Washington County School District
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District Policy 3510

Bullying and Hazing

General Administration Washington County School District - Approved 12-8-09; Revised 11-9-10; Revised 8-9-16; Revised 2-8-22.

1. Purpose

The purpose of this policy is to eliminate all types of bullying and hazing by and against students and employees of the Washington County School District. This will be accomplished through awareness efforts, training, identification, and disciplinary action (both students and employees) against those who violate this Policy. A secondary purpose is to provide clear standards and a safe and accessible reporting process for victims of bullying and hazing.

Students who believe they are subjects of sexual harassment should follow the procedures outlined in District Policy 2115 Student Non-Discrimination and Prevention of Harassment.

Employees who believe they are subjects of bullying or hazing, if sexual in nature, should follow the procedures outlined in District Policy 1420 Prevention of Sexual Harassment or District Policy 2115 Student Non-Discrimination and Prevention of harassment, as appropriate. Any other alleged bullying that is believed to be a violation of this policy must be remedied by following District Policy 1720 Employee Grievance Procedure.

Individuals who believe civil rights have been violated should follow the procedures outlined in District Policy 1710 Non-discrimination.

2. Policy

The Washington County School Board is committed to protecting its students, employees and school guests from bullying or harassment of any type, for any reason. The School Board believes that all students, employees or guests are entitled to a safe, equitable and harassment-free school experience. Bullying or harassment in any form will not be tolerated and shall be just cause for disciplinary action. Conduct that constitutes bullying or harassment as defined herein will be dealt with immediately and consistently.

It is essential that a comprehensive and uniform prevention curriculum be in place so that every school will acquire a foundation of prevention upon which to build a culture of safety and mutual respect. Such a culture is necessary for the creation of an effective learning environment.

3. Procedure

3.1. Definitions

3.1.1. "Abusive conduct" means verbal, nonverbal, or physical conduct of a parent or student directed toward a school employee that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine is intended to cause intimidation, humiliation, or unwarranted distress. A single act does not constitute abusive conduct.

3.1.2. "Bullying" means a school employee or student intentionally committing a written, verbal, or physical act against a school employee or student that a reasonable person under the circumstances should know or reasonably foresee will have the effect of:

(a) causing physical or emotional harm to the school employee or student;

(b) causing damage to the school employee's or student's property;

(c) placing the school employee or student in reasonable fear of:

- (i) harm to the school employee's or student's physical or emotional well-being; or
- (ii) damage to the school employee's or student's property;

(d) creating a hostile, threatening, humiliating, or abusive educational environment due to:

- (i) the pervasiveness, persistence, or severity of the actions; or
- (ii) a power differential between the bully and the target; or

(e) substantially interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.

3.1.3. "Communication" means the conveyance of a message, whether verbal, written, or electronic.

3.1.4. "Cyber-bullying" means using the Internet, a cell phone, or another device to send or post text, video, or an image with the intent or knowledge, or with reckless disregard, that the text, video, or image will hurt, embarrass, or threaten an individual, regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication.

3.1.5. "Hazing" means a school employee or student intentionally, knowingly, or recklessly committing an act or causing another individual to commit an act toward a school employee or student that meets both Conduct **and** Intent as described in subparagraphs 3.1.5.1 and 3.1.5.2:

3.1.5.1. Conduct:

• endangers the mental or physical health or safety of a school employee or student;

• involves any brutality of a physical nature, including whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements.

• involves consumption of any food, alcoholic product, drug, or other substance or other physical activity that endangers the mental or physical health and safety of a school employee or student; or

• involves any activity that would subject a school employee or student to extreme mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that subjects a school employee or student to extreme embarrassment, shame, or humiliation; **and**

3.1.5.2. Intent:

• is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or as a condition for membership in a school or school sponsored team, organization, program, club, or event; or

• is directed toward a school employee or student whom the individual who commits the act knows, at the time the act is committed, is a member of, or candidate for membership in, a school or school sponsored team, organization, program, club, or event in which the individual who commits the act also participates.

