

## **Bullying, Harassment, and Intimidation Policy**

(definitions and types adapted from Stop Bullying, a program under the US Department of Health and Human Services, as well as "Bullying Prevention and Intervention" by Cindy Miller and Cynthia Lowen, 2012)

### **Introduction**

The Almond-Bancroft School District shall strive to provide a safe, secure and respectful learning environment for all students in school buildings, on school buses, and at school sponsored activities. Bullying, harassment, and intimidation have a harmful social, physical, psychological, and academic impact on the instigators, the victims, and the bystanders. The district will continuously and vigorously address bullying, harassment, and intimidation so that there is no disruption to the learning environment and learning process.

### **Prohibition**

Bullying, harassment, and intimidation behaviors are prohibited in all academic and non-academic settings. This includes, but is not limited to, classrooms and hallways, buses, cafeteria, playground, gymnasium, school property and educational environments, including any property or vehicle owned, leased, or used by the school district. Educational environments include, but are not limited to, every activity under school supervision.

### **Bullying Definition**

Bullying is intentional and unwanted behavior that involves an imbalance of power\*. The behavior is repeated, or has the potential to be repeated, over time. Bullying behaviors are aggressive and create an intimidating, hostile, or offensive learning environment.

\*Imbalance of power: Using physical strength, access to embarrassing information, popularity (using bullying as a means to keep popularity/power OR using bullying as a means to climb the social ladder and/or lower someone else's popularity), etc. to control or harm others.

#### Types of Bullying

Verbal: ongoing name calling, teasing, gossip, threatening or intimidating language, making false accusations, put-downs, using profane or derogatory language towards someone

Physical: ongoing assault, hitting, tripping, shoving, slamming lockers closed, hitting objects out of someone's hands, hazing, spitting, slapping, taking or breaking someone's things, making mean or rude hand gestures, hair pulling, defacing or destroying property (such as making marks on clothing, books, backpacks, etc.), stealing, initiating fights or forcing someone to fight another person

Emotional: ongoing humiliating, taunting, and making fun of someone repeatedly in the presence of others (including online), dirty looks, insulting or threatening gestures, embarrassing, criticizing, or making negative comments

Relational: ongoing gossip and rumor spreading, lying about the victim, isolating, ignoring, excluding, disclosing private or sensitive information, telling others not to be friends with someone

Cyber: ongoing use of email, instant messages, text messages, digital pictures or images, cell phones, social media (including Facebook, Instagram, Snapchat, Twitter, etc.) to threaten, harass, or intimidate; posting mean or hurtful comments or pictures

Direct: Teasing, name calling, kicking, hitting, spitting, shoving, damaging property, threatening

Indirect: Spreading rumors or gossip, social exclusion/isolation, disclosing private or sensitive information, telling others not to be friends with someone

Bullying and harassment are protected not only by district policy, but also by state and federal laws as follows:

Bullying is protected by Wisconsin Act 309, Statutes 118.02 and 118.46

Harassment is protected by federal civil rights laws: Civil Rights Act, Education Amendments, Rehabilitation Act, Americans with Disabilities Act, and Individuals with Disabilities Education Act

## **Bullying Definition (cont.)**

Rude vs. Mean vs. Bullying: Students can make poor choices in how to treat each other; the behavior is considered bullying when it becomes ongoing and is directed toward the same individual. Bullying behavior is addressed in a different manner than isolated incidents of disrespect.

Rude = Unintentionally saying or doing something that hurts someone else.

Examples: jumping ahead in line, bragging, asking inappropriate questions

Mean = Purposefully saying or doing something to hurt someone once (or maybe twice).

Examples: criticizing clothing, appearance, intelligence; saying something in anger toward someone; argument between friends

Bullying = Intentionally aggressive behavior, repeated over time, that involves an imbalance of power.

\*It is not bullying when two kids with no perceived power imbalance fight, have an argument, or disagree.

## **Harassment Definition**

Harassment is unwelcome conduct based on a protected class (race, national origin, color, sex-based (including sexual orientation), age, disability, religion) that is severe, pervasive, or persistent and creates a hostile environment. Harassment also includes sexual harassment, which refers to behaviors that are not welcome, that are personally offensive, that debilitate morale, and that interfere with the academic performance of its victims or their peers. Sexual harassment may also include, but is not limited to, actions such as sexually-oriented verbal “kidding” or abuse, pressure for sexual activity, sexual contact and unwelcomed touching, display of sexually suggestive objects or pictures, demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats concerning an individual’s employment or academic status, any job or academic-related action that is based upon an individual’s acceptance of, resistance to, or refusal of sexual overtures.

