

# PROPOSED REVISION

3204

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## STUDENTS

### **Prohibition of Harassment, Intimidation or Bullying of Students**

The board is committed to a safe and civil educational environment **for all students, employees, parents/legal guardians, volunteers and community members** that is free from **the** harassment, intimidation, or bullying (HIB) **of any student**. Our district's core values include our commitment to value differences among people and treat one another respectfully. HIB of students by other students, by staff members, by volunteers, by parents or by guardians is prohibited.

As defined in **Chapter 28A.600 RCW (Students) legislation**, "harassment, intimidation or bullying" means any intentional electronic, written, verbal, or physical act including but not limited to, one shown to be motivated by any characteristic in [RCW 28A.640.010](#) and [RCW 28A.642.010](#), or other distinguishing characteristics, when the act:

- A. Physically harms a student or damages the student's property;
- B. Has the effect of substantially interfering with a student's education;
- C. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- D. 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 action(s).

**This policy and accompanying procedure do not govern harassment, intimidation or bullying of an employee, volunteer, parent/legal guardian, or community member.**

### **Behaviors/Expressions**

This policy recognizes that 'harassment,' 'intimidation,' and 'bullying' are separate but related behaviors **towards a student**. 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.

HIB 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 **directed toward a student**.

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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 HIB 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 **for students** and will be implemented in conjunction with comprehensive training of staff and volunteers. Specific training requirements are included in the accompanying procedure.

## **Prevention**

The district will provide students with strategies designed to prevent HIB **toward students**. In its efforts to educate students, the district will seek partnerships with families, law enforcement and other community agencies.

## **Interventions**

Interventions will be designed to remediate the impact on the targeted student(s) and upon others impacted by the violation, to change the behavior of the aggressor, 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 aggressor or target of HIB, 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 HIB 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 HIB 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 a student** for reporting HIB, **being identified as a targeted student**, or participating in an investigation.

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It is also a violation of district policy to knowingly report false allegations of HIB. Students or employees **who knowingly report or corroborate false allegations will be subject to appropriate discipline. However, students or employees will not be disciplined for making a report in good faith** ~~will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.~~

## Compliance Officer

The superintendent will appoint a HIB compliance officer as the primary district contact to receive copies of all informal complaints ([HIB Incident Report Forms](#)) and **to ensure oversee** policy implementation. The name and contact information for the HIB compliance officer will be communicated throughout the district. The district HIB compliance officer will participate in at least one (1) mandatory training opportunity offered by OSPI.

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

Cross references:	<a href="#">Board Policy 2124</a>	Digital Citizenship and Media Literacy
	<a href="#">Board Policy 2125</a>	Web-based Resources and Other Online Educational Services
	<a href="#">Board Policy 2145</a>	Suicide Prevention
	<a href="#">Board Policy 2210</a>	Special Education and Related Services for Eligible Students
	<a href="#">Board Policy 3143</a>	District Notification and Dissemination of Information about Student Offenses and Notification of Threats of Violence or Harm
	<a href="#">Procedure 3204P</a>	Prohibition of Harassment, Intimidation or Bullying
	<a href="#">Board Policy 3205</a>	Sexual Harassment of Students
	<a href="#">Board Policy 3210</a>	Nondiscrimination
	<a href="#">Board Policy 3213</a>	Gender-Inclusive Schools
	<a href="#">Board Policy 3245</a>	Technology
	<a href="#">Board Policy 3246</a>	Personal Electronic Devices
	<a href="#">Board Policy 3300</a>	Student Discipline
	<a href="#">Board Policy 5253</a>	Maintaining Professional Staff/Student Boundaries
Legal references:	<a href="#">RCW 9A.36.080</a>	Hate crime offense—Definition and criminal penalty
	<a href="#">Chapter 26.44 RCW</a>	Abuse of children
	<a href="#">RCW 28A.600.477</a>	Prohibition of harassment, intimidation, and bullying

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[RCW 28A.600.480](#)

[Chapter 28A.640 RCW](#)

[Chapter 49.60 RCW](#)

[Chapter 392-190 WAC](#)

[WAC 392-190-059](#)

[Title IX Education Amendments of 1972](#)

Reporting of harassment, intimidation, or  
bullying—Retaliation prohibited—Immunity  
Sexual equality  
Discrimination—Human rights commission  
Equal educational opportunity—Unlawful  
discrimination prohibited  
Harassment, intimidation, and bullying  
prevention policy and procedure—School  
districts

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Revised: June 28, 2011  
Updated: December 2011  
Revised: June 23, 2015  
Updated: March 2017  
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