BP-5131.43 (a)

HARASSMENT, INTIMIDATION, AND BULLYING

The Wrangell School Board is dedicated to providing a safe and civil learning environment. Harassment, intimidation, and bullying disrupt a student's ability to learn, a school's ability to educate, and an employee's ability to do their job. Students and staff are expected to demonstrate positive character traits and values. Conduct and speech must be civil and respectful in order to promote harmonious and courteous relations in the school environment.

Students, staff members, volunteers, and all other persons are prohibited from engaging in any form of harassment, intimidation, or bullying while on school property, in transit to or from school or at school sponsored functions or activities. Harassment, intimidation, or bullying that occurs off school property and outside the context of a school activity is also prohibited if it substantially disrupts school operations, creates a hostile educational or work environment, or interferes with a student's ability to access educational opportunities at school. Students who engage in an act of harassment, intimidation, or bullying are subject to appropriate disciplinary action, up to and including expulsion. Employees who engage in an act of harassment, intimidation, or bullying are also subject to appropriate disciplinary action, up to and including termination. Volunteers who engage is such acts will be denied the opportunity to volunteer in the future. Other individuals who engage in harassment, intimidation, or bullying are subject to sanctions appropriate to their status or relationship with the school district.

To promote an environment free of harassment, intimidation or bullying, the principal or designee shall take appropriate actions such as removing vulgar or offending graffiti, establishing site rules, and providing staff in-service and student instruction and counseling. Teacher shall discuss this policy with their students in age-appropriate ways and assure students that they need not endure any form of harassment, intimidation, or bullying.

HARASSMENT, INTIMIDATION, AND BULLYING DEFINED

Harassment, intimidation, or bullying means an intentional act, whether written, oral, electronic, or physical when the act is undertaken with the intent of threatening, intimidating, harassing or frightening a person that

a) physically harms a person or damages the person's property;
b) substantially interferes with a student's education or a person's job performance;
c) is so severe, persistent or pervasive that it creates an intimidating or threatening educational or work environment; or
d) substantially disrupts the orderly operation of a school.

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Bullying may include, but is not limited to:

- conduct such as physical abuse, damage or theft of another's property,
- exclusion from playground or school-related social activities,
- verbal taunts,
- name-calling,
- rumors,
- innuendoes,
- drawings,
- jokes,
- gestures,
- pranks,
- put-downs relating to real or perceived differences, including another's culture, race, ethnicity, gender, sexual orientation, religion, body size, physical appearance, clothing, personality, age, socioeconomic status, ability or disability, or other distinguishing characteristics

Bullying includes cyber bullying. Cyber bullying is bullying that is carried out by sending or posting harmful or cruel text or images using the Internet or other digital communication devices.

CYBERBULLYING

All forms of harassment, intimidation, or bullying via electronic means, commonly referred to as cyberbullying, are prohibited. Cyberbullying also includes, but is not limited to, other misuses of technology to threaten, harass, intimidate, or bully, including sending or posting inappropriate email messages, instant messages, text messages, digital pictures or images, or web site postings, including blogs. An individual who redistributes a cyberbullying communication can be found in violation of this policy even if the individual did not author or create the original communication or image.

The district's computer network, including access to the Internet via that network, whether accessed on campus or off campus, during or after school hours, may not be used for the purpose of harassment, intimidation or bullying. Users are responsible for the appropriateness of the material they transmit over the system.

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In situations in which the cyberbullying originated from a private (non-school) computer or other electronic device, but is brought to the attention of school officials, disciplinary measures may be imposed when the communication:

1. Is of a criminal nature, including, but not limited to threats of violence or harm against staff members, students or their property;
2. Suggests or advocates physical harm to staff members or students;
3. Causes a student or staff member to experience a substantially detrimental effect on his or her physical or mental health;
4. Causes a student or staff member to experience substantial interference with academic, or work performance, or with his or her ability to participate in or benefit from district services or activities;
5. Threatens vandalism to school property; or
6. Creates a significant disruption to the school's educational mission, vision or vales.

Disciplinary action may include but is not limited to, the loss of computer privileges, detention or suspension, or expulsion for those committing acts of cyberbullying. In addition, any kind of threat or hate crime will be reported to law enforcement officials. Students and staff who believe they have been the victims of cyber bullying, as described in this policy should not erase the offending material from the system. A copy of the material should be printed and a report made under this policy.

HAZING AS FORM OF BULLYING

Hazing includes any act that endangers the health or safety of a person or subjects that person to physical discomfort or embarrassment because of the person's participation or membership in, or as a condition of attaining or maintaining membership in, a position with or affiliation with any grade level, class or school-sponsored activity. Hazing is considered a form of bullying and is prohibited by this policy regardless of whether the subjects of the hazing are, or profess to be, willing participants in the hazing activity.

Hazing related to school and school activities always interferes with students' ability to access their educational opportunities and is prohibited whenever and wherever it occurs, regardless of whether the hazing occurs on or off school property or at a school activity. Hazing related to non-school sponsored groups or activities is also prohibited in all contexts in which bullying behavior is prohibited.

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Hazing includes, but is not limited to, the following acts:

- required consumption of any substance,
- required exposure to the elements,
- required wearing or carrying of any article intended to subject the wearer to discomfort or embarrassment,
- assignment of pranks to be performed by the member or candidate for membership, and
- subjugation of the member or candidate for membership to swats or other forms of physical or mental abuse.

PASSIVE PARTICIPATION

Employees who passively participate in bullying by encouraging it or witnessing it without attempting to stop it are subject to appropriate disciplinary action, up to and including termination from employment. Students who passively participate in bullying by encouraging it or remaining present while another student is bullied without reporting the bullying are subject to appropriate disciplinary action, up to and including expulsion. Other individuals who passively participate in bullying are subject to sanctions appropriate to their status or relationship with the school district.

REPORTING

Students, staff members and volunteers who have witnessed or have reliable information that an individual has been subjected to harassment, intimidation, or bullying shall report the incident immediately to the principal or his/her designee, who shall promptly initiate an investigation. The investigation shall include an assessment of what actions should be taken, as appropriate, to protect the individual who has been found to be the victim of bullying. Such actions may include the provision of support services necessary to permit the individual to feel safe and secure in attending school.

RETALIATION PROHIBITED

Retaliation against any person who in good faith reports an incident of bullying, or cooperates in an investigation, is strictly prohibited. Students and employees who engage in prohibited retaliation will be subject to discipline, up to and including expulsion or termination from employment. Other individuals who engage in prohibited retaliation will be subject to sanctions appropriate to their status or relationship with the school district.

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FALSE REPORT

Students and employees who knowingly or willfully make a false report of harassment, intimidation, or bullying will be subject to disciplinary action up to and including suspension/expulsion for students and termination for employees. Other individuals who knowingly or willfully make a false report of harassment, intimidation or bullying will be subject to sanctions appropriate to their status or relationship with the district.

RESPONSE

In determining the appropriate response to students who commit one or more acts of harassment, intimidation, or bullying, the following factors should be considered:

a. the development and maturity levels of the parties involved;
b. the level of harm;
c. the surrounding circumstances;
d. past incidents or past continuing patterns of behavior;
e. the relationships between the parties involved;
f. the level of disruption in or interference with the orderly operation of the school.

This policy should not be interpreted to prohibit a reasoned and civil expression or exchange of opinions or debate that is protected by law and board policy.

Conduct that does not rise to the level of bullying may still be prohibited by other policies or rules.

Note: Disability-based harassment or bullying may deny a student equal educational opportunities under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Action of 1990 (ADA). Harassment of bullying of a student with a disability, on any basis, may also adversely impact the school's provision of FAPE to the student, under the Individuals of Disabilities Education Act (IDEA and Under Section 504. (See Dear Colleague Letter, Office for Civil Rights, October 21, 2014). A school's inappropriate response to bullying or harassment of a student, based on a disability, may constitute a disability-based harassment violation, by the school, under Section 504 and the ADA. Schools should address all harassment and bullying of students with disabilities by taking prompt and effective steps reasonably calculated to end the bullying or harassment, eliminate the hostile environment, prevent it from recurring, investigate if the student's receipt of appropriate services may have been affected by the bullying (if student receives IDEA or Section 504 services) and as appropriate, remedy its effects.

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