

HARASSMENT, BULLYING, AND HAZING POLICY

It is the policy of the District to provide a safe and nurturing educational environment for all of its students. This policy protects all students from bullying/cyberbullying/harassment/sexual harassment and other aggressive behaviors regardless of the subject matter or motivation for such impermissible behavior. Bullying/cyberbullying/harassment/sexual harassment or other aggressive behavior toward a student, whether by other students, staff, or third parties, including Board members, parents, guests, contractors, vendors, and volunteers, is strictly prohibited.

This prohibition includes written, physical, verbal, and psychological abuse, including hazing, gestures, comments, threats, or actions to a student, which cause or threaten to cause bodily harm, reasonable fear for personal safety or personal degradation.

Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying/cyberbullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior. This policy applies to all "at school" activities in the District, including activities on school property, in a school vehicle, and those occurring off school property if the student or employee is at any school sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, or where an employee is engaged in school business. Misconduct occurring outside of school may also be disciplined if it interferes with the school environment.

Notification:

Notice of this policy will be annually circulated within the District and discussed with students, as well as incorporated into teacher, student, and parent/guardian handbooks. This policy, as well as State and Federal rights posters on discrimination and harassment shall also be posted at each building.

Parents or legal guardians of the alleged victim(s), as well as of the alleged aggressor(s), shall be promptly notified of any complaint or investigation as well as the results of the investigation to the extent consistent with student confidentiality requirements. A record of the time and form of notice or attempts at notice shall be kept in the investigation file.

To the extent appropriate and or legally permitted, confidentiality will be maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations. Further, the appropriate authorities may be notified, depending on the nature of the complaint and or the results of the investigation.

Implementation:

The District reserves the right and responsibility to maintain a safe environment for students, conducive to learning and other legitimate objectives of the school program. To that end, the Superintendent is responsible to implement this policy, and may develop further guidelines, not inconsistent with this policy.

Procedure: Any student who believes she/he has been or is the victim of bullying, hazing, harassment, sexual harassment or other aggressive behavior should immediately report the situation to the Principal or assistant principal. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or school official. Complaints against the building principal or Board members should be filed with the Superintendent.

Complaints against the Superintendent should be filed with the Board President.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports shall be made to those identified above. Reports may be made anonymously, but formal disciplinary action may not be taken solely on the basis of an anonymous report.

The Principal (or other administrator as designated) shall promptly investigate and document all complaints about bullying, aggressive or other behavior that may violate this policy. The investigation must be completed as promptly as the circumstances permit after a report or complaint is made.

If the investigation finds an instance of bullying or aggressive behavior has occurred, it will result in prompt and appropriate remedial action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers and contractors, and removal from any official position and/ or a request to resign for Board members. Individuals may also be referred to law enforcement or other appropriate officials.

The individual responsible for conducting the investigation shall document all reported incidents and report all verified incidents of bullying, aggressive or other prohibited behavior, as well as any remedial action taken, including disciplinary actions and referrals, to the Superintendent. The Superintendent shall submit a compiled report to the Board on an annual basis.

Non-Retaliation/False Reports:

Retaliation or false allegations against any person who reports, is thought to have reported, files a complaint, participates in an investigation or inquiry concerning allegations of bullying or aggressive behavior (as a witness or otherwise), or is the target of the bullying or aggressive behavior being investigated, is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint of bullying is substantiated. Suspected retaliation should be reported in the same manner as bullying/ aggressive behavior.

Making intentionally false reports about bullying/aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

Prevention/Training:

Each school building shall establish a program or other initiatives aimed at the prevention of bullying or other aggressive behavior. All administrators and school employees who have significant contact with students will be provided information on preventing, identifying, responding to, and reporting incidents of bullying and other aggressive behavior. The District will provide students, annually, information on preventing, identifying, responding to, and reporting incidents of bullying, cyberbullying and other aggressive behavior.

Definitions:

The following definitions are provided for guidance only. If a student or other individual believes there has been bullying, hazing, harassment or other aggressive behavior, regardless of whether it fits a particular definition, s/he should report it immediately and allow the administration to determine the appropriate course of action.

