

## ANTI-BULLYING/ANTI-HARASSMENT INVESTIGATION PROCEDURES

The Washington Community School District is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Bullying and/or harassment of or by students, staff, and volunteers is against federal, state, and local policy and is not tolerated by the board. Bullying and/or harassing behavior can seriously disrupt the ability of school employees to maintain a safe and civil environment, and the ability of students to learn and succeed. Therefore, it is the policy of the state and the school district that school employees, volunteers, and students shall not engage in bullying or harassing behavior in school, on school property, or at any school function or school-sponsored activity.

### **Definitions**

For the purposes of this policy, the defined words shall have the following meaning:

- “Electronic” means any communication involving the transmission of information by wire, radio, optic cable, electromagnetic, or other similar means. “Electronic” includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, and electronic text messaging.
- “Harassment” and “bullying” shall mean any electronic, written, verbal, or physical act or conduct toward a student based on the individual’s actual or perceived age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status, and which creates an objectively hostile school environment that meets one or more of the following conditions:
  - (1) Places the student in reasonable fear of harm to the student’s person or property.
  - (2) Has a substantial detrimental effect on the student’s physical or mental health.
  - (3) Has the effect of substantially interfering with a student’s academic performance.
  - (4) Has the effect of substantially interfering with the student’s ability to participate in or benefit from the services, activities, or privileges provided by a school.
- “Trait or characteristic of the student” includes but is not limited to age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.
- “Volunteer” means an individual who has regular, significant contact with students.

### **Filing a Complaint**

A Complainant who believes he/she has been harassed shall notify the guidance counselor, and designated investigator. The alternate investigator is the building principal. An alternate will be designated in the event it is claimed that the superintendent or superintendent’s designee committed the alleged discrimination or some other conflict of interest exists. The investigator may request that the student complete the Harassment Complaint form and turn over evidence of the harassment, including, but not limited to letters, tapes, or pictures. Information received during the investigation is kept confidential to the extent possible. The Complainant will state the nature of the complaint and the remedy requested. The Complainant shall receive assistance as needed.

School employees, volunteers, and students shall not engage in reprisal, retaliation, or false accusation against a victim, witness, or an individual who has reliable information about an act of bullying or harassment.

### **Investigation**

The school district will promptly and reasonably investigate allegations of bullying or harassment. The Investigator will be responsible for handling all complaints alleging bullying or harassment. If the Complainant is under 18 years of age, the Investigator shall notify his or her parent(s)/guardian(s) that they may attend investigatory meetings in which the Complainant is involved. The complaint and identity of the Complainant, Respondent, or witnesses will only be disclosed as reasonably necessary in connection with the investigation or as required by law or policy.

The Investigator shall consider the totality of circumstances presented in determining whether conduct objectively constitutes bullying or harassment. Upon completion of the investigation, the Investigator shall issue a report with respect to the findings.

### **Decision**

If, after an investigation, a student is found to be in violation of the policies, regulations, rules, or directives of the district or who have documented cases of conduct detrimental to the best interest of the district, will be disciplined by one or more of the following procedures:

- a. Conference with the principal/designee;
- b. Detention: a requirement that a student remain after school, or come to school early;
- c. Informing the parents of the undesirable behavior;
- d. In-school suspension: the temporary isolation of a student from one or more classes while under proper supervision, where the misconduct does not warrant removal from school by suspension;
- e. Out-of-school suspension: the student is prohibited from attending classes or any school activity for a temporary period of time, not to exceed ten school days;
- f. Parent conference with the principal and counselor;
- g. Probation: conditional attendance during a trial period;
- h. Temporary removal from class to the office of the principal or his/her designee for a period not to exceed two days when the principal or designee reviews with the student and the counselor/teacher the misconduct of the student and determines the conditions of readmission to class or further disciplinary proceedings;
- i. Removal from a class for the remainder of a term: the isolation of a student from a specific class for the remainder of a term while under proper supervision where the misconduct does not warrant removal from school by expulsion;
- j. Denial of extracurricular activities or special privileges a student may have been given;
- k. Physical restraint to protect property, other persons, and/or the student
- l. Restoration of property damage at the students' expense;
- m. Referral to other agencies;
- n. The parents will be notified and the student turned over to local law enforcement authorities;
- o. Expulsion: the student is prohibited from attending classes or any school activity for an indefinite period of time;
- p. Other, as determined by the principal.

If after an investigation a school employee is found to be in violation of this policy, the employee shall be disciplined by appropriate measures, which may include termination. If after an investigation a school volunteer is found to be in violation of this policy, the volunteer shall be subject to appropriate measures, which may include exclusion from school grounds.

A school employee, volunteer, or student, or a student's parent or guardian who promptly, reasonably, and in good faith reports an incident of bullying or harassment, in compliance with the procedures in the policy adopted pursuant to this section, to the appropriate school official designated by the school district, shall be immune from civil or criminal liability relating to such report and to participation in any administrative or judicial proceeding resulting from or relating to the report.

Individuals who knowingly file false bullying and/or harassment complaints and any person who gives false statements in an investigation may be subject to discipline by appropriate measures, as shall any person who is found to have retaliated against another in violation of this policy. Any student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. Any school employee found to have retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. Any school volunteer found to have retaliated in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.