

3 **STUDENTS**

4
5 Bullying /Harassment/Intimidation/Hazing/Retaliation

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7 The Board is committed to providing a safe, accepting, positive, and productive learning environment for
8 students toward a goal of optimal personal and academic growth and achievement. Bullying, harassment,
9 intimidation, hazing, or retaliation by students, staff, or third parties, is strictly prohibited and shall not be
10 tolerated.

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12 Definitions

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14 1. "Third parties" include but are not limited to coaches, school volunteers, parents, school visitors,
15 service contractors or others engaged in District business, such as employees of businesses or
16 organizations participating in cooperative work programs with the District, and others not directly
17 subject to District control at inter-district and intra-District athletic competitions or other school
18 events.
- 19 2. "District" includes District facilities, District premises, and non-District property if the student or
20 employee is at any District-sponsored, District-approved, or District-related activity or function,
21 such as field trips or athletic events, where students are under the control of the District or where
22 the employee is engaged in District business.
- 23 3. "Hazing" includes but is not limited to any act that recklessly or intentionally endangers the
24 mental or physical health or safety of a student for the purpose of initiation or as a condition or
25 precondition of attaining membership in or affiliation with any District-sponsored activity or
26 grade-level attainment, including but not limited to forced consumption of any drink, alcoholic
27 beverage, drug, or controlled substance, forced exposure to the elements, forced prolonged
28 exclusion from social contact, sleep deprivation, or any other forced activity that could adversely
29 affect the mental or physical health or safety of a student; requires, encourages, authorizes, or
30 permits another to be subject to wearing or carrying any obscene or physically burdensome
31 article, assignment of pranks to be performed, or other such activities intended to degrade or
32 humiliate.
- 33 4. "Bullying" means any harassment, intimidation, hazing, or threatening, insulting, or demeaning
34 gesture or physical contact, including any intentional written, verbal, or electronic communication
35 ("cyberbullying") or threat directed against a student that is persistent, severe, or repeated, and
36 that substantially interferes with a student's educational benefits, opportunities, or performance,
37 that takes place on or immediately adjacent to school grounds, at any school-sponsored activity,
38 on school-provided transportation, at any official school bus stop, or anywhere conduct may
39 reasonably be considered to be a threat or an attempted intimidation of a student or staff member
40 or an interference with school purposes or an educational function, and that has the effect of:
- 41 a. Physically or mentally harming a student or damaging a student's property;
 - 42 b. Knowingly placing a student in reasonable fear of physical and/or mental harm to the
43 student or damage to the student's property;
 - 44 c. Creating a hostile educational environment, or;
 - 45 d. Substantially and materially disrupts the orderly operation of a school.
- 46 5. "Electronic communication device" means any mode of electronic communication,
47 including but not limited to computers, cell phones, PDAs, or the internet.

Reporting

All complaints about behavior that may violate this policy shall be promptly investigated. Any student, employee, or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of bullying, harassment, intimidation, hazing, or retaliation in violation of this policy is encouraged to immediately report his/her concerns to the building principal or the District Administrator, who have overall responsibility for such investigations. A student may also report concerns to a teacher or counselor, who will be responsible for notifying the appropriate District official. Anonymous reports containing adequate detail to investigate will be investigated. Complaints against the building principal shall be filed with the Superintendent. Complaints against the Superintendent or District Administrator shall be filed with the Board.

The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken.

Exhaustion of Administrative Remedies

A person alleging violation of any form of bullying, harassment, intimidation, hazing, retaliation, or threatening, insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or electronic communication, as stated above, may seek redress under any available law, either civil or criminal, after exhausting all administrative remedies.

Responsibilities

The District Administrator shall be responsible for ensuring notice of this policy is provided to students, staff, and third parties and for the development of administrative regulations, including reporting and investigative procedures, as needed.

Consequences

Students whose behavior is found to be in violation of this policy will be subject to discipline up to and including expulsion. Staff whose behavior is found to be in violation of this policy will be subject to discipline up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the District Administrator or the Board. Individuals may also be referred to law enforcement officials.

Retaliation

Retaliation is prohibited against any person who reports or is thought to have reported a violation, files a complaint, or otherwise participates in an investigation or inquiry. Such retaliation shall be considered a serious violation of Board policy, whether or not a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Cross Reference: 3226F1 Incident Reporting Form for Students
 3226F2 Bullying, Harassment, Intimidation, Hazing, & Retaliation Brochure
 4310F Uniform Complaint Procedure

Legal Reference: 10.55.701(2)(f), ARM Board of Trustees
 10.55.719, ARM Student Protection Procedures
 10.55.801(1)(d), ARM School Climate

Adopted 06/28/06
Reviewed 7/13/11
Revised on 8/17/11
Reviewed on 7/16/14
Revised on 8/13/14
Adopted 8/12/15
Reviewed 7/15/15
Revised 7/7/15
Revised 8/9/17