STUDENTS

Prohibition of Harassment, Intimidation or Bullying

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 harassment, intimidation, or bullying (HIB). 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 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).

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.

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.

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 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. 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 for reporting HIB, or participating in an investigation.

It is also a violation of district policy to knowingly report false allegations of HIB. Students or employees 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 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:
- Board Policy 2124  Digital Citizenship and Media Literacy
- Board Policy 2125  Web-based Resources and Other Online Educational Services
- Board Policy 2145  Suicide Prevention
- Board Policy 2210  Special Education and Related Services for Eligible Students
- Board Policy 3200  Student Rights and Responsibilities
- Procedure 3204P  Prohibition of Harassment, Intimidation or Bullying
- Board Policy 3205  Sexual Harassment of Students
- Board Policy 3210  Nondiscrimination
- Board Policy 3213  Gender-Inclusive Schools
- Board Policy 3240  Student Conduct Expectations and Sanctions
- Board Policy 3245  Technology
- Board Policy 3246  Personal Electronic Devices
- Board Policy 3300  Student Discipline
- Board Policy 4316  Notification of Threats of Violence or Harm
- Board Policy 5253  Maintaining Professional Staff/Student Boundaries

Legal references:
- RCW 9A.36.080  Hate crime offense—Definition and criminal penalty
- Chapter 26.44 RCW  Abuse of Children
- RCW 28A.600.477  Prohibition of harassment, intimidation, and bullying
- RCW 28A.600.480  Reporting of harassment, intimidation, or bullying—Retaliation prohibited—Immunity
- Chapter 28A.640 RCW  Sexual equality
- Chapter 49.60 RCW  Discrimination—Human rights commission
Chapter 392-190 WAC  Equal educational opportunity—Unlawful discrimination prohibited
WAC 392-190-059  Harassment, intimidation, and bullying prevention policy and procedure—School districts

Title IX Education Amendments of 1972