or his/her designee. A student, parent or guardian may  
31 also report concerns regarding bullying or hazing to a teacher, counselor, other school employee,  
32 or to any parent/volunteer chaperoning or supervising a school function or activity. Any report of  
33 bullying shall remain confidential.

34  
35 School Personnel

36  
37 Any school employee, whether full- or part-time, and any parent/volunteer chaperoning or  
38 supervising a school function or activity, who witnesses or learns of bullying or hazing from a  
39 student or parent, shall report the incident to the principal or his/her designee. Verbal reports  
40 shall be submitted by the employee or parent/volunteer on the same day as the employee or  
41 parent/volunteer witnessed or otherwise learned of the incident, and a written report shall be filed  
42 no later than two (2) days thereafter.

43  
44 All other members of the school community, including students, parents/legal guardians,  
45 volunteers, and visitors shall be encouraged to report any act that may be a violation of this  
46 policy to the principal or his/her designee.

1  
2 False Reports

3  
4 Intentionally making false reports about bullying or hazing shall be prohibited conduct and shall  
5 result in appropriate disciplinary measures as determined by the School Board.

6  
7 Retaliation

8  
9 Retaliation against any person who reports bullying or hazing in good faith, who is thought to  
10 have reported bullying, who files a complaint, or who otherwise participates in an investigation  
11 or inquiry concerning allegations of bullying is prohibited conduct and subject to discipline.

12  
13 INVESTIGATION OF COMPLAINTS AND REPORTS

14  
15 ~~The Superintendent or his/her designee shall immediately investigate or authorize the~~  
16 ~~investigation of all reports and complaints involving alleged bullying, intimidation, threatening~~  
17 ~~behavior, harassment or hazing of students. Investigations may consist of personal interviews~~  
18 ~~with the complainants or the individual who is alleged to have been bullied, intimidated,~~  
19 ~~threatened, harassed or hazed, the individual or individuals against whom the complaint is made,~~  
20 ~~witnesses, and any other persons who may have knowledge of the alleged incident or incidents or~~  
21 ~~circumstances leading to or giving rise to the complaint. Other methods of investigation also may~~  
22 ~~be used and pertinent documents may be examined by the investigator.~~

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

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

31  
32 ~~Investigations shall be completed as soon as practicable. A written report shall be prepared upon~~  
33 ~~the completion of the investigation. If the complaint involves the Superintendent of Schools, the~~  
34 ~~report shall be made and filed directly with the School Board. The written report shall include~~  
35 ~~determination of whether the allegations have been substantiated as factual and whether they~~  
36 ~~appear to be violations of this policy.~~

37  
38 INVESTIGATION PROCEDURE

39  
40 Investigations of any reports of bullying or hazing of a student by another student shall be in  
41 accordance with the following:

42  
43 1. Timing

1  
2 The school shall begin an investigation of any complaint that is properly reported and that  
3 alleges the prohibited conduct the next business or school day after the report is received  
4 by the principal or his/her designee. The investigation shall be completed not later than  
5 ten (10) school days after the date the written report of the incident is submitted to the  
6 principal or his/her designee. If additional information is received after the end of the  
7 ten-day period, the school principal or his/her designee shall amend all documents and  
8 reports required to reflect such information.  
9

## 10 2. Scope of Investigation

11  
12 An investigation shall include documented interviews of the reporter, the alleged victim,  
13 the alleged bully or offender, and any witnesses, and shall include obtaining copies or  
14 photographs of any audio-visual evidence. Interviews must be conducted privately,  
15 separately, and confidentially. At no time shall the alleged offender and alleged victim  
16 be interviewed together.  
17

18 The principal or his/her designee shall collect and evaluate all facts using the form  
19 developed to document bullying investigations.  
20

## 21 3. Parental Notification

22  
23 Upon receiving a report of bullying or hazing, the school shall notify the parents or legal  
24 guardians of the alleged offender and the alleged victim no later than the following  
25 business or school day. Delivery of notice to the parents or legal guardians by an  
26 involved student shall not constitute the required parental notice.  
27

28 Before any student under the age of eighteen (18) is interviewed, his/her parent or legal  
29 guardian shall be notified by the principal or his/her designee of the allegations made and  
30 shall have the opportunity to attend any interviews with his child conducted as part of the  
31 investigation. If, after three attempts in a forty-eight-hour period, the parents or legal  
32 guardians of a student cannot be reached or do not respond, the student may be  
33 interviewed.  
34

35 All meetings with the parents or legal guardians of the alleged victim and the parents or  
36 legal guardians of the alleged offender shall be in compliance with the following:  
37

38 A. Separate meetings shall be held with the parents or legal guardians of the alleged  
39 victim and the parents or legal guardians of the alleged offender.  
40

