The Board believes that all employees and students should be free of unlawful discrimination, including harassment and bullying, as a part of a safe, orderly and inviting working and learning environment. It commits itself to non-discrimination in all its educational and employment activities. The Board expressly prohibits unlawful discrimination, harassment, or bullying however motivated, directed toward any person or group, including, but not limited to members of a socially distinct group or category, race, sex, religion, age, national origin, pregnancy, or disability acts reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.”

The Board also prohibits retaliation against an employee, or student or witness who has exercised any rights made available through state or federal law, including prohibiting retaliation for reporting violations of this policy.

Any violation of this policy is considered a serious violation and appropriate action will be taken in response to a violation.

A. Application of Policy

All persons, (including but not limited to employees, students, and visitors), agencies, vendors, contractors and other persons, and organizations doing business with or performing services for the school district must comply with all applicable state and federal laws and regulations regarding non-discrimination. Visitors also are expected to comply with applicable laws, including the prohibition against harassment and bullying of students and employees. Any employee, student, or volunteer who witnesses or has reliable information that a student has been subject to any act of bullying or harassing behavior shall report the incident to his/her supervisor or the building administrator.

This policy will apply in the following circumstances:

1. while in any school building or on any school premises before, during or after school hours
2. while on any bus or other vehicle as part of any school activity;
3. while waiting at any bus stop;
4. during any school function, extracurricular activity or other activity or event;
5. when subject to the authority of school personnel; and
6. any time or place when the behavior has a direct and immediate effect on maintaining order and discipline in the schools.

B. Definitions

For the purposes of this policy, the following definitions will apply

1. “Bullying or harassing behavior” is any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication, that takes place on school property, at any school-sponsored function, or on a school bus.

4.2. Unlawful discrimination means any act that unreasonably and unfavorably differentiates treatment of others based solely on their membership in a socially distinct group or category, including, but not limited to race, ethnicity, sex, religion, age, or disability. Unlawful discrimination may be intentional or unintentional.

2.3. Harassment can be a type of unlawful discrimination. Harassment is unwanted, unwelcomed, and uninvited behavior that demeans, threatens, or offends the victim. The hostile environment can be created through pervasive or persistent misbehavior or a single incident, if sufficiently severe. Harassing behavior may include, but is not limited to epithets, derogatory comments or slurs and lewd propositions, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Legitimate age-appropriate teaching techniques are not considered harassing behavior.

3.4. Bullying is a form of harassment. Bullying means the repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted or emotional abuse or through attacks on the property of another. Bullying may include, but is not limited to, verbal taunts, name-calling and put-downs, extortion of money or possessions, implied or stated threats, and exclusion from peer groups.

C. Unlawful Discrimination, Harassment or Bullying Complaint Procedures

1. Students

Students and parents are encouraged to submit any complaints of unlawful discrimination, harassment, or bullying other than sexual harassment, through the Appeals Policy (4-18). The complaint procedure for sexual
harassment is established in Policy (4-7b), Sexual Harassment Complaint Procedure for Students. Any such complaints may be made anonymously through the school guidance office or Board Policy 4.7b or 4.18.

2. Employees

Employees are encouraged to submit any complaints of unlawful discrimination harassment, or bullying other than sexual harassment, through the grievance procedure established in Policy 3-10 Grievance Procedure for Employees. The complaint procedure for sexual harassment is established in Policy (3-7b), Sexual Harassment Complaint Procedure for Employees.

3. Investigations

All complaints shall be investigated in a timely manner by the school administration.

D. Non-Retaliation

The Board prohibits reprisal or retaliation against any person who reports an act of unlawful discrimination, harassment, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Superintendent or his/her designee, after consideration of the nature and circumstances of the act, in accordance with applicable federal, state or local laws, policies and regulations.

E. Training and Programs

The Superintendent shall designate an employee(s) to participate in training by the Department of Public Instruction pertaining to anti-discrimination, anti-harassment, and anti-bullying. The designee will provide leadership and training in the school district regarding this policy and state requirements.

As funds are available, the board will provide additional training for students and staff regarding the Board’s policy on unlawful discrimination, harassment, and bullying and will create programs to address these issues. The Superintendent will ensure that any training or programs provided will include identifying groups that may be the target of unlawful discrimination, harassment or bullying; identifying places at which such behavior may occur including within school buildings, at school bus stops, via the Internet, etc; and providing clear examples of behavior that constitutes unlawful discrimination, harassment, or bullying.
F. Notice

The Superintendent is responsible for providing effective notice to students, parents, and employees of the procedures for reporting and investigating complaints of unlawful discrimination, including sexual harassment and bullying. The school district will investigate complaints of unlawful discrimination and harassment and will take reasonable steps to eliminate the unlawful discrimination or harassment.

