

PROHIBITION OF HARASSMENT, INTIMIDATION AND BULLYING

The District is committed to a safe and civil educational environment for all students, employees, parents/legal guardians; volunteers and patrons that is free from harassment, intimidation or bullying. “Harassment, intimidation or bullying” means any intentional ~~by electronic written message or image—including those that are electronically transmitted—~~ verbal, or physical act, including but not limited to one shown to be motivated by race, color, religion, ancestry, national origin, gender, sexual orientation including gender expression or identity, mental or physical disability, or other distinguishing characteristics, when ~~an~~ **the** act:

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

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 the 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 made 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 will 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, behavioral 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 all necessary additional services and supports, such as counseling, monitoring and/or reevaluation or revision of the student's IEP or Section 504 plan, to ensure the student receive 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 corroborate false allegations will be subject to appropriate discipline.

Compliance Officer

The superintendent will appoint a compliance officer as the primary district 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 Action and Punishment
- Policy 5011, Sexual Harassment

Legal Reference:

RCW 28A.300.285, Harassment, intimidation and bullying prevention policies
WAC 392-190-059, Harassment, intimidation and bullying prevention policy and procedure
School Districts

Management Resources:

2019 – August Issue

2019 - July Issue

2014 December Issue - Office for Civil Rights Dear Colleague Letter: Responding to
Bullying of Students with Disabilities (OCR 10/21/2014)

Policy News, December 2010, Harassment, Intimidation and Bullying Policy Strengthened

Policy News, April 2008, Cyberbullying Policy Required

Policy News, April 2002, Legislature Passes and Anti-Bullying Bill

Adoption Date: 11.09

School Name: Reardan-Edwall School District 09

Revised: 07.2011; 12.13; 12.14; 03.15