

Herkimer County Community College

# Board Policy

**TITLE:** Anti-Bullying

**POLICY #:** HR 13-30

**DATE OF BOARD OF TRUSTEES APPROVAL:** June 26, 2014

**RESOLUTION #:** 13-30

**POLICY STATEMENT:**

**A. PURPOSE**

Bullying can foster a climate of fear and disrespect which seriously impairs the physical and psychological health of its victims and creates conditions that negatively affect any learning and working environment. Herkimer County Community College (“College”) is committed to maintaining high standards for behavior where every member of the College community conducts himself/herself in a manner which demonstrates proper regard for the rights and welfare of others. This Anti-Bullying Policy, therefore, seeks to educate the College community about bullying and to promote civility and respect among all its members, including the College’s trustees, administration, faculty, staff, students, contractors, consultants and vendors.

**B. DEFINITION**

1. Bullying is defined as the aggressive and hostile acts of an individual or group of individuals which are intended to humiliate, mentally or physically injure or intimidate, and/or control another individual or group of individuals.
2. Such aggressive and hostile acts can occur as a single, severe incident or repeated incidents, and may manifest in the following forms:
  - a. **Physical Bullying** includes pushing, shoving, kicking, poking, and/or tripping another; assaulting or threatening a physical assault; damaging a person’s work area or personal property; and/or damaging or destroying a person’s work product.

- b. **Verbal/Written Bullying** includes ridiculing, insulting or maligning a person, either verbally or in writing; addressing abusive, threatening, derogatory or offensive remarks to a person; and/or attempting to exploit an individual's known intellectual or physical vulnerabilities.
- c. **Nonverbal Bullying** includes direct threatening gestures toward a person or invading personal space after being asked to move or step away.
- d. **Cyberbullying** is defined as bullying an individual using any electronic form, including, but not limited to, the Internet, interactive and digital technologies, or mobile phones.
- e. **Racist Bullying** is defined as racial taunts, graffiti or gestures; refusal to work with another because they are of a different culture.
- f. **Sexual Bullying** is defined as unwanted physical contact or sexually abusive comments.
- g. **Homophobic (Gender and Sexual Orientation) Bullying** is defined as bullying usually aimed at gay, lesbian, bisexual and transgender people or those with gay, lesbian, bisexual or transgender relatives/friends; the use of generic insults relating to gender and/or sexual orientation.
- h. **Stalking** is defined as continued unwanted attention through: Personal contact (directly with you or through your friends and family); telephone calls; letters; e-mails; text messages; internet chat rooms.

**C. BULLYING PROHIBITED**

1. Bullying is strictly prohibited on any College property; at any College function, event or activity; or through the use of any electronic or digital technology, whether or not such use occurs on College property.
2. This policy shall apply to all College trustees, administration, faculty, staff, students, contractors, consultants and vendors.
3. Any case of bullying suspected to be of a criminal nature shall be referred to local law enforcement authorities.

**D. REPRIMAND OR CRITICISM**

Bullying shall not include circumstances wherein:

1. A supervisor or any person with supervisory authority reports and/or documents an employee's unsatisfactory job performance and the potential consequences for such performance;
2. A faculty member or academic program personnel advise a student of unsatisfactory academic work and the potential for the course failure or dismissal from the program; or
3. A faculty member or academic program personnel advise a student of inappropriate behavior that may result in disciplinary proceedings.

**E. PROCEDURES FOR REPORTING BULLYING**

1. Reporting Bullying by Students
  - a. Complaints alleging students bullying other students, employees, contractors, consultants or vendors should be reported immediately to the Office of Campus Safety.
  - b. Any such complaints will be forwarded to the Campus Dean of Students for investigation, in accordance with the procedures set forth in the Student Code of Conduct and Student Conduct Process.
2. Reporting Bullying by Employees
  - a. Complaints alleging College employees bullying other employees, students, contractors, consultants or vendors, should be reported immediately to the Director of Human Resources.
  - b. In accordance with College policy, the Human Resources Department will review the complaint, conduct an investigation, and recommend appropriate disciplinary action.
3. Complaints involving bullying by persons not identified in subparagraphs (1) and (2), herein, should be reported to the College General Counsel.
4. Any inquiries regarding reporting alleged violations of this policy may be directed to the College General Counsel.

**F. DISCIPLINARY ACTION**

Violations of this policy shall be considered misconduct, and violators will be subject to disciplinary action in accordance with College policy, the applicable collective bargaining agreements, and the Student Code of Conduct and Student Conduct Process.

**G. EDUCATION/PREVENTION**

1. This policy shall be disseminated through inclusion in the Faculty/Staff Handbook and in other employee materials, the Student Handbook, and on the College's website.
2. The Office of Student Services and Counseling Department will facilitate anti-bullying programs to provide continuing education for students.
3. The Human Resources Department will facilitate anti-bullying training for College employees.

**H. OTHER REMEDIES**

Nothing contained herein shall preclude or limit any right, remedy or cause of action provided under any other College policy or any local, state or federal ordinance, law or regulation, including, but not limited to, Title VII or the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 or the Rehabilitation Act of 1964, or the Americans with Disabilities Act of 1990.

**BACKGROUND:**

Bullying is a long-standing problem throughout the country. With the proliferation of the use of electronic means of communication, bullying has transformed from a predominately school-based issue among youth to a broader societal problem affecting both youth and adults.

Researchers have demonstrated that bullying has long-term consequences. Furthermore, bullying now goes beyond the classroom to the internet, athletic teams, college campuses, work places, and amongst the general public.

Victims of cyber-bullying suffer very real and serious harm as a result of these incidents, often showing signs of depression, anxiety, social isolation, nervousness when interacting with technology, low self-esteem, declining school and work performance, hyper-vigilance, nightmares, changed eating and sleeping habits, and fear for their safety.

Cyber-bullying has been shown to cause significant psychological trauma to the victims. In some cases, victims attempt or commit suicide due to, in part, the cyber-bullying they have endured.

When a college develops an anti-bullying policy, the existence of this policy will ensure that the college will continue to maintain an environment of respect and consideration for others. This means that the anti-bullying policies will apply to everyone on campus, including all students, faculty, and administrators.

Most colleges in the United States do not have anti-bullying policies written in their college handbooks. People who engage in bullying may not realize how much distress they cause to the person who is being victimized. At least if an anti-bullying policy did exist on campus—then all students, faculty, and administrators would take comfort in realizing that their colleges are seriously interested in the welfare of all who work at and attend their college.