

Hazing, Harassment, Intimidation, Bullying, CyberBullying

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

Definitions

1. "Third parties" include, but are not limited to, staff, 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 inter-district and intra-district athletic competitions or other school events.
2. "District" includes District facilities, District property, buses, electronic technology or electronic communication equipment on District computers, networks, or forums and non-District property if the student or employee 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 or where the employee is engaged in District business.
3. "Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written, electronic, or physical nature on the basis of an actual or perceived characteristic, including but not limited to age, race, religion, color, national origin, disability, gender, gender identity and expression, sexual orientation, physical characteristic, cultural background, socioeconomic status, geographic location, familial status, or weight.
4. "Intimidation" is a form of behavior that causes fear or makes someone fearful and may be inferred from conduct, words expressed verbally or in written or electronic form, or circumstances reasonably calculated to produce fear. This includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconveniences subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin, gender identity and expression, or sexual orientation.
5. "Bullying" is a form of aggressive behavior in which someone intentionally and repeatedly causes another person injury or discomfort. Bullying includes, but is not limited to, physical contact, words in either verbal, written, or electronic form, or any other more subtle actions.

6. “Harassment, intimidation, or bullying” means any act that substantially interferes with or disrupts the educational environment or impinges on the rights of other students at school, a student’s opportunities or performance, that takes place on or immediately adjacent to school grounds, school property, at any school-sponsored activity (including all extracurricular sports and events), on school-provided transportation or at any official school bus stop, and that has the effect of:
 - A. Harming a student or damaging a student’s property;
 - B. Knowingly placing a student in reasonable fear of harm to the student or damage to the student’s property; or
 - C. Is sufficiently severe, persistent, or pervasive so that it creates an intimidating, threatening, abusive, or hostile educational environment.
7. “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, District team or club, or grade level attainment, such as 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.
8. “Malicious Harassment” includes, but is not limited to, any person, who maliciously and with the specific intent to intimidate or harass another person because of that person’s race, color, religion, ancestry, or national origin, to (a) cause physical injury to another person; (b) damage, destroy, or deface any real or personal property of another person; or (c) threaten, by word or act, to do the acts prohibited if there is reasonable cause to believe that any of the acts described in subsections (a) and (b) of this section will occur.
9. “Deface” shall include, but not be limited to, cross-burnings or the placing of any word or symbol commonly associated with racial, religious or ethnic terrorism on the property of another person without his or her permission.
10. “Threatening Violence Upon School Grounds” occurs when (a) any person, including a student, who willfully threatens by word, electronic means or act to use a firearm or other deadly or dangerous weapon to do violence to any person on school grounds or to disrupt the normal operations of an educational institution by making a threat of violence; or (b) any person, including a student, who knowingly has in his possession a firearm or other deadly or dangerous weapon, or who makes, alters or repairs any firearm or other deadly or dangerous weapon, in the furtherance of carrying out a threat made by word, electronic

means or act to do violence to any person on school grounds or to disrupt the normal operations of an educational institution by making a threat of violence.

A. "Deadly or dangerous weapon" means a weapon, device, instrument, material or substance that is used for, or is readily capable of, causing death or serious bodily injury;

B. "On school grounds" means in or on property owned or operated by a school district, public charter school or private school.

11. "Cyberbullying" includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, social media or website postings, including blogs through the District's computer network and the internet, whether accessed on campus or off campus, during or after school hours or through any private electronic device done when the student is present at school. In the situation that cyberbullying originated from a non-school computer, but has been brought to the attention of school officials, any disciplinary actions shall be based on whether the conduct is determined to be reasonably expected to materially and substantially interfere with or disrupt educational environment of the school or impinge on the rights of other students at school and/or in violation of District policy or state law. The Administration shall, at their discretion, contact local law enforcement.

Retaliation/False Charges

Retaliation is prohibited against any person who reports or files a complaint, or participates in an investigation. This includes those who may have or are thought to have reported or filed a complaint, or is perceived to have participated in any investigative process. Retaliation shall be considered a violation of Board policy. False charges shall be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Confidentiality

It is recognized that harassment, hazing, intimidation, bullying, and cyberbullying is distressing for the victim and those who suffer as a result of such actions may be reluctant to make their concerns known. All reasonable steps will be taken to ensure that all inquiries and complaints are dealt with confidentially while providing a thorough and appropriate investigation. If it is determined confidential information will need to be disclosed due to the nature of the investigation, notice will be provided to the necessary parties prior to any disclosure of information.

Policy Distribution

Information about this policy must be distributed to the school community annually, including parents, students, and all school personnel. Information about the District's policies and procedures will be included in student orientation materials, student handbooks, and all school personnel handbooks.

Complaint Procedures

Building principals and the Superintendent have responsibility for investigations concerning hazing, harassment, intimidation, bullying, or cyber-bullying. 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 or she has been a victim of hazing, harassment, intimidation, or cyber-bullying, in violation of this policy, shall immediately report his or her concerns.

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

- Step I: Any hazing, harassment, intimidation, bullying, or cyber-bullying, information (complaints, rumors, etc.) shall be presented on a Complaint Form (3295F) to the building principal or Superintendent. Complaints against the building principal shall be presented to the Superintendent. Complaints against the Superintendent shall be presented to the Board of Trustees which will be addressed in executive session. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates
- Step II: The District official receiving the complaint shall promptly investigate or refer the complaint to an appropriate colleague or outside party for investigation.
- A. Parents or guardians will be notified of the nature of any complaint involving their student.
 - B. The District official will begin an inquiry by reviewing Policy 3295 and 3295P with the complainant and the complainant's parents or guardians to determine the investigative nature of the complaint.
 - C. The District official will arrange such meetings as may be necessary with all concerned parties within five (5) working days after receipt of the information or complaint.
 - D. The parties will have an opportunity to submit evidence and a list of witnesses.
 - E. All findings related to the complaint will be reduced to writing.
 - F. The District official(s) conducting the investigation shall notify the complainant and parents in writing, when the investigation is concluded and a

decision regarding disciplinary action, as warranted, is determined. Due to the requirements of the Family Educational Rights and Privacy Act (FERPA), it may not be possible to provide complainants and parents with detailed information on disciplinary actions taken against another student.

G. A copy of the findings and the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the Superintendent.

Step III: If the complainant is not satisfied with the findings through Step II, he or she may submit a written appeal to the Superintendent. Such appeal must be filed within ten (10) working days after receipt of the Step II findings. The Superintendent will arrange all necessary meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Superintendent shall provide a written decision to the complainant's appeal within ten (10) working days.

Step IV: If the complainant is not satisfied with the decision at Step III, a written appeal may be filed with the Board of Trustees. Such appeal must be filed within ten (10) working days after receipt of the Step III decision. The Board of Trustees shall, within twenty (20) working days, conduct an informal review, at which time the complainant shall be given an opportunity to present the complaint and the District's administration may respond if they so desire. The course and conduct of this proceeding shall be informal and shall be at the sole discretion of the Board of Trustees. The Board shall provide a final decision to the complainant within ten (10) working days following completion of the informal review.

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

Documentation and Reporting

Documentation related to the incident shall be maintained as a part of the student's education records. Additionally, a copy of all hazing, harassment, intimidation, bullying, or cyber-bullying, complaints and documentation will be maintained as a confidential file in the District Office and reported as required by the State Department of Education.

Procedure History:

Promulgated on: July 8, 2021

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Reviewed on: