

# STUDENT HARASSMENT POLICY

A safe, healthy, and supportive educational environment is essential for students to grow socially and emotionally and to learn and achieve academically. The School District of Jefferson expects self discipline and responsibility on the part of all students and expects that all students will treat others with respect, fairness, honesty, and caring consideration. No forms of harassment, bullying, or hazing will be tolerated at school, at school functions, on school transportation or in connection to any activity sponsored by the District. Any harassment that occurs outside of the school environment and leads to substantial disruption of the educational mission of the school will not be tolerated and will be reported to other authorities or agencies. For the purposes of this policy:

Harassment is defined as:

- Any act or attempted act intended to cause physical injury, or emotional suffering or property damage through intimidation, stress, humiliation, bigoted epithets, vandalism, force or threat of any of the above, motivated by, but not limited to hostility towards the victim's real or perceived sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital status, sexual orientation, disability/handicap or any other basis protected by state or federal law.

Sexual harassment is defined as:

- Unwelcomed sexual advances, requests for sexual favors and other inappropriate verbal or physical conduct of a sexual nature made by any student to another student or by any student to a district employee when such conduct has a purpose or effect of substantially interfering with an individual's academic or work performance or creating an intimidating, hostile, or offensive school environment. Sexual harassment may include, but is not limited to verbal harassment or abuse, pressure for sexual activity, repeated remarks to a person with demeaning implications of a sexual nature, and/or unwelcomed touching.

Bullying is defined as:

- Repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse or through attacks on the property of another. It may include, but is not limited to actions such as verbal taunts, spreading rumors, name calling, putdowns, extortion of money or possessions, and exclusion from peer groups within the school.

Cyber Bullying is defined as:

- The use of information and/or communication technologies such as but not limited to e-mail, cell phone and pager text messages, social networking sites, video posting sites, instant messaging, defamatory personal websites, and defamatory on-line personal polling websites, to support deliberate, repeated, and hostile behavior by an individual or group that is intended to harm others.

Hazing is defined as:

- Any intentional, knowing or reckless act meant to induce physical pain, embarrassment, humiliation, deprivation of rights or that creates physical or mental discomfort, or that results in property damage or theft and is directed

against a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization, club, or athletic team sponsored or supported by the school district and whose membership is totally or predominately other students in the school district.

Any student who believes he/she has been subjected to any form of harassment, bullying, or hazing should follow the district's harassment complaint procedures. These written procedures can be found or obtained from any school office personnel or from the Superintendent's Administrative Assistant. Harassment complaint procedures can also be found in student handbooks, on the district's website, and in the Family Information Publication.

The District will take each complaint seriously, treat each complaint fairly and respond to complaints promptly. The District's written compliance procedures will be the framework for all investigations. Every effort will be made to maintain confidentiality. However, while the District is sensitive to and understands the desire of victims of alleged harassment to keep their identities confidential, it is also important that any harassment which exists does not continue to occur. The identity of the complainant and his/her statement shall be kept confidential with disclosure only to those having an immediate need to know, such as the receiving authority, the alleged harasser, and any witness required to be interviewed during the allegations.

No employee, student, or other person in the school environment shall attempt to restrain, interfere with, coerce, discriminate against, take reprisal against, retaliate against, or submit to retribution a complainant(s), witness(es), target(s) of harassment, or person(s) participating in an investigation during or after the presentation, processing, or resolution of a complaint.

Any offender of this policy shall be subject to district disciplinary action or referred/reported to law enforcement, social services, or other appropriate agencies. From a school perspective, consequences and appropriate remedial action for students who commit acts of harassment, bullying, or hazing may range from behavioral interventions to suspension or expulsion from school. Communication, as appropriate, will occur with parent(s)/guardian(s).

On an annual basis notice of this policy and accompanying procedures shall be circulated and made known to all staff, students, and parents in the district. Said policy shall be incorporated into student handbooks, district newsletters, and the District Family Information Publication.

The administration will inform employees and students of the policy, take action to eliminate sources of harassment that exist in the district, create an educational program to prevent harassment, and develop/implement a complaint procedure.

ADOPTED: July 23, 1990

REVISED: December 17, 1990 (under Policy ACA)      March 20, 1995 (under Policy ACA)  
February 24, 2003 (under Policy ACA)      May 24, 2010 (under Policy ACB)

LEGAL REF.: Wisconsin Statutes: 118.13 118.46(2) 120.13(1)  
Title VII, Civil Rights Act of 1964  
Title IX, Education Amendments of 1972

CROSS REF.: ACB-R, Guidelines for Implementing the District's Student Harassment Policy  
ACB-E(1), Harassment Complaint Form

REVIEW DATE: October 24, 2011

## GUIDELINES FOR IMPLEMENTING THE DISTRICT'S STUDENT HARASSMENT POLICY

The District will take appropriate steps to eliminate any form of harassment, bullying, or hazing from the school environment. Students who believe they are the victim of harassment, bullying, or hazing or who observe incidents of said behaviors will follow the procedures outlined below.

Complaints will be presented orally or in writing to a principal, a teacher, counselor, or any other staff member. Student reporting must be done within thirty days of the incident unless unique circumstances exist. The complaint is to be documented by completing the Harassment Complaint Form [ACB-E(1)].

All complaints will be sent to the principal of the school where the student is enrolled. After receipt of the complaint, the principal will:

1. notify the parent(s)/guardian(s) of their individual student's involvement unless the student has reached the age of majority and requests such not occur.
2. conduct an investigation of the complaint by:
  - interviewing appropriate individuals;
  - substantiating facts, gathering evidence, and collecting pertinent data;
  - reviewing appropriate behavioral records of the student(s) involved.

If at any time during the investigation it appears a criminal act has occurred, law enforcement officials will be immediately notified.

3. determine whether harassment has occurred or the complaint cannot be substantiated.
4. determine the appropriate disciplinary action to be taken if it has been decided harassment occurred. What disciplinary action to be taken will depend on the nature and seriousness of the incident and whether it is an isolated or repeated offense.

disciplinary action could include:

- behavioral interventions such as afterschool detentions, loss of network privileges, referral to social worker or school counselor, verbal/written apologies, restitution, behavioral contracts, etc.;
  - in school or out of school suspension;
  - referral for expulsion as per Wis. Stats. §.120.13 and §.19.85.
5. complete a report to document the disciplinary action taken. Parent(s)/guardian(s), as appropriate and involved student(s) will be notified in writing of any recommendations or disciplinary action. The report will be placed in the offending student(s) disciplinary file in the principal's office and will be maintained as determined in the report.
  6. carry out any necessary follow-up communication with parent(s)/guardian(s), involved students, counselors, teachers, or other administrators as per the principal's discretion.

Younger students, students with limited English proficiency, or students with disabilities may have the procedures modified to accommodate individual needs that might interfere with the individual filing a complaint. Any modification to the procedures identified above shall be documented in writing by the principal along with the rationale for making the modification.

