

Prohibition of Harassment, Intimidation, Bullying, and Cyber-Bullying

## Declaration of Policy

The District is committed to a safe and civil educational environment for all students, employees, volunteers and patrons free from harassment, intimidation bullying, or cyber-bullying.

## Definitions:

1. The terms “harassment, intimidation, and bullying” shall mean any intentionally written message or other visual communication, verbal communication or physical act, gesture or omission, including but not limited to one shown to be motivated by race, color, religion, ancestry, national origin, gender, sexual orientation including gender expression or identity, mental or physical disability or other distinguishing characteristics, when engaged in with the intent to, creating a substantial and unjustifiable risk of, creating the threat of, or with the natural end result of:
  - a) Physically, emotionally or mentally harming a student, staff member, volunteer, patron or a member of such person’s immediate family, or damaging the student, staff member, volunteer, or patron’s property or that of the immediate family such persons; or
  - b) Substantially interfering with a student’s educational experience; or
  - c) Being so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
  - d) Having the effect of substantially disrupting the orderly operation of the school; or
  - e) Casting a student, staff member, volunteer, patron or member of such person’s immediate family in such light as to subject them to torment, ridicule or shame, regardless of the veracity of the facts upon which the actor has acted; or
  - f) Constituting a crime pursuant to Federal, State or local laws, statutes or ordinance; or
  - g) Subjecting any student, staff member, volunteer, or patron to unwanted or illegal pornographic material; or
  - h) Portraying any student, staff member, volunteer, or patron in a state of nudity, engaging in sexual acts, or in such a state of near nudity as to subject such person to shame and embarrassment;

Conduct that is “substantially interfering with a student’s education” will be determined by considering a targeted student’s grades, attendance, demeanor, interaction with peers, participation in activities, and other indicators.

Conduct that may rise to the level of harassment, intimidation, bullying, and cyber-bullying may take many forms, including, but not limited to: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats,

gestures, or acts relating to an individual or group whether electronic, written, oral, or physically transmitted messages or images. There is no requirement that the targeted student actually possess the characteristic that is the basis for the harassment, intimidation, bullying, or cyber-bullying.

“Other distinguishing characteristics” can include but are not limited to: physical appearance, clothing or apparel, socioeconomic status, and weight.

2. The term “cyber-bullying” shall mean any harassment, intimidation or bullying, as defined above, when such is accomplished utilizing electronic communication media. Such media includes, but shall not be limited to, email messages, text messages, instant messages, social networking sites, internet based video sites, and posting of blogs.
3. Attempts - the taking of substantial steps toward engaging in harassment, intimidation, bullying and cyber-bullying activity shall be regarded for purposes of this policy in the same way as if the actor had been successful in completing the harassment, intimidation, bullying or cyber-bullying activity.
4. Solicitation - the solicitation of another person to engage in harassment, intimidation, bullying and cyber-bullying activity shall be regarded for purposes of this policy in the same way as if the actor had been successful in him or herself completing the harassment, intimidation, bullying or cyber-bullying activity.
5. Conspiracy - conspiring with two or more others to engage in harassment, intimidation, bullying and cyber-bullying activity shall be regarded for purposes of this policy in the same way as if the actor had been successful in him or herself completing the harassment, intimidation, bullying or cyber-bullying activity.
6. Aggressor – the student, staff member, or other member of the school community who engages in the harassment, intimidation, bullying, or cyber-culling of a student.
7. Retaliation - when an aggressor harasses, intimidates, bullies, or cyber-bullies a student who has reported incidents of bullying.
8. Staff - includes, but is not limited to, teachers, administrators, counselors, school nurses, food service employees, custodians, bus drivers, athletic coaches, advisors, classified staff, substitute and temporary teachers, volunteers, or paraprofessionals (both employees and contractors).
9. Targeted Student - a student against whom harassment, intimidation or bullying has allegedly been perpetrated.

Harassment, intimidation, bullying and cyber-bullying, are prohibited. False reports or retaliation for harassment, intimidation, bullying, or cyber-bullying also constitute violations of this policy.

If such activity is engaged in on campus, during school sponsored activities including sports activities, is engaged in or on any district provided transportation or at any official school bus stop, is engaged in utilizing school provided or owned/leased electronic computer equipment, or is received with the assistance of school provided or owned/leased electronic computer equipment, then the actors shall be subject to discipline pursuant to District disciplinary policy including, if appropriate, a mandatory arrest if a firearm is involved.

The District has no duty to regulate off-campus Internet messages, statements, postings, or acts. Nevertheless, the District reserves the right to regulate, review, investigate, and discipline students for harassment, intimidation, bullying or cyber-bullying, or for other disciplinary violations when such activities threaten violence against another student or otherwise disrupt the learning environment or orderly conduct of the school, school business, or school activities. The District's reservation of rights does not impose on the District or any school, a duty to regulate or review off-campus Internet messages, statements, postings, or acts.

This policy is not intended to prohibit expression of religious, philosophical, or political views provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation, bullying, or cyber-bullying may still be prohibited by other district policies or building, classroom, or program rules.

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and is to be implemented in conjunction with comprehensive training of staff and volunteers, including the education of students in partnership with families and the community. The policy is to be implemented in conjunction with the Comprehensive Safe Schools Plan that includes prevention, intervention, crisis response, recovery, and annual review. Employees, in particular, are expected to support the dignity and safety of all members of the school community.

Depending on the frequency and severity of the conduct, intervention, counseling, correction, discipline and/or referral to law enforcement will be used to remediate the impact on the victim and the climate and change the behavior of the perpetrator. This includes appropriate intervention, restoration of a positive climate, and support for victims and others impacted by the violation. Parents of students who are impacted by harassment, intimidation, bullying and cyber-bullying will be informed of the incident.

