



Book	Policies
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Dignity of Students – Student Bullying Prevention and Intervention

This regulation sets forth detailed guidelines for reporting, investigating and remedying allegations of harassment, hazing and bullying.

Unacceptable Conduct

“Bullying” and “Harassment” shall mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying and verbal and non-verbal actions, that:

- (a) has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits or mental, emotional or physical well-being; or
- (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
- (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
- (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

For purposes of this definition and this regulation, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions.

For purposes of this regulation, “Electronic communication” means a communication transmitted by means of an electronic device, including but not limited to, a telephone, cellular phone, computer, laptop, pager, or other hand-held device, communications transmitted through email, text message, instant message, voicemail, social networking sites, webpage, video, blogs or twitter.

“Cyberbullying” shall mean harassment or bullying, where such harassment or bullying occurs through any form of electronic communication.

“Bullying” and/or “harassment” can take many forms including, but not limited to: slurs, rumors, jokes, innuendo, demeaning comments, drawing cartoons, pranks, gestures, physical attacks, threats, or other written, verbal, nonverbal, physical, and/or electronic actions.

The basis for such conduct may include, but is not limited to, a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, physical or mental ability or disability, sexual orientation, gender, sex, marital status, gender identity, socio-economic status, or familial status.

“Bullying” and/or “harassment” do not have to include the intent to harm, be directed at a specific target, or involve repeated incidents, but are based upon the specific incident(s) involved.

Examples of school-related conduct that the District considers unacceptable and which may constitute harassment, hazing and bullying include, but are not limited to, the following:

1. Verbal and/or physical threats
2. Unwanted physical contact such as intentional pushing/shoving/bumping
3. Ridicule, slurs, rumors, demeaning comments, cartoons, drawings, pranks, gestures
4. Intimidation
5. Destruction of property
6. Stalking
7. Unwanted/unwarranted comments, advances and/or suggestions of a sexual nature
8. Use of District electronic technologies and communications to harass, bully or haze

Reporting Complaints

Any victim or person with knowledge of harassment, discrimination hazing and/or bullying by a student, District employee or third party related to the school should report the complaint to the Building Principal or his or her designee as soon as possible after the incident so that it may be effectively investigated and resolved, provided, however that District employees must report the incident to the Principal or his or her designee within the timeframes set forth herein.

In order to assist investigators, individuals should document the harassment, discrimination hazing, and/or bullying as soon as it occurs and with as much detail as possible, including: the nature of the incident(s); dates, times, places it has occurred; name of perpetrator(s); witnesses to the incident(s); and the victim's response to the incident.

Confidentiality

It is District policy to respect the privacy of all parties and witnesses to complaints of harassment, discrimination hazing and/or bullying. To the extent possible, the District will not release the details of a complaint or the identity of the complainant or the individual(s) against whom the complaint is filed to any third parties who do not need to know such information. However, because an individual's need for confidentiality must be balanced with the District's legal obligation to provide due process to the accused, to conduct a thorough investigation or to take necessary action to resolve the complaint, the District retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances to individuals with a need to know. The staff member responsible for investigating complaints will discuss confidentiality standards and concerns with all complainants.

If a complainant requests that his/her name not be revealed to the individual(s) against whom a complaint is filed, the staff member responsible for conducting the investigation shall inform the complainant that:

1. The request may limit the District's ability to respond to his/her complaint;
2. District policy and federal law prohibit retaliation against complainants and witnesses;
3. The District will attempt to prevent any retaliation; and
4. The District will take strong responsive action if retaliation occurs.

If the complainant still requests confidentiality after being given the notice above, the investigator will take all reasonable steps to investigate and respond to the complaint consistent with the request, to the extent possible, as long as doing so does not preclude the District from responding effectively to the harassment and preventing the harassment of other students or employees.

Investigation and Resolution Procedure

A. Initial (Building-level) Procedure

Reports of bullying, discrimination or harassment may be made by parents and students to teachers and building administrators, Dignity Act Coordinators [Add any other titles the District may deem appropriate, including, guidance counselors, etc. here].

In the event a District employee receives an oral or written report of harassment, bullying or discrimination or witnesses harassment, bullying or discrimination, such employee must notify the building principal or his or her designee not later than one school day after witnessing or receiving a report of harassment, bullying or discrimination. Any such employee must also file a written report with the Building Principal, or his or her designee, within two school days after making the oral report.

Whenever a written report of harassment, hazing and/or bullying is received it will be subject to a preliminary review and investigation. Except in the case of severe or criminal conduct, the Building Principal or his or her designee should make all reasonable efforts to resolve complaints informally at the building level. The goal of informal procedures is to end the harassment, hazing and/or bullying and obtain a prompt and equitable resolution to a complaint.

As soon as possible, but no later than five (5) working days following receipt of a written complaint, the Building Principal or his or her designee should begin an investigation of the complaint by:

- reviewing any written documentation provided by the victim(s)
- Conducting separate interviews of the victim(s), alleged perpetrator(s) and witnesses, if any, and documenting the conversations

- Providing the alleged perpetrator(s) a chance to respond and notify him/her that if objectionable behavior has occurred, it must cease immediately and that the individual may be subject to discipline.

