

HARASSMENT, INTIMIDATION AND BULLYING

Harassment, intimidation or bullying (HIB) means any intentional electronic, written, verbal or physical act, 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, sensory, or physical disability or other distinguishing characteristics, when the intentional electronic, written, verbal or physical act:

- physically harms a student or damages the student's property; or
- has the effect of substantially interfering with a student's education; or
- is so severe, persistent, or pervasive that it creates an intimidating, embarrassing or threatening educational environment; or
- has the effect of substantially disrupting the orderly operation of the school.

Nothing in this section requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation and bullying.

"Other distinguishing characteristics" may include, but are not limited to: physical appearance, clothing or other apparel, socio-economic status and weight.

"Intentional" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

Behaviors/Expressions

Harassment, intimidation or bullying can take many forms, including but not limited to slurs, rumors, name calling, jokes, innuendos, demeaning comments, drawings, cartoons, pranks, gestures, hazing, physical attacks, threats or other written, verbal, and nonverbal or physical actions or electronically transmitted messages or images

A. Definitions

Perpetrator is a student, staff member, or other member of the school community who engages in the harassment, intimidation and bullying of a student.

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.

Retaliation is when a student, staff member, or other member of the school community takes adverse action or reprisal against a student because the student has reported incidents of harassment, intimidation and bullying, or because the student has participated in an investigation of harassment, intimidation and bullying.,

School community includes students, staff members, school board members, contractors, volunteers, parents and guardians, patrons, and other visitors.

Staff member includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, classified staff, substitute and temporary teachers, volunteers, or paraprofessionals (both employees and contractors).

Targeted student is a student against whom harassment, intimidation and bullying has allegedly been perpetrated.

Prohibition of Harassment, Intimidation and Bullying

Reasonable efforts shall be made to inform all students and their parents of the District's policies against harassment, intimidation and bullying. These efforts shall include publication of the policies and procedures in the *Student Responsibilities and Rights Handbook*, posting the policies and procedures in accessible locations in each school building and on district and building websites, and discussion of the policies and procedures at each school.

The District will take such steps as it deems necessary, in a fair and timely manner, to end harassment, intimidation, and bullying and to prevent its reoccurrence. Such steps will include both informal remedies and disciplinary action. Each school will establish a procedure to document and maintain a record of complaints and action taken. All incidents involving harassment, intimidation and bullying that result in a short- or long-term suspension or expulsion on school premises, at school events, or on transportation systems, shall be reported annually by student grade, gender and race to the superintendent and/or designee.

This procedure is to be implemented in conjunction with training of staff and volunteers, including the education of students in partnership with families and the community. A component of District orientation sessions for employees, students and regular volunteers shall introduce the elements of this policy. Staff will be provided information on recognizing and preventing harassment, intimidation and bullying, and shall be fully informed of the complaint processes and their roles and responsibilities under the policy and procedure.

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

Reporting Harassment, Intimidation and Bullying

The District will take all complaints of harassment, intimidation and bullying seriously and will in a timely manner address all such complaints. Appropriate actions will be taken, from informal remedies up to and including suspension and/or expulsion, against any student found to have violated this procedure.

Any school staff member who observes, overhears, or otherwise witnesses harassment, intimidation and bullying or to whom such actions have been reported must take prompt and appropriate action to stop the harassment and to prevent its reoccurrence. Minor incidents that staff are able to resolve immediately, or incidents that do not meet the definition of harassment, intimidation and bullying, may require no further action under this procedure. Students and volunteers are encouraged to report school-related harassment, intimidation and bullying of which they have knowledge.

Any student who believes that he or she has been subjected to harassment, intimidation or bullying in the educational environment is encouraged to bring his or her complaint to the immediate attention of a staff member for assistance in resolving the matter.

Complainants are not promised confidentiality; however, the District will enforce anti-retaliation provisions of this policy to protect complainants and witnesses.

The name and telephone numbers of staff members responsible for receiving complaints, along with the building Title IX officer and the District Title IX and Affirmative Action officers, shall be posted in such locations in buildings as to be commonly and easily viewed by students, staff, parents, and volunteers.

False reports, retaliation and reprisal for harassment, intimidation and bullying also constitute violations of this procedure, and discipline will be imposed as appropriate.

Nothing in this procedure is intended to prohibit discipline or remedial action for inappropriate behaviors that do not rise to the level of harassment, intimidation and bullying as defined herein, but which are prohibited by other district or school rules.

Resolving Harassment, Intimidation and Bullying Complaints/ Grievances

1. As a first step, the complainant, if not unduly intimidated, is encouraged to directly inform any alleged harasser that the behavior is offensive, unwanted, and must stop.
2. Complaints should be directed to a school staff member or administrator and, if possible, should be resolved at the staff member level. Notification to the parent/guardian of the complainant and alleged perpetrator should occur as appropriate.
3. If the complaint is not resolved at the staff member level, or if the behavior persists, then the staff member should report to the building administrator.
4. The building principal or assistant principal will investigate and determine the appropriate resolution to a complaint and may take disciplinary action, up to and including expulsion. Depending upon the frequency and severity of the conduct, intervention, education, correction, discipline and/or referral to law enforcement will be used to change the behavior of the perpetrator and remediate the impact on the victim. Notification to the parent/guardian of the complainant and alleged perpetrator should occur.

5. Disciplinary actions will be appropriate to the goal of ending harassment, intimidation and bullying, and to prevent its reoccurrence. Such disciplinary action will be consistent with District policy and state and federal law.
6. Any student or his/her parent or guardian who is aggrieved by discipline imposed may seek redress through the District's *Student Conduct, Corrective Actions and Punishment* policy.
7. The District Title IX officer, Affirmative Action officer, or superintendent's designee will be available upon request of either the complainant or school staff as a secondary means of determining the appropriate resolution to a complaint.
8. Should a complaint regarding harassment, intimidation or bullying not be resolved at the school, the complainant may contact the superintendent or superintendent's designee in writing with information for further review.

Nothing in this procedure prevents a student, parent/guardian, school, or district from taking action to remediate discrimination or harassment on a student's membership in a legally protected class under local, state or federal law. A harassment, intimidation and bullying complaint based on a student's legally protected status may also be reported to the following state or federal agencies:

OSPI Equity and Civil Rights Office
360.725.6162
Email: equity@k12.wa.us
www.k12.wa.us/Equity/default.aspx

Washington State Human Rights Commission
800.233.3247
www.hum.wa.gov

Office for Civil Rights, U.S. Department of Education, Washington State
206.607.1600
Email: OCR.Seattle@ed.gov
www.ed.gov/about/offices/list/ocr/index.html

Department of Justice Community Relations Service
877.292.3804
www.justice.gov/crt/

Office of the Education Ombudsman
866.297-2597
Email: OEOinfo@gov.wa.gov
www.governor.wa.gov/oeo/default.asp

OSPI Safety Center

360.725.6044

www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx

Cross Reference: Board Policy 3207

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