Prohibition of Harassment, Intimidation, and Bullying

The board is committed to a safe and civil educational environment for all students, staff members, parents/guardians, volunteers, and community members that is free from harassment, intimidation, or bullying. As defined in legislation, “Harassment, intimidation or bullying” means any intentional electronic, written, verbal, or physical act including but not limited to, one (1) shown to be motivated by any characteristic in RCW 28A.640.010 and RCW 28A 642.010, such as race, creed, religion, color, national origin, honorable discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental or physical disability, or the use of a trained dog guide or service animal by a person with disability. 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.

Additional 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

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 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 members and volunteers. Specific training requirements are included in the procedure.

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 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 harassment, intimidation or bullying, the school principal or designee 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 harassment, intimidation, or bullying incident was based on the student’s disability. During the meeting, the Section 504 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 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 harassment, intimidation, or bullying, or participating in an investigation.

It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or staff members 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
district compliance officer will participate in at least one (1) mandatory training opportunity offered by the Office of Superintendent of Public Instruction (OSPI).

Written Procedures
The superintendent or his/her designee will adopt written procedures to addressing the elements of this policy.

Cross References:
- 2161 - Education of Students with Disabilities
- 3200 - Rights and Responsibilities
- 3210 - Nondiscrimination
- 3211 - Gender-Inclusive Schools
- 3220 - Freedom of Expression
- 3241 - Student Discipline
- 4200 - Safe and Orderly Learning Environment
- 4301 - Relations with the Law Enforcement, Child Protective Agencies and the County Health Department
- 4314 - Notification of Threats of Violence or Harm
- 5010 - Nondiscrimination and Affirmative Action
- 5011 - Sexual Harassment
- 5253 - Maintaining Professional Boundaries between Employees and Students
- 5270 - Resolution of Staff Complaints
- 5281 - Disciplinary Action and Discharge
- 5282 - Civility
- 5520 - Staff Development
- 6513 - Workplace Violence Prevention

Legal References:
- RCW 28A.300.285 Harassment, intimidation, and bullying prevention policies and procedures — Model policy and procedure — Training materials — Posting on web site — Rules — Advisory committee
- RCW 28A.640.010 Discrimination prohibited
- RCW 28A.642.010 Discrimination prohibited - Definitions
- WAC 392-190-059 Harassment, intimidation and bullying prevention policy and procedure – School districts.

Adoption Date: 10/10/2005

Revised Dates: 4/14/2016, 10/24/2019