Parents of student victims and accused students should be notified within one school day of allegations that are serious or involve repeated conduct.

Where appropriate, informal methods may be used to resolve the complaint, including but not limited to:

- Discussion with the accused, informing him or her of the District's policies and indicating that the behavior must stop;
- Suggesting counseling and/or sensitivity training;
- Conducting training for the department or school in which the behavior occurred, calling attention to the consequences of engaging in such behavior;
- Mediation;
- Requesting a letter of apology to the victim;
- Writing letters of caution or reprimand; and/or
- Separating the parties.

Appropriate disciplinary action shall be recommended and imposed in accordance with District policy, the applicable collective bargaining agreement or state law.

The Building Principal or his or her designee shall report back to both the victim and the accused, notifying them in writing, and also in person as appropriate, regarding the outcome of the investigation and the action taken to resolve the complaint not later than thirty working (30) days following receipt of the complaint; provided, however, if additional time is needed to complete the investigation or take appropriate action beyond this thirty working day period, the Building Principal or his or her designee will notify all parties of the same and provide a written status report regarding the status of the matter not later than thirty working days.

The victim shall report immediately if the objectionable behavior occurs again or if the alleged perpetrator retaliates against him/her.

If a complaint contains evidence or allegations of serious or extreme harassment, discrimination hazing or bullying, the complaint shall be referred promptly to the Superintendent. In addition, where the Building Principal or his or her designee has a reasonable suspicion that the alleged harassment, discrimination, hazing or bullying incident involves criminal activity, he/she should immediately notify the Superintendent, who shall then contact the school attorney, appropriate child protection and law enforcement authorities.

Any party who is not satisfied with the outcome of the initial investigation by the Building Principal or his or her designee may appeal the determination of the Building Principal or his or her designee by submitting a written appeal to the Superintendent within thirty (30) days of receipt of the written outcome of the Building-level investigation.

B. District-level Procedure

The Superintendent shall promptly investigate and resolve all harassment, discrimination, hazing and bullying complaints that are referred to him/her pursuant to this policy and regulation, as well as those appealed to the Superintendent following an initial investigation by a Building Principal or his or her designee. In the event the complaint involves the Superintendent, the complaint shall be filed with or referred to the Board President, who shall refer the complaint to an appropriate individual for investigation.

In cases where the investigation first begins at the District-level, the District level investigation should begin as soon as possible but not later than five (5) working days following receipt of the complaint by the Superintendent or Board President.

In conducting a District level investigation, the District may endeavor to use individuals who have received formal training regarding such investigations or that have previous experience investigating such complaints.

No later than thirty (30) working days following receipt of the complaint, the Superintendent (or in cases involving the Superintendent, the Board-appointed investigator) will notify the victim and alleged perpetrator, in writing, of the outcome of the investigation. If additional time is needed to complete the investigation, review the appeal, or take appropriate action, the Superintendent, his or her designee, or Board-appointed investigator will advise all parties of the same and provide all parties with a written status report not later than thirty (30) working days following receipt of the complaint.

If a District investigation or appeal results in a determination that harassment, hazing or bullying did occur, where appropriate, prompt corrective action will be taken to end the misbehavior. Where appropriate, District investigators may suggest mediation as a means of exploring options of corrective action and informally resolving the complaint.

Retaliation Prohibited

Any act of retaliation against any person who opposes any harassing behavior, or who has filed a complaint, is prohibited and illegal, and therefore subject to disciplinary action. Likewise, retaliation against any person who has testified assisted or participated in any manner in an investigation, proceeding or hearing of any harassment complaint is prohibited. For purposes of this policy, retaliation includes but is not limited to: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action, up to and including suspension or termination.

Discipline/Penalties

Any individual who violates this policy by engaging in prohibited harassment, hazing or bullying will be subject to appropriate action, which may include disciplinary action. Remedial responses to bullying and harassment include measures designed to correct the behavior, prevent another occurrence and protect the victim.

Remedial measures may include, but are not limited to: peer support groups, corrective instruction or learning or service experience, changes in class schedule, supportive intervention, behavioral assessment or management plan, student counseling and parent conferences.

Disciplinary measures available to school authorities include, but are not limited to the following:

Students: Discipline may range from a reprimand, up to and including suspension from school, to be imposed consistent with the student conduct and discipline policy and applicable law.

Employees: Discipline may range from a warning, up to and including termination, to be imposed consistent with all applicable contractual and statutory rights.

Volunteers: Penalties may range from a warning, up to and including loss of volunteer assignment.

Vendors: Penalties may range from a warning, up to and including loss of District business.

Other individuals: Penalties may range from a warning, up to and including denial of future access to school property.

Training

All students and employees shall be informed of this policy each September and in student and employee handbooks and student registration materials.

All employees shall receive information about this policy and regulation at least once a year. Administrative employees who have specific responsibilities for investigating and resolving complaints of harassment, hazing and bullying shall receive training on this policy, regulation and related legal developments.

Principals in each school shall be responsible for informing students and staff on a yearly basis of the terms of this policy, including the procedures for filing a complaint and the impact of harassment, hazing and bullying on the victim and the bystander.