

HARASSMENT, HAZING, BULLYING

The Board of Education recognizes that harassment, sexual or otherwise, hazing, and/or bullying of students and staff is abusive and illegal behavior that harms victims and negatively impacts the school culture by creating an environment of fear, distrust, intimidation and intolerance. The Board further recognizes that preventing and remedying harassment, hazing, and/or bullying in schools is essential to ensure a healthy, nondiscriminatory environment in which students can learn and employees can work productively.

The Board is committed to providing an educational and working environment that promotes respect, dignity and equality and that is free from all forms of harassment. To this end, the Board condemns and strictly prohibits all forms of harassment, hazing, and/or bullying on school grounds, school buses and at all school-sponsored activities, programs and events including those that take place at locations outside the district.

General Statement of Policy

- A. No student, teacher, administrator, volunteer, contractor or other employee of the school district shall plan, direct, encourage, aid or engage in harassment, hazing or bullying.
- B. No teacher, administrator, volunteer, contractor or other employee of the school district shall permit, condone or tolerate harassment, hazing or bullying.
- C. Apparent permission or consent by a person being harassed, hazed or bullied does not lessen the prohibitions contained in this policy or the enforcement of this policy.
- D. This policy applies to behavior directly connected to school activities that occur on or off school property and before, during, and after school hours.

- E. A person who engages in an act that violates school policy or law shall be subject to discipline for that act.

Definitions

Sexual Harassment. Sexual harassment includes unwelcome behavior of a sexual nature which may impose a requirement of sexual cooperation as a condition, implicitly or explicitly, or an employee's employment or a student's education (including participation in school-sponsored activities) or which may have the purpose or effect of creating an intimidating, hostile or offensive learning or working environment. Words alone can constitute sexual harassment. Words alone can create an atmosphere that is so severe, pervasive, and offensive that it denies a victim equal access to educational or employment opportunities.

Harassment can occur employee to student, student to employee, employee to employee, student to student, male to female, female to male, male to male or female to female. It shall be a violation of this policy for any student, employee or third party (school visitor, vendor, etc.) to sexually harass any student or employee.

Racial Harassment. Racial harassment consists of different treatment on the basis of race, color or national origin when that different treatment interferes with or limits the ability of a student to participate in or benefit from the district's programs or activities or if a district creates or is responsible for a racially hostile environment that is sufficiently severe, pervasive or persistent so as to interfere with or limit the ability of a student to participate in the district's programs.

Hazing. Hazing means committing an act against a student, or coercing a student into committing an act, that creates a risk of emotional, physical or psychological harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. For purposes of this policy, a "student organization" means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events, A student organization does not have to be an official school organization to come within the terms of this definition.

Bullying. Bullying consists of inappropriate persistent behavior including threats, or intimidation of others, treating others cruelly, terrorizing, coercing, or habitual put downs and/or badgering others. Bullying, similar to all forms of harassment and hazing, are prohibited behaviors.

Reporting Complaints

In order for the Board to effectively enforce this policy and to take prompt corrective measures, it is essential that all victims of harassment, hazing, or bullying and persons with knowledge of harassment, hazing or bullying report the harassment immediately. The district will promptly investigate all complaints of harassment, hazing or bullying, either formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner. Limited disclosure may be necessary to complete a thorough investigation.

Investigation/Resolution

If, after appropriate investigation, the district finds that a student, an employee or a third party including parent/guardian has violated this policy, prompt corrective action will be taken in accordance with the applicable collective bargaining agreement, district policy and state and federal law.

All complainants and those who participate in the investigation of a complaint of hazing, sexual harassment, or bullying have the right to be free from retaliation of any kind. The complainant will be notified of the outcome of the investigation.

The Superintendent of Schools is required to develop and implement regulations for reporting, investigating and remedying allegations of hazing, sexual harassment, or bullying. These regulations are to be attached to this policy. Training programs shall be presented to students and employees to raise awareness of the issues surrounding hazing, sexual harassment, or bullying, and to implement preventive measures to help reduce incidents of hazing, sexual harassment or bullying. Parents will be informed of this policy and the district's efforts to provide training to students and staff.

This policy shall be posted in a prominent place in each district facility and shall also be published in student registration materials, student, parent and employee handbooks, and other appropriate school publications.

Cross-ref: 0100, Equal Opportunity

Ref: Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*
 Title VI of Civil Rights Act (1964), 42 U.S.C. §2000-d *et seq.*
 Title VII of Civil Rights Act (1964), 42 U.S.C. §2000-e; 34 CFR §100 *et seq.*
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)
Faragher v. City of Boca Raton, 524 U.S. 775 (1998)
Burlington Industries v. Ellerth, 524 U.S. 742 (1998)
Oncala v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)

Franklin v. Gwent County Public Schools, 503 U.S. 60 (1992)
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

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