## **Intimidation Definition**

Intimidation is behaving in such a way as to make another feel timid or fearful. This includes overt or implied threats and/or physical gestures.

## **Procedure for Reporting/Retaliation**

It is the responsibility of all school staff members, students, parents, and concerned individuals who observe or become aware of acts of bullying, harassment, or intimidation, to report these acts confidentially to a School Counselor for initial review. All staff members who take such reports, either verbally or in writing, are obligated to take the report seriously and to document a clear account of the incident. If the bullying, harassment, or intimidation is occurring during athletic events, please also report your concerns to the Coach and Athletic Director.

Reports of bullying, harassment, or intimidation should be made as soon after the incident as possible to ensure that a thorough investigation can be conducted. Early reporting allows the School Counselor to potentially find supporting evidence and witnesses.

There shall be no retaliation against individuals making such reports. Individuals engaging in retaliatory behavior will be subject to disciplinary action, as outlined in the Anti-Bullying Code of Conduct.

The district shall keep the complaint confidential to the extent permitted by law for both the accused and the accuser, until such time as the misconduct is confirmed and sanctions are imposed. If the report is determined to be valid and serious, parents/guardians will be notified of the report and any sanctions imposed on their child.

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### **Procedure for Reporting/Retaliation (cont.)**

An investigation to determine the facts will take place promptly following verbal or written report to verify the validity and the seriousness of the situation. The following procedure will be used:

1. Complaints should be presented verbally or in writing to a School Counselor. The complaint should include a specific statement of the alleged behavior, including details such as time, date, location, and circumstance of each alleged incident and should be signed and dated by the complainant. (See Almond-Bancroft Bullying, Harassment, and Intimidation Report Form.)
2. The School Counselor will fully and promptly investigate all complaints. If deemed to be bullying, harassment, or intimidation by the Counselor, the Dean of Students and/or Principal will be notified. The Counselor and Dean of Students and/or Principal will notify the person(s) accused of the bullying, harassment, or intimidation, arrange meetings to discuss the complaint with all concerned parties, and submit a report of the results of the investigation to all parties as soon as possible after receiving the complaint. Any disciplinary action that is warranted will be decided by the Dean of Students or Principal and will be made in accordance with the Student Handbook.
3. If the results of the investigation are not satisfactory to the complainant, he/she may submit a written appeal to the District Administrator. The appeal should include a statement of the complaint, the results of the investigation done by Administration, and the nature of and reasons for the dissatisfaction with the results. Such appeals must be filed within ten (10) working days of receiving the investigation results. The District Administrator will arrange a meeting with the complainant and any other necessary parties to discuss the appeal. The District Administrator will give a written response to the appeal within ten (10) working days of receipt.
4. In the case of a harassment complaint, if the complainant remains unsatisfied, he/she may appeal through a signed, written statement to the School Board within ten (10) school/business days of his/her receipt of the District Administrator's response in Step 3. In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives following the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent by the Board Clerk to each concerned party within ten (10) school/business days of this meeting.
5. Individuals may submit complaints/appeals to other agencies as provided by state and federal laws.
6. A substantiated charge of bullying, harassment, or intimidation against a student in the District will subject that student to disciplinary action, including out of school suspension or expulsion proceedings, in accordance with the Student Rights and Responsibilities.

### **Sanctions and Supports**

If it is determined that students participated in bullying, harassment, or intimidation behavior in violation of this policy, the Principal or Dean of Students may take disciplinary action including community service, out of school suspension, expulsion and/or referral to law enforcement officials for possible legal action as appropriate. Employees found to have participated in bullying, harassment, or intimidation behavior or having become aware that bullying, harassment, or intimidation was taking place and failed to report the behavior, are considered to be in violation of the prohibition expressed by the policy. They may be subject to disciplinary action as established by administration.

### **Disclosure**

The policy will be annually distributed in the school's student/parent handbook to all students enrolled in the district, their parents/guardians and employees. It will also be distributed to organizations in the community having cooperative agreements with the schools. The school district will also provide a copy of the policy to any person who requests it.

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