3.1.5.3. The conduct described in subparagraph 3.1.5 constitutes hazing, regardless of whether the school employee or student against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

3.1.6. "Retaliate" means an act or communication intended:

• (a) as retribution against a person for reporting bullying or hazing; or

• (b) to improperly influence the investigation of, or the response to, a report of bullying or hazing.

3.1.7. "School Employee" means an individual working in the individual's official capacity as:

• a school teacher;

• a school staff member;

• a school administrator; or

• an individual:

3.1.7.1. who is employed, directly or indirectly, by the Washington County School District; and

3.1.7.2. who works on a school campus or district facility.

3.2. Publication

3.2.1. As appropriate, a copy of this policy shall be included in student conduct handbooks, employee handbooks, and available on the Washington County School District website.

3.3. Prohibitions

3.3.1. No School District employee or student may engage in bullying or cyberbullying a School District employee or student;

3.3.1.1. on school property;

3.3.1.2. at a school related or sponsored event

3.3.1.3. on a school bus

3.3.1.4. at a school bus stop; or

3.3.1.5. while the School District employee or student is traveling to or from a location or event described above.

3.3.2. No School District employee or student may engage in hazing a School District employee or student at any time or in any location.

3.3.3. No School District employee or student may engage in retaliation against:

3.3.3.1. a School District employee;

3.3.3.2. a student; or

3.3.3.3. an investigator for, or witness of, an alleged incident of bullying, cyberbullying, hazing, or retaliation.

3.3.4. No School District employee or student may make a false allegation of bullying, cyberbullying, hazing, or retaliation against a School District employee or student.

3.3.5. If an employee has a concern or believes they have been subject to abusive conduct, as defined in state law and this Policy, by a parent or a student, the employee will inform or meet with their building administrator. The employee may request assistance from the administrator at the educator's school. An administrator shall investigate the abusive conduct, and if substantiated, shall take proactive steps to protect the employee from current and future abusive conduct. An administrator may consider the educator's suggestions or requests for resolutions; however, the final determination of actions is the sole discretion of the administrator pursuant with the administrative remedies outlined in subparagraph 3.7.

3.4. Actions Required of Each School

3.4.1. Each school shall establish and publish in a handbook or other readily available format:

3.4.1.1. procedures allowing for anonymous reporting of bullying, hazing, or retaliation; (Such as reporting through the tip-line located on the school or district websites.)

3.4.1.2. names and positions of persons responsible for taking, investigating, and responding to reports of bullying, hazing, or retaliation. At least two school employees (preferably one male and one female) in appropriate positions of authority shall be identified to receive reports.

3.4.2. In addition to the published procedures and notification above, each school shall establish procedures and plans for:

3.4.2.1. involving parents or guardians of a perpetrator or victim of bullying, hazing, or retaliation in the process of responding to, and resolving, conduct prohibited in this Policy;

3.4.2.2. referring a victim of bullying or hazing to school counseling following parental notice and consent;

3.4.2.3. to the extent permitted by federal and state law, including the federal Family Educational Privacy Right Act of 1974, as amended, informing the parents or guardians of a student who is a victim of bullying or hazing of the actions taken against the perpetrators of the bullying or hazing;

3.4.2.4. publicizing this policy, preferably including electronic publication and availability, to School District employees, to student, and parents or guardians of students; and

3.4.2.5. training School District employees and students to recognize and prevent bullying, hazing, or retaliation.

3.5. Actions Required if Prohibited Acts are Reported

3.5.1. Each reported complaint shall include: (1) name of complaining party; (2) name of offender (if known); (3) date and location of incident(s); (4) a statement describing the incident(s), including names of witnesses (if known).

3.5.2. Each reported violation of the prohibitions noted previously shall be promptly investigated by a school administrator or an individual designated by a school administrator. Formal disciplinary action is prohibited based solely on an anonymous report of bullying, hazing, or retaliation.

