

## Prohibition of Harassment, Intimidation, or Bullying Policy 3207

The district is committed to a safe and civil educational environment for all students, employees, parents/legal guardians, volunteers and community members that is free from harassment, intimidation or bullying. As defined in legislation, “Harassment, intimidation or bullying” means any intentionally electronic, written verbal, or physical act, including but not limited to one shown to, one shown to be motivated by any characteristic in RCW 28A.640.010 and 28A.642.010, or other distinguishing characteristics, when the act:

- Physically harms a student or damages the student’s property.;
- Has the effect of substantially interfering with a students’ education.;
- Is so severe, persistent or pervasive that it creates an intimidating 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 or bullying.

“Other distinguishing characteristics” can include but are not limited to: physical appearance, clothing or other apparel, socioeconomic status and weight.

“Intentional acts” refers to the individual’s choice to engage in the act rather than the ultimate impact of the actions(s).

### Behaviors/Expressions

This policy recognizes that ‘harassment’, ‘intimidation’, and ‘bullying’ are separate but related behaviors. Each must be addressed appropriately. The accompanying procedure differentiates the three behaviors, however, this differentiation should not be considered part of the legal definition of these behaviors.

Harassment, intimidation or bullying can take many forms including, but not limited to, slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats or other written, oral, physical or electronically transmitted messages or images.

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the educational environment. 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.

### Training

This policy is a component of the district’s responsibility to create and maintain a safe, civil, respectful and inclusive learning community and will be implemented in conjunction with comprehensive training of staff and volunteers.

### **Prevention**

The district will provide students with strategies aimed at preventing harassment, intimidation and bullying. In its efforts to train students, the district will seek partnerships with families, law enforcement and other community agencies.

### **Interventions**

Interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the perpetrator, and to restore a positive school climate. The district will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior and discipline, to law enforcement referrals

### **Students with Individual Education Plans or Section 504 Plans**

If allegations are proven that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the target of harassment, intimidation or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free, appropriate public education (FAPE). The meeting should occur regardless of whether the harassment, intimidation or bullying incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's academic performance, behavior issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation or bullying incident, the district will provide additional services and supports as deemed necessary, such as counseling, monitoring and/or reevaluation or revision of the student's IEP or Section 504 plan, to ensure the student receives a FAPE.

### **Retaliation/False Allegations**

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying.

It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborated false allegations will be subject to appropriate discipline.

### **Compliance Officer**

The Director of Student Services will serve as the compliance officer for the Kelso School District and will be the main contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district.

The superintendent is authorized to direct the implementation of procedures addressing the elements of this policy.

Cross References:	Policy 2161	Special Education and Related Services for Eligible Students
	Policy 3200	Rights and Responsibilities
	Policy 3210	Nondiscrimination
	Policy 3211	Transgender Students
	Policy 3240	Student Conduct
	Policy 3241	Classroom Management, Corrective Actions or Punishment
	Policy 5011	Sexual Harassment
Legal References:	RCW 28A.300.285	Harassment, intimidation and bullying prevention policies and procedures – Model policy and procedure – Training materials – Posting on website – Rules – Advisory committee
	WAC 392.190.059	Harassment, intimidation and bullying prevention policy and procedures – School Districts
Management Resources:	<i>Policy News</i> August 2019	
	December 2014	Office for Civil Rights Dear Colleague Letter: Responding to Bullying of Students with Disabilities (OCR 10/21/14)
	December 2010	Harassment Intimidation and Bullying Policy Strengthened
	April 2008	Cyberbullying Policy Required
	April 2002	Legislature Passes an Anti-Bullying Bill

Adopted: 5.19.03

Revised: 5.8.06 | 6.07 | 6.9.08 | 5.9.11 | 4.7.14 | 5.11.15 | 7.13.20