

PROHIBITION OF HARASSMENT, INTIMIDATION AND BULLYING

The San Juan Island School District strives to provide students with optimal conditions for learning by maintaining an environment where everyone is treated with respect and no one is emotionally and physically harmed. It is a violation of this policy for a student to be harassed, intimidated, or bullied by others in the school community, at school sponsored events, or when such actions disrupt the educational process. Staff members must take prompt action to ensure harassment does not reoccur.

An aggressor is a student, staff member, or other member of the school community who engages in harassment, intimidation, or bullying. Harassment, intimidation, or bullying is defined as an intentional electronic, written, verbal, or physical act that physically harms a student or damages the student's property, has the effect of substantially interfering with the student's education, is so severe, persistent or pervasive that it creates an intimidating or threatening educational environment, or has the effect of substantially disrupting the orderly operations of the school.

Conduct will be determined by considering the target student's grades, attendance, demeanor, interaction with peers, participation in activities, and other indicators. Conduct that may rise to the level of violating this policy may take forms such as slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, or gestures, or acts relating to an individual or group whether electronic, written, oral, or physically transmitted messages or images. There is no requirement that the targeted student actually possess the characteristic that is the basis for the harassment, intimidation, or bullying.

Families may use an incident report form such as the form provided by the Office of the Superintendent of Public Instruction web site:

<http://www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx>.

Staff—including educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors, and other personnel associated with school community.

The compliance officer will provide support and assistance for parties involved in a complaint and receive copies of all forms and proceedings as appropriate, including facilitating meetings between district staff and parents to develop safety plans for students, in cooperation with building staff and administrators.

Informal Complaint Process:

Anyone may use informal procedures to report and resolve complaints of harassment, intimidation or bullying. At the building level, programs may be established for receiving anonymous complaints. Such complaints must be appropriately investigated and handled consistent with due process requirements. Informal reports may be made to any staff member, although staff shall always inform complainants of their right to, and the process for, filing a formal complaint. The first response from a staff member who receives a complaint is to resolve the complaint as expeditiously as possible, to the satisfaction of all parties.

Staff shall also direct potential complainants to an appropriate staff member (usually a principal or counselor) who can explain the informal and formal complaint processes and what a complainant can expect. Staff shall also inform an appropriate supervisor or designated staff person when they receive complaints of harassment, intimidation, or

bullying, especially when the complaint is beyond their training to resolve or alleges serious misconduct. Disciplinary actions may not be taken based solely on an anonymous report.

Informal remedies include an opportunity for the complainant to explain to the alleged perpetrator that the conduct is unwelcome, disruptive, or inappropriate, either in writing or face-to-face; a statement from a staff member to the alleged perpetrator that the alleged conduct is not appropriate and could lead to discipline if proven or repeated; or a general public statement from an administrator in a building reviewing the district harassment, intimidation and bullying policy without identifying the complainant. Informal complaints may become formal complaints at the request of the complainant, parent, guardian, or because the district believes the complaint needs to be more thoroughly investigated.

Formal Complaint Process:

Anyone may initiate a formal complaint of harassment, intimidation or bullying, even if the informal complaint process is being utilized. Complainants should not be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or what kind of hearings may result. Efforts should be made to increase the confidence and trust of the person making the complaint.

The district will fully implement the anti-retaliation provisions of this policy to protect complainant(s) and witness(es). Student complainants and witnesses may have a parent or trusted adult with them, if requested, during any district-initiated investigatory activities. School principals, designated as compliance officers, may conclude that the district needs to conduct an investigation based on information in their possession regardless of the complainant's interest in filing a formal complaint. The following process shall be followed:

- A. All formal complaints shall be in writing. Formal complaints shall set forth the specific acts, conditions or circumstances alleged to have occurred that may constitute harassment, intimidation or bullying. The compliance officer may draft the complaint based on the report of the complainant, for the complainant to review and sign.
- B. The compliance officer shall investigate all formal, written complaints of harassment, intimidation or bullying, and other information in the compliance officer's possession that the officer believes requires further investigation.
- C. When the investigation is completed the compliance officer shall compile a full written report of the complaint and the results of the investigation. If the matter has not been resolved to the complainant's satisfaction, the superintendent shall take further action on the report.
- D. The superintendent or designee, who is not the compliance officer, shall respond in writing to the complainant and the accused within thirty days, stating:
 1. That the district intends to take corrective action; or
 2. That the investigation is incomplete to date and will be continuing; or
 3. That the district does not have adequate evidence to conclude that bullying, harassment or intimidation occurred.
- E. Corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty days after the superintendent's written response, unless

the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

- F. If a student remains aggrieved by the superintendent's response, the student may pursue the complaint as one of discrimination pursuant to Policy 3210, Nondiscrimination or a complaint pursuant to Policy 4312, Complaints Concerning Staff or Programs.

Unresolved, Severe, or Persistent Harassment, Intimidation, or bullying will be investigated with reasonable promptness, usually within 10 days of receiving the allegations. Any student may have a trusted adult with them throughout the report and investigation. In cases where the district has evidence that a student's health or safety would be threatened by an alleged aggressor, the district may initially refrain from contacting the parents or guardian of the aggressor.

The district will investigate the allegations by interviewing parties, determining which steps are needed to resolve the complaint, and issue formal actions no later than 30 days after beginning the investigation. The compliance officer shall share the findings of the investigation, whether the allegations are factual, whether the policy has been violated, and the appeal process. Child Protective Services (CPS) may be contacted in some cases.

Corrective measures will be assigned as quickly as possible and in accordance to district discipline policies. The district may be prevented by due process considerations or lawful order from imposing discipline until the appeal process is concluded. Targeted students will receive appropriate support services made available to them. Corrective actions taken at the discretion of school officials will be determined based on the nature of the behavior, the age of the student, and the student's history of problem behavior and performance.

District orientation sessions for employees, students and regular volunteers shall introduce the elements of this policy. Staff will be provided information on recognizing and preventing harassment, intimidation or bullying. Staff shall be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedure. Certificated or professionally licensed staff shall be reminded of their legal responsibility to report suspected child abuse, and how that responsibility may be implicated by some allegations of harassment, intimidation or bullying. Classified employees and regular volunteers shall get the portions of this component of orientation relevant to their rights and responsibilities.

Students will be provided with age-appropriate information on the recognition and prevention of harassment, intimidation and bullying, and their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions, which may include parents. Parents shall be provided with summaries of this policy and procedure and appropriate materials on the recognition and prevention of harassment, intimidation and bullying.

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