"Aggressive behavior" is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well-being. Such behavior includes, for example, bullying, hazing, stalking, intimidation, menacing, coercion, name-calling, taunting, making threats, and hitting/ pushing/ shoving.

"At School" is defined as in a classroom, elsewhere on school premises, on a school bus or other school related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises. "At school" includes the off-premises use of a telecommunications access device or telecommunications service provider that occurs off school premises if either owned by or under the control of the District.

"Bullying" is defined as any gesture or written, verbal, graphic, or physical act including but not limited to, cyberbullying, that is intended or that a reasonable person would know is likely to harm one (1) or more District students either directly or indirectly by doing any of the following:

- A. substantially interfering with educational opportunities, benefits, or programs of one (1) or more students;
- B. adversely affecting the ability of a student to participate in or benefit from the school district's educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress;
- C. having an actual and substantial detrimental effect on a student's physical or mental health; and/or causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Bullying can be physical, verbal, psychological, or a combination of all three. Some examples of bullying are:

- A. Physical - hitting, kicking, spitting, pushing, pulling; taking and/or damaging personal belongings or extorting money, blocking or impeding student movement, unwelcome physical contact.
- B. Verbal - taunting, malicious teasing, insulting, name calling, making threats.
- C. Psychological - spreading rumors, manipulating social relationships, stalking, coercion, or engaging in social exclusion/ shunning, extortion, or intimidation. This may occur in a number of different ways, including but not limited to notes, emails, social media postings, and graffiti.

"Cyberbullying" means any electronic communication that is intended or that a reasonable person would know is likely to harm one or more pupils either directly or indirectly by doing any of the following:

- A. substantially interfering with educational opportunities, benefits or programs;
- B. adversely affecting a student's ability to participate in or benefit from educational programs or activities by placing a student in reasonable fear of physical harm or by causing substantial emotional distress;
- C. having an actual and substantial detrimental effect on a student's physical or mental health; or
- D. causing substantial disruption in, or substantial interference with, the orderly operation of the school.

"Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature, often on the basis of age, race, religion, color, national origin, marital status or disability, but may also include sexual orientation, physical characteristics (e.g., height, weight, complexion), cultural background, socioeconomic status, or geographic location (e.g., from rival school, different state, rural area, city, etc.).

“Sexual Harassment” is a form of harassment that also violates school policy. Punishable sexual harassment is an unwelcome sexual advance or sexual conduct, including verbal conduct,

- A. that is tied to a student's educational benefits, opportunities, or performance, or to a student's physical or psychological well-being;
- B. that creates (or will certainly create) a hostile environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well-being; or
- C. that is threatening or seriously intimidating.

Sexual harassment includes unwelcome sexual flirtations, advances or propositions, improper sexual comments, verbal abuse of a sexual nature, subtle pressure or requests for sexual activities, unnecessary touching of an individual, graphic or verbal commentaries about an individual's body, sexually degrading words used to describe an individual, a display of sexually suggestive objects or pictures, sexually explicit or offensive jokes, physical assault, or otherwise creating an intimidating, hostile or offensive educational learning environment.

If a student has concerns about the nature of any conduct or physical contact by a fellow student, member of the public or adult employed by the school district, the student should immediately report this concern to a building principal, as well as to the student's parent or guardian.

Students are encouraged to report any conduct or contact that makes them feel uncomfortable, is bothersome, or is contrary to a stable, positive learning environment. The district shall investigate all such reports immediately. Retaliation by a student or employee against a student for filing a complaint of harassment or discrimination is strictly prohibited.

Anyone found to have engaged in harassment or discrimination or retaliation in violation of this policy will be subject to disciplinary action including suspension of up to ten days and possible expulsion. All such complaints will be handled as confidentially as is possible to protect the student making the report. Complaints constituting child abuse shall be reported to the Department of Social Services as required by law.

"Intimidation/Menacing" includes, but is not limited to, any threat or act intended to: place a person in fear of physical injury or offensive physical contact; to substantially damage or interfere with person's property; or to intentionally interfere with or block a person's movement without good reason.

"Staff" includes all school employees and Board members.

"Third parties" include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, vendors, or others engaged in District business, and others not directly subject to school control at inter-district or intra-district athletic competitions or other school events.