3.5.3. The District will act on student misconduct or violations of this policy following District Policy 2110 Safe Schools Policy.

3.5.4. In addition to those corrective actions outlined in District Policy 2110 Safe Schools Policy, the remedy should also include:

3.5.4.1. development of a plan designed to protect the victim and other involved individuals from being subjected to:

3.5.4.1.1. further bullying or

3.5.4.1.2. retaliation for reporting the bullying or hazing.

3.5.4.2. prompt reporting to law enforcement of all acts of bullying, hazing, or retaliation that constitute suspected criminal activity.

3.5.4.3. The District will act on employee misconduct or violations of this policy following District Policy 1450 Discipline and Termination, and Non-renewal of Contract.

3.5.4.4. The District will consider additional reasonable remedial actions such as the completion of a threat assessment or requiring the perpetrator to participate in beneficial remedial programs.

3.6. Training

3.6.1. The training of School District employees shall include training regarding bullying, hazing, and retaliation.

3.6.2. To the extent possible, programs or initiatives designed to provide training and education regarding the prevention of bullying, hazing, and retaliation should be implemented.

3.6.3. In addition to training for all students and School District employees, volunteer coaches involved in any extra-curricular activity shall:

3.6.3.1. participate in bullying and hazing prevention training prior to participation;

3.6.3.2. repeat bullying and hazing prevention training at least every three years;

3.6.3.3. be informed annually of the prohibited activities list provided previously in this Policy and the potential consequences for violation of this Policy.

3.7. An administrator may take any of the following actions for Abusive Conduct:

3.7.1. If the abusive conduct is coming from a parent and is verbal, the administrator may:

• Direct the parent to conduct all communication with the employee through the administrator.

• Require all communication with the educator to be in writing and copied to the administrator.

• Be present in all communications between educator and parent.

• Direct the parent not to come to school, if the parent's conduct was seriously disruptive, and to communicate only through calling or emailing as appropriate.

3.7.2. If the abusive conduct is physical or a threat of physical harm by a parent, the administrator may:

• Contact law enforcement.

• Issue a no-trespass to the parent from the school.

• Remove the parent's child from the educator's classroom (if the student is not on an IEP or 504).

3.7.3. If the abusive conduct is verbal from a student, the administrator may:

• Respond to the student with appropriate discipline, consistent with the District's Safe Schools Policy.

• Review the student's Behavior Intervention Plans (BIP), if applicable, to determine if adjustments need to be made by the appropriate team (i.e., 504, IEP, etc.).

• Provide training and strategies to assist the educator in managing the student's behavior.

• Help facilitate an agreement or school contract between the educator and the student/student's parents.

• Remove a student who is not on an IEP or a 504 from the educator's classroom. If the student is on a 504 or has an IEP, with the appropriate team, determine if adjustments are needed.

3.7.4. If the abusive conduct is physical or a threat of physical harm by a student, the administrator may:

• Contact law enforcement.

• Respond to the student with appropriate discipline, including removal from the educator's class or school (provided all required steps of due process are met).

• Review the student's BIP, if applicable, to determine if adjustments need to be made. (ie., 504, IEP, etc.)

• Provide training and strategies to assist the educator in managing the student's behavior.

• Provide an aid or paraprofessional for the educator's classroom to help manage the student's behavior.

3.7.5. Employees who are hurt by a student at work may apply for worker's compensation and may take appropriate leave. Employees who apply for worker's compensation benefits must initiate the process by calling the Company Nurse injury hotline. A registered nurse will document injuries sustained. Additional information is available at: https://www.washk12.org/risk/workplace-injuries.

3.7.6. The administrator will inform the employee of the action that was taken in response to the abusive conduct. The employee is required to comply with the Family Education Rights to Privacy Act (FERPA). If the employee is not satisfied with the administrator's response, the employee may file a grievance in accordance with District Policy 1720, Employee Grievance Procedure.