

## **Student Harassment and Bullying**

### **Policy #411.2**

The Dodgeland School District is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The District encourages the promotion of positive interpersonal relations among members of the school community. Harassment or bullying of a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated.

For purposes of this policy, harassment or bullying is defined as any conscious, willful, or deliberate acts, or attempted acts, through the use of gestures, words, images or physical actions, including electronically transmitted acts, that are intended to cause physical injury, emotional distress, property damage, or impact the learning environment. Harassment or bullying includes behaviors motivated by an actual or perceived distinguishing characteristic including sex, race, national origin, ancestry, religion, color, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability or handicap. Acts may also be motivated by any other distinguishing factor such as gender identity, physical attributes, or social, economic or family status.

Examples of acts of harassment or bullying include physical intimidation, force or assault, humiliation, sexual or racist remarks, extortion, verbal or written threats, taunting, put downs, name calling, threatening or menacing looks or gestures, spreading cruel rumors, and social exclusion. This includes acts of cyber-bullying that involve sending or posting inappropriate, insulting or threatening messages or images through electronic communication systems such as the Internet, e-mail, cell phones or other personal devices.

Harassment or bullying of a student is prohibited in school buildings, on school premises, in school-owned vehicles and during activities under school supervision if this behavior substantially interferes with a student's school performance or creates an intimidating, hostile or offensive school environment. Acts of harassment or bullying of a student that originate off school premises and outside of school's control may be subject to the provisions of this policy and related procedures if the conduct is determined to be substantially disruptive to the educational process and the day-to-day operations of a school.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be harassment or bullying directed toward a student. Any student that believes he/she has been or is the victim of harassment or bullying should immediately report the situation to the building principal or his/her designee. The student may also report concerns to a teacher or counselor who then shall be responsible for notifying the appropriate administrator. Complaints of student harassment or bullying against the building principal should be filed with the District Administrator. Complaints of student harassment or bullying against the District Administrator should be filed with the Board President.

All complaints about harassment or bullying directed toward a student that may violate this policy shall be promptly investigated. The District will respect the privacy of the complainant, the individual(s) against who the complaint is filed, and the witnesses as much as practicable and in a manner consistent with the Board's legal obligations to investigate, take appropriate action, and conform to discovery or disclosure requirements. Disclosure of information related to the complaint shall be made only to those with a legitimate need to know. All records generated as a result of the complaint and appeal processes shall be maintained as confidential to the extent permitted by law.

If the investigation finds an instance of harassment or bullying directed toward a student has occurred, this will result in prompt and appropriate remedial, disciplinary and/or legal action. Consequences and remedial actions for a student who commits an act of harassment or bullying may range from behavioral interventions up to and including suspension or expulsion. Consequences shall be unique to the nature of

the behavior, the developmental level of the student, and the history of problem behaviors. Remedial measures shall be designed to correct the problem behavior, prevent other occurrences, and protect the victim.

Consequences and remedial actions for an adult who commits an act of harassment or bullying directed toward a student may include suspension or termination for an employee. Consequences may include exclusion for third parties who are not directly under school control at school-sponsored activities including parents, guests, volunteers, and contractors. All persons who commit acts of harassment or bullying directed toward students may be referred to law enforcement for legal action when violations are criminal offenses.

Retaliation is prohibited against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of student harassment or bullying. Such retaliation shall be considered a serious violation of Board policy and shall be addressed independently whether or not a complaint is substantiated. Suspected retaliation shall be reported in the same manner as incidents of student harassment or bullying. Intentionally making false reports about student harassment or bullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentional false reporting may result in disciplinary and/or legal action as indicated above.

This policy shall not be interpreted to infringe upon the First Amendment rights of students. Reasoned and civil exchanges of opinions, or debate, conducted at appropriate times and places during the school day are protected by state or federal laws.

In support of this policy, the Board promotes preventive educational measures to create greater awareness of student harassment or bullying. The District Administrator or designee shall provide appropriate training to all members of the school community who have a role in the effective implementation of this policy and related administrative procedures. The policy and procedures shall be addressed with students in an age and content appropriate manner.

Notice of this policy and related complaint procedures shall be annually distributed to every student enrolled in the District and every parent/guardian. The policy and procedures shall be incorporated into the teacher, student, and parent/guardian handbooks. All new employees shall be required to verify by signature that they have reviewed the policy and procedures. Notice shall be posted in conspicuous locations in all school buildings and departments within the District. State and federal rights posters on discrimination and harassment shall also be posted in each building.

LEGAL REF: Sections 111.32(13); 118.13; 118.46(2); 120.13(1); 895.77(2); 947.0125; 947.013; and 948.51(2) Wisconsin Statutes  
PI 9, Wisconsin Administrative Code  
Title IX, Education Amendments of 1972  
Title VII, Civil Rights Act of 1964  
Children's Internet Protection Act (as amended)

CROSS REF: 411.2-Rule, Student Harassment and Bullying Complaint Procedures  
363.2, Student Technology Use  
411, Equal Educational Opportunities  
411-Rule, Student Discrimination/Harassment Complaint Procedures  
411.1, Student Sexual Harassment  
443, Student Code of Classroom Conduct  
443.2, Student Conduct on School Buses  
443.5, Student Use of Two-Way Communication Devices  
443.7, Threats to Students  
443.8, Youth Gangs  
447.3, Student Discipline  
454, Child Abuse/Neglect  
511, Equal Opportunity Employment  
511-Rule, Employment Discrimination/Harassment Complaint Procedures  
512, Sexual Harassment of Employees

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