

STUDENT PERSONNEL

Series 500

Policy: HAZING, HARASSMENT,
INTIMIDATION, BULLYING,
CYBER BULLYING, MENACING

Code: 506.13

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

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 inter-district and intra-district athletic competitions or other school events/activities.
2. "District" includes district facilities, district premises 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. "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, i.e., 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.
4. "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 age, race, religion, color, national origin, disability, marital status, physical characteristic, gender, socioeconomic status or geographic location.

5. “Harassment, intimidation or bullying” is any act that substantially interferes with a student’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, and that has 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.
6. “Cyber bullying” 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, or Web site postings, including blogs through the District’s computer network and the Internet, whether accessed on campus or off campus, during or after schools hours. In the situation that cyber bullying originated from a non-school computer, but brought to the attention of school officials, any disciplinary actions shall be based on whether the conduct is determined to be severely disruptive of the educational process. In addition, such conduct must also be in violation of a school policy or state law. Administration shall in their discretion contact local law enforcement.
7. “Intimidation” includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another’s property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin or sexual orientation.
8. “Menacing” includes, but is not limited to, any act intended to place a school employee, student or third party in fear of imminent serious physical injury.

The Board is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, menacing, cyber bullying, or bullying by students, staff or third parties is strictly prohibited and shall not be tolerated in the district.

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, bullying, cyber bullying or menacing in violation of this policy is encouraged to immediately report his/her concerns to a teacher; his/her immediate supervisor; to the building principal; or to the superintendent. Please see Code 506.13P for investigation procedures.

The building principal is the compliance officer for each building. The superintendent is the compliance officer for the District.

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of harassment or bullying may range from positive behavioral interventions up to and including suspension or expulsion, in the case of a student, or suspension or termination in the case of an employee, as set forth in the board of education's approved code of student conduct or employee handbook.

Procedures shall include descriptions of prohibited conduct, reporting and investigative procedures, as needed, and provisions to ensure notice of this policy is provided to students, staff and third parties.

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 and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Confidentiality

It is recognized that harassment is often very distressing for the victim and those who suffer harassment may be reluctant to make their concerns known. All reasonable steps will be taken to ensure that all inquiries and/or complaints are dealt with in confidence.

Policy Distribution

Information about this policy must be distributed to the school community. Faculty and staff will be reminded annually about the policy. Information about the policy will be included in student orientation material and in the student handbook. All new faculty and staff members will be given a copy of the policy as part of their orientation program.

Incident Reporting Procedures

Teachers with the support of principals and the superintendent have responsibility for investigations concerning hazing, harassment, intimidation, bullying or menacing. 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, bullying, cyber bullying or menacing in violation of this policy is encouraged to immediately report his/her concerns to a teacher; his/her immediate supervisor; to the building principal; or to the superintendent. Please see Code 506.13P for investigation procedures.

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

Step I - Any hazing, harassment, intimidation, bullying, cyber bullying or menacing information shall be presented to the supervising teacher with the support of the building principal or superintendent. Complaints against the building principal shall be filed with the superintendent. Complaints against the superintendent shall be filed with the board chairman.

Step II - The supervising teacher receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The teacher and/or principal will arrange meetings as necessary with all concerned parties. Consequences for a student who commits an act of harassment or bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and must be consistent with the board of education's approved code of student conduct. Consequences and appropriate remedial actions may range from positive behavioral interventions up to and including suspension or expulsion. Teachers and district officials will consider the following factors when assigning consequences for students in violation of this policy:

Factors for Determining Consequences

- Age, development, and maturity levels of the parties involved
- Degree of harm
- Surrounding circumstances
- Nature and severity of the behavior(s)
- A pattern of behavior
- Relationship between the parties involved
- Context in which the alleged incident(s) occurred

Step III – Whenever necessary remedial measures shall be designed to: *correct the problem behavior; prevent another occurrence* of the behavior; and *protect the victim* of the act. Remedial measures may include, *but are not limited* to the following examples:

Examples of Remedial Measures:

Personal

- Framing the aggressive behavior as a failed attempt to solve a real problem or reach a goal. The adult assists the misbehaving student to find a better way to solve the problem or meet the goal
- Corrective instruction or other relevant learning or service experience
- Supportive discipline to increase accountability for the bullying offense
- Supportive interventions
- Behavioral assessment or evaluation with corresponding behavioral management plan
- Parent conferences

Environmental (Classroom, School Building, or School District)

- Set a time, place, and person to help the bully reflect on the offending behavior, maintaining an emotionally-neutral and strength-based approach
- School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying
- Modifications of schedules
- Adjustments in hallway traffic
- Modifications in student routes or patterns traveling to and from school
- Targeted use of monitors (e.g., hallway, cafeteria, bus)
- General professional development programs for certificated and non-certificated staff
- Professional development training for staff
- Parent conferences
- Law enforcement involvement (e.g., school resource officer, juvenile officer)

Step IV - If the complainant and/or parent/guardian is not satisfied with the actions taken in Steps I – III, he/she may submit a written appeal to the superintendent or designee. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant’s appeal within 10 working days.

Step V - If the complainant is not satisfied with the decision at Step IV, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step IV decision. The Board shall provide a written decision to the complainant within 10 working days after the scheduled Board Meeting.

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Legal References: I.C. § 18-917 Hazing
I.C. § 18-917A Student Harassment –
Intimidation – Bullying
I.C. § 33-205 Denial of School Attendance
I.C. § 33-512 Governance of Schools
I.C. § 67-5909 Acts Prohibited
20 U.S.C. § 1681, et seq. Title IX of the
Educational Amendments
34 CFR Part 106

Cross References: 506.12 Zero Tolerance Violence Policy
506.13 Hazing, Harassment, Intimidation, Bullying, Cyber Bullying,
Menacing
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Menacing