41 B. Parents or legal guardians of the alleged victim and of the alleged offender shall  
42 be informed of the potential consequences, penalties, and counseling options.  
43

44 In any case where a teacher, principal, or other school employee is authorized to require  
45 the parent or legal guardian of a student who is under the age of eighteen (18) and not  
46 judicially emancipated or emancipated by marriage to attend a conference or meeting

1 regarding the student's behavior and, after notice, the parent, tutor, or legal guardian  
2 willfully refuses to attend, the principal or his/her designee shall file a complaint,  
3 pursuant to Louisiana Children's Code, Article 730 or 731, with a court exercising  
4 juvenile jurisdiction. The principal may also file a complaint on the grounds the student  
5 is a truant or has willfully and repeatedly violated school rules, or any other applicable  
6 ground when, in his/her judgment, doing so is in the best interests of the student.

7  
8 4. Documentation  
9

10 At the conclusion of an investigation of bullying or hazing and after meeting with the  
11 parents or legal guardians, the principal or his/her designee or School Board shall:

12  
13 A. Prepare a written report containing the findings of the investigation, including  
14 input from students' parents or legal guardians, and the decision by the principal  
15 or his/her designee or school system official. The document shall be placed in the  
16 school records of both students.

17  
18 B. Promptly notify the reporter/complainant of the findings of the investigation and  
19 whether remedial action has been taken, if such release of information does not  
20 violate the law.

21  
22 C. Keep reports/complaints and investigative reports confidential, except where  
23 disclosure is required to be made by applicable federal laws, rules, or regulations  
24 or by state law.

25  
26 D. Maintain reports/complaints and investigative reports for three (3) years.

27  
28 E. As applicable, provide a copy of any reports and investigative documents to the  
29 School Board for disciplinary measures, or to the Louisiana Department of  
30 Education, as necessary.

31  
32 During the pendency of an investigation, the school district may take immediate steps, at its  
33 discretion, to protect the alleged victim, students, teachers, administrators or other school  
34 personnel pending completion of the investigation.

35  
36 DISCIPLINARY ACTION  
37

38 ~~The school district shall take appropriate action in response to a report following an investigation~~  
39 ~~of any alleged bullying, intimidation, threatening behavior, harassment, or hazing of a student.~~  
40 ~~When the report determines that the alleged act or conduct appears to be in violation of this~~  
41 ~~policy, disciplinary action shall be taken as outlined in the *Student Code of Conduct*. The~~  
42 ~~principal/designee shall contact the parent, tutor, or legal guardian of the pupil being disciplined~~  
43 ~~for alleged misconduct to notify them of the disciplinary action.~~  
44

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

4  
5 ~~Any student, school employee, or school volunteer who in good faith reports an incident of~~  
6 ~~harassment, intimidation, or bullying to the appropriate school official in accordance with the~~  
7 ~~procedures established by local board policy shall be immune from a right of action for damages~~  
8 ~~arising from any failure to remedy the reported incident.~~

9  
10 Once a report has been received at a school, and a school principal or his/her designee has  
11 determined that an act of bullying, hazing, or similar behavior has occurred, and after having met  
12 with the parent or legal guardian of the student involved, the principal or his/her designee, or  
13 applicable school official shall take prompt and appropriate disciplinary action against the  
14 student, and report criminal conduct to law enforcement. Counseling and/or other interventions  
15 may also be recommended.

16  
17 Students may be disciplined for off-campus bullying or hazing the same as if the improper  
18 conduct occurred on campus, if the actions of the offender substantially interferes with the  
19 education opportunities or educational programs of the student victim and/or adversely affects  
20 the ability of the student victim to participate in or benefit from the school's education programs  
21 or activities.

22  
23 Any school personnel, whether employee or volunteer, teacher, staff or administration, who fails  
24 to report an incident of bullying which they personally observe, or fails to take appropriate action  
25 as called for in this policy regarding incidents reported to them, shall be subject to discipline,  
26 being no less than a written reprimand and up to and including termination.

27  
28 AppealAPPEAL

29  
30 The parent of a student disciplined for violation of this policy may appeal to the Superintendent  
31 or his/her designee no later than five (5) days after being notified of the disciplinary action. The  
32 Superintendent or his/her designee shall review all documentation regarding the incident, and if  
33 determined to be necessary by the Superintendent or designee, conduct a hearing on the matter.  
34 The results of the review or hearing shall be sent to the parents or legal guardian within three (3)  
35 school days. The decision of the Superintendent shall be final, except for a student expulsion,  
36 which may be appealed to the School Board in accordance with statutory provisions.

