

**Hazing/Harassment/Intimidation/Menacing/Bullying/Cyberbullying/
Teen Dating Violence Complaint Procedures - Student**

The following definitions and procedures shall be used for reporting, investigating and resolving complaints of hazing, harassment, intimidation menacing, bullying, acts of cyberbullying and incidents teen dating violence.

Definitions

1. "Third parties" include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic competitions or other school events.
2. "District" includes district facilities, district premises and nondistrict property if the student is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events where students are under the control of the district.
3. "Hazing" includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment (i.e., personal servitude, sexual stimulation/sexual assault, forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student); requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate. It is not a defense against hazing that the student subjected to hazing consented to or appeared to consent to the hazing.
4. "Harassment, intimidation or bullying" means any act that substantially interferes with a student's educational benefits, opportunities or performance, that takes place on or immediately adjacent to school grounds, at any district-sponsored activity, on district-provided transportation or at any official district bus stop, that may be based on, but not limited to, the protected class status of a person, having the effect of:
 - a. Physically harming a student or damaging a student's property;
 - b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;
 - c. Creating a hostile educational environment including interfering with the psychological well being of the student and may be based on, but not limited to, the protected class of the person.

5. “Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation¹, national origin, marital status, familial status, source of income or disability.
6. “Teen dating violence” means:
 - a. A pattern of behavior in which a person uses or threatens to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
 - b. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.
7. “Cyberbullying” is the use of any electronic communication device to harass, intimidate or bully. Students and staff will refrain from using personal communication devices or district equipment to violate this policy.
8. “Retaliation” means hazing, harassment, intimidation or bullying, menacing, teen dating violence and acts of cyberbullying toward a person in response to a student for actually or apparently reporting or participating in the investigation of hazing, harassment, intimidation or bullying, menacing, teen dating violence and acts of cyberbullying or retaliation.
9. “Menacing” includes, but is not limited to, any act intended to place a district employee, student or third party in fear of imminent serious physical injury.

Complaint Procedures

Principals and the superintendent have responsibility for investigations concerning hazing, harassment, intimidation, menacing, bullying, acts of cyberbullying and incidents teen dating violence. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any student, employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, bullying or menacing in violation of this policy is encouraged to immediately report his/her concerns.

All complaints will be promptly investigated in accordance with the following procedures:

- Step 1 Any hazing, harassment, intimidation, menacing, bullying, acts of cyberbullying and incidents teen dating violence information (complaints, rumors, etc.) shall be presented to the principal or superintendent. Complaints against the principal/superintendent shall be filed with the Board chair. Information may be presented anonymously. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

¹“Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behaviors differs from that traditionally associated with the individual’s sex at birth.

- Step 2 The district official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The district official will arrange such meetings as may be necessary with all concerned parties within ten working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The district official(s) conducting the investigation shall notify the complainant and parents as appropriate, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.
- Step 3 If the complainant is not satisfied with the decision at Step 2, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant's appeal within 10 working days.
- Step 4 If the complainant is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step 3 decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights.

Documentation related to the incident may be maintained as a part of the student's education records. Additionally, a copy of all hazing, harassment, intimidation, menacing, bullying, acts of cyberbullying and incidents teen dating violence complaints and documentation will be maintained as a confidential file in the district office.