

Hazing/Harassment/Intimidation/Menacing/Bullying/Cyberbullying – Student

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

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. “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 district 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.
4. “Menacing” includes, but is not limited to, any act intended to place a school employee, student or third party in fear of imminent physical injury.
5. “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, e.g., 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.

6. “Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, national origin, marital status, familial status, source of income or disability.
7. “Cyberbullying” is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form which substantially disrupts or prevents a safe and positive educational or working environment may also be considered cyberbullying. Students shall refrain from using personal communication devices or district property to harass or stalk another.
8. “Retaliation” means hazing, harassment, intimidation, menacing or bullying and acts of cyberbullying toward a person in response to actual or apparent reporting or participating in the investigation of hazing, harassment, intimidation, menacing or bullying and acts of cyberbullying or retaliation.

Retaliation/False Charges

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint is substantiated. Knowingly or recklessly bringing false charges shall also be regarded as a serious offense and shall result in disciplinary action or other appropriate sanctions.

Complaint Procedures

The superintendent/designee has responsibility for investigations concerning hazing, harassment, intimidation, menacing or bullying and acts of cyberbullying. 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, menacing, bullying or acts of cyberbullying in violation of this policy shall immediately report his/her concerns.

All complaints shall be investigated in compliance with district contractual agreements and in accordance with the following procedures:

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

- Step 2 The superintendent/designee receiving the complaint shall promptly investigate. Parents shall be notified of the nature of any complaint involving their student. The superintendent/designee shall arrange such meetings as may be necessary with concerned parties. The parties shall have an opportunity to respond to the complaint. Findings related to the complaint shall be submitted to the superintendent/designee. The superintendent/designee 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/designee. Such appeal must be filed within ten (10) working days after the receipt of the Step 2 decision.
- 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 ten (10) working days after receipt of the Step 3 decision.

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

Consequences

Violations of this policy or administrative regulations shall result in the implementation of the following range of consequences:

1. Verbal warning;
2. Written warning requiring a reply from student's parent or guardian;
3. In-school or out-of-school suspension;
4. Expulsion for serious or continuing infractions;

Hazing, harassment, intimidation, menacing, bullying or acts of cyberbullying regarding disabilities, race, national origin, color or sexual orientation may result in the maximum consequences (suspension or expulsion) being applied immediately.

Repeat student offenders shall be subject to a mandatory meeting with a counselor.

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