G. Coordinators

The Superintendent or his/her designee will publish the names, addresses, and phone numbers of the “Title IX Coordinator” (for sex discrimination), “Section 504 Coordinator” (for unlawful discrimination on the basis of disability), and the “ADA Coordinator” (also for unlawful discrimination on the basis of disability) in a manner intended to ensure that employees, applicants, students, parents, and other individuals who participate in school district’s program are aware of the coordinators. The purpose of the coordinator positions is to provide additional protection of non-discrimination rights. The coordinator must either (1) implement a resolution to unlawful discrimination, harassment, or bullying complaint, to the extent a resolution can be reached and the coordinator has the authority to implement corrective action or (2) notify the Superintendent that intervention by other school officials is required to resolve the situation.

H. Records and Reporting

The Superintendent or his/ her designee shall maintain confidential records of complaints or reports of unlawful discrimination which identify the names of any individuals accused of unlawful discrimination and the resolution of such reports or complaints. The Superintendent also shall maintain records of training, corrective actions, and/or other steps taken by the district to help provide an environment free of unlawful discrimination, harassment, and bullying.

The Superintendent shall report to the State Board of Education all verified cases of unlawful discrimination, harassment, or bullying. The report will be made through the Discipline Data Collection Report or through other means required by the State Board.

I. Diversity Programs

The Board is committed to promoting the worth and dignity of all individuals regardless of race, color, religion, national origin, sex, pregnancy, age, or
disability. The Board directs the Superintendent to establish training and other programs to help eliminate unlawful discrimination, harassment, and bullying and to foster an environment of understanding and respect for all individuals.

J. Evaluation

The Superintendent is required to evaluate the effectiveness of efforts to correct or prevent unlawful discrimination, harassment, and bullying and will share these evaluations periodically with the Board.


CROSS REF.: Board Policy 3-7a, Sexual Harassment Defined
Board Policy 3-7b, Sexual Harassment Complaint Procedure for Employees
Board Policy 3-10, Grievance Procedure for Employees
Board Policy 4-3a, Code of Student Conduct for Elementary Schools
Board Policy 4-3b, Code of Student Conduct for Middle/High Schools
Board Policy 4-7a, Sexual Harassment Defined
Board Policy 4-7b, Sexual Harassment Complaint Procedures for Students
Board Policy 4-18, Appeals Policy

UNION COUNTY BOARD OF EDUCATION
APPROVED: 4/20/04
REVISED: 3/1/05
REVISED:
The Union County Public Schools Board of Education endorses the principles of participatory school-based decision making. The school improvement process and the resulting school improvement plan will provide the framework and authority for schools to make decisions related to improving school and student performance.

The school improvement team is composed of the principal, representatives of the assistant principals, instructional personnel, instructional support personnel, teacher assistants, and parents of children enrolled in the school. An effort to involve members of the community is expected. Members of the school improvement team must be elected in accordance with G. S. 115C.105.27. These parent representatives must not be employees of the school.

The school improvement team will follow all legal requirements in developing the plan and in obtaining school approval of its school plan. As a public body, the school improvement team must comply with the open meetings law.

The primary purpose of the school improvement plan is to improve student performance. The plan will also include provisions for a safe and orderly environment. The school improvement plan will ensure that sufficient resources and curriculum are directed towards meeting these goals. All students should perform at grade level or higher in the basic subject and skill areas identified by the State Board and should sense a climate of acceptance and caring in school.

School improvement teams should review student performance data from preceding school years in order to identify root causes for problems and to determine actions to address them when developing the school improvement plan. The superintendent will establish the date by which school improvement plans must be submitted.

The superintendent or designee will review the plans and seek legal review as necessary prior to presenting the plans with recommendations to the board. If the superintendent intends to recommend rejection of a plan, the superintendent will notify the principal and explain the reasons. The school improvement team may submit a modified plan to the superintendent. Plans should be submitted by the superintendent to the board at the earliest possible date.

The plan must be reviewed at least annually by the school improvement team in accordance with the review process established in the school’s plan. If a school does not meet its expected growth standard established by the state board and if more than 25% of the students performed below grade level, the principal will submit to the superintendent
and the board a report of the school improvement team. The report will identify (1) the reasons why the standard(s) was not met and (2) any modifications that will be made in the school improvement plan. If the board is not satisfied with the response of the school improvement team, the board shall require the school improvement team to revise the plan. The school improvement plan shall remain in effect for no longer than two years; however, the school improvement team may amend the plan as needed.

In the event that a school is designated as continually low performing, the plan shall be reviewed and approved by the State Board of Education in addition local procedures for review and approval.

The superintendent will develop a process by which schools can learn from each other’s school improvement plans and successful programs outside Union County. The superintendent and the schools are encouraged to use staff development resources to provide training to staff on site based management and on the development, implementation, and evaluation of school improvement plans. It is especially important to include training in quality management tools and strategies.

LEGAL REF.: G.S. 115C-105.21, No Child Left Behind Act (NCLB) Title I, et seq (PL 107-110, 115 Stat.1444)

CROSS REF.: Board Policy 5-1, Selection of Instructional Materials
Board Policy 5-8, Parent Involvement
Board Policy 5-11, Curriculum
Board Policy 5-12, Student Promotion and Accountability
Board Policy 5-14, Goals and Objectives of the Educational Program,