37  
38 If the school principal or his/her designee does not take timely and effective action, the student,  
39 parent, or school employee may report, in writing, the incident to the School Board. The School  
40 Board shall begin an investigation of any properly reported complaint that alleges prohibited  
41 conduct the next business day during which school is in session after the report is received by the  
42 School Board.

43  
44 If the School Board does not take timely and effective action, the student, parent, or other school  
45 employee may report any bullying incident to the Louisiana Department of Education.



1 School personnel subject to discipline for failure to report or take action as required by this  
2 policy, shall have the same right to appeal as with any other disciplinary matter.

3  
4 DISSEMINATION OF POLICY

5  
6 ~~This policy shall be conspicuously posted in each school in a place or places accessible to all  
7 students, teachers and other personnel.~~

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

13  
14 PARENTAL RELIEF

15  
16 If a parent, legal guardian, teacher, or other school official has made four (4) or more reports of  
17 separate instances of bullying or hazing, and no investigation pursuant to state law or this policy  
18 has occurred, the parent or legal guardian of the alleged victim may request that the student be  
19 transferred to another school operated by the School Board.

20  
21 Such request shall be filed with the Superintendent. Upon receipt of the request to transfer the  
22 student to another school, the School Board shall make a seat available at another school under  
23 its jurisdiction within ten (10) school days of the parent or legal guardian's request for a transfer.  
24 If the School Board has no other school under its jurisdiction serving the grade level of the  
25 victim, within fifteen (15) school days of receiving the request, the Superintendent shall:

- 26  
27 1. Inform the student and his/her parent or legal guardian and facilitate the student's  
28 enrollment in a statewide virtual school.  
29  
30 2. Offer the student a placement in a full-time virtual program or virtual school under the  
31 School Board's jurisdiction.  
32  
33 3. Enter into a memorandum of understanding with the Superintendent or director of  
34 another governing authority to secure a placement and provide for the transfer of the  
35 student to a school serving the grade level of the student, in accordance with statutory  
36 provisions.

37  
38 If no seat or other placement is made available within thirty (30) calendar days of the receipt of  
39 the request by the Superintendent, the parent or legal guardian may request a hearing with the  
40 School Board, which shall be public or private at the option of the parent or legal guardian. The  
41 Board shall grant the hearing at the next scheduled meeting or within sixty (60) calendar days,  
42 whichever is sooner.

43  
44 At the end of any school year, the parent or legal guardian may make a request to the School  
45 Board to transfer the student back to the original school. The School Board shall make a seat

1 available at the original school that the student attended. No other schools shall qualify for  
2 transfer under this provision.

3  
4  
5  
6 DOCUMENTATION

7  
8 The details of each incidence of bullying shall be documented utilizing the behavior incidence  
9 checklist provided by the State Department of Education.

10  
11 All such documented incidences of bullying shall be submitted to the State Department of  
12 Education as prescribed in rules adopted by the State Board of Elementary and Secondary  
13 Education and as required under La. R.S. 17:415.

14  
15 After the investigation and meeting with the parents, pursuant to this policy the school or the  
16 School Board that conducts the investigation shall:

- 17  
18 1. Compose a written document containing the findings of the investigation, including input  
19 from the students' parents or legal guardian, and the decision by the school or school  
20 system official. The document shall be placed in the school records of both students.  
21  
22 2. Promptly notify the complainant of the findings of the investigation and that remedial  
23 action has been taken, if such release of information does not violate the law.  
24  
25 3. Keep complaints and investigative reports confidential, except as provided in this Section  
26 and where disclosure is required to be made pursuant to the Family Educational Rights  
27 and Privacy Act (FERPA), 20 U.S.C. 1232g, or by other applicable federal laws, rules, or  
28 regulations or by state law.  
29  
30 4. Maintain complaints and investigative reports for three years in the event that disclosure  
31 is warranted by law enforcement officials.  
32  
33 5. If applicable, provide a copy of any reports and investigative documents to the School  
34 Board in order that the School Board can comply with the provisions of La. R.S.  
35 17:416.1, which governs discipline of students and discipline authority.  
36  
37 6. If applicable, provide a copy of any reports and investigative documents to the State  
38 Department of Education.  
39

40 BULLYING TRAINING

41 The School Board shall create a program to provide a minimum of four hours of training for new  
42 employees who have contact with students and two hours of training each year for all school  
43 employees who have contact with students, including bus drivers, with respect to bullying. The  
44 training shall specifically include the following:

1. How to recognize the behaviors defined herein as bullying
2. How to identify students who are most likely to become victims of bullying, while not  
3. excluding any student from protection from bullying.
4. How to use appropriate intervention and remediation techniques and procedures.
4. Bullying reporting procedures.
5. Information on suicide prevention, including the relationship between suicide risk factors  
7. and bullying.

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