

**(SCHOOL DISTRICT/ISD)**  
**Guidelines/Policy (Sample)**  
**HARASSMENT OF STUDENTS**

Harassment of students is prohibited, and will not be tolerated. This includes inappropriate conduct by other students as well as any other person in the school environment, including employees, Board members, parents, guests, contractors, vendors and volunteers. It is the policy of the District to provide a safe and nurturing educational environment for all of its students. This policy applies to all activities on school property and to all school sponsored activities whether on or off school property.

Harassment is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical or emotional well being. This would include harassment based on any of the legally protected characteristics, such as sex, race, color, national origin, religion, height, weight, marital status or disability. This policy, however, is not limited to these legal categories and includes any harassment that would negatively impact students. This would include such activities as stalking, name-calling, taunting, and other disruptive behaviors.

Any student that believes she/he has been or is the victim of harassment should immediately report the situation to the teacher, the principal or assistant principal, or may report it directly to the Civil Rights Coordinator at the District office, phone (Area Code) (Phone Number). Complaints will be investigated in accordance with District/ISD Guidelines and Policy.

Every student should, and every staff member **must** report any situation that they believe to be improper harassment of a student. Reports may be made to those identified above.

If the investigation finds harassment occurred it will result in prompt and appropriate remedial action. This may include up to expulsion for students, up to discharge for employee, exclusion for parents, guests, volunteers and contractors, and removal from any officer position and/or a request to resign for Board members.

Retaliation against any person for complaining about harassment, or participating in a harassment investigation, is prohibited. Suspected retaliation should be reported in the same manner as harassment. Intentionally false harassment reports, made to get someone in trouble, are also prohibited. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

The following definitions are provided for guidance only. If a student or other individual believes there has been harassment, regardless of whether it fits a particular definition, she/he should report it and allow the administration to determine the appropriate course of action.

**Harassment**

- A. submission to such unwelcomed conduct or communication is made either an explicit or implicit condition of utilizing or benefiting from the services, activities, or programs of the School District;

- B. submission to, or rejection of, the unwelcomed conduct or communication is used as the basis for a decision to exclude, expel or limit the harassed student in the terms, conditions or privileges of the School District;
- C. the unwelcomed conduct or communication interferes with the student's education, creates an intimidating, hostile or offensive environment, or otherwise adversely affects the student's educational opportunities. This may include racial slurs, mocking behavior, or other demeaning comments.

**Sexual Harassment**, may include, but is not limited to:

- A. verbal harassment or abuse;
- B. pressure for sexual activity;
- C. repeated remarks with sexual or demeaning implications;
- D. unwelcome touching;
- E. sexual jokes, posters, cartoons, etc.;
- F. suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, safety, job, or performance of public duties.

### **Confidentiality**

Every reasonable effort will be made to maintain confidentiality during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure names and allegations.

### **Notification**

Notice of this policy will be **annually** circulated to all school buildings and departments within the District and discussed with students, as well as incorporated into the teacher, student and parent/guardian handbooks. State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires of the District will be required to review and sign off on this policy and the related complaint procedure.

## **ANTI-HARASSMENT**

### **The Policy**

Harassment of students is prohibited, and will not be tolerated. This includes inappropriate conduct by other students as well as any other person in the school environment, including employees, Board members, parents, guests, contractors, vendors, and volunteers. It is the policy of the District to provide a safe nurturing educational environment for all of its students. This policy applies to all activities on school property and to all school-sponsored activities whether on or off school property.

Harassment is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well being. This would include harassment based on any of the legally protected characteristics, such as sex, race, color, national origin, religion, height, weight, marital status, or disability. This policy, however, is not limited to these legal categories and includes any harassment that would negatively impact students. This would include such activities as stalking, bullying, name-calling, taunting, hazing, and other disruptive behaviors.

## **The Publication**

The harassment policy shall be included in the Student Handbook, and shall be discussed with students each fall during the student orientation period. The building principals shall be responsible for determining the timing and nature of the presentation, and shall keep a record of when and how it was completed.

## **The Procedures**

Complaint Coordinators will be designated by the Superintendent to investigate complaints of harassment. The Coordinators will generally be individuals who are available during the school/work day. Care should be taken to appoint more than one Coordinator to allow prompt investigations and to allow complainants to be comfortable during the investigation. These individuals' names will be posted with the policy in each District building and all students, staff, supervisors, and administrators will be advised of the current Coordinators each fall during, at, or near the beginning of the school year.

Any one who receives a complaint shall refer it to an appropriate Coordinator for investigation. The Coordinator shall be responsible for promptly beginning an investigation. The Coordinator shall determine and record the name of the person complaining, the nature of the complaint, the person(s) allegedly engaging in the inappropriate conduct, and any witnesses to the complained of behaviors. The Coordinator shall interview at least the complainant and the alleged harasser(s), and gather any relevant documentary evidence. If the information received is in conflict, witnesses shall also be interviewed. When appropriate, signed, written statements should be requested from the individuals interviewed. At a minimum, the Coordinator must make a written report on the interviews.

When students are involved as the complainant or the alleged harasser, the parents or guardian should be notified of the complaint and investigation if the student is under eighteen (18) years old. Confidentiality as to other students involved should be maintained to assure compliance with the Family Education and Privacy Rights Act.

If the investigation discloses Child Abuse, the required report to the Department of Social Services shall be made.

If the matter can be mutually resolved, the resolution shall be reduced to writing signed by the individuals involved, and their parents/guardians for students under eighteen (18). This resolution shall remain in the file, and a copy shall be provided to the Superintendent.

If the complainant indicates that she/he does not wish to pursue the matter further, that should be reduced to a signed writing, if possible. If not, the request should be witnessed by another District employee. However, where the complaint or investigation reveals unlawful harassment, the Coordinator must still prepare a report and recommended action. This recommendation may be impacted by the complainant's desire not to be further involved, but does not excuse the District from taking prompt and appropriate remedial action, when it knows or should have known of prohibited harassment.

If the matter cannot be mutually resolved, a written report of the findings and any recommended appropriate remedial action shall be forwarded to the Superintendent (note: may designate building principal or other administrator) for review and action. The recommendation, without

identifiable student information, shall also be provided to the parents for students under eighteen (18) and to the student if eighteen (18) or older.

Appropriate remedial action will depend on the circumstances, but may include counseling, segregating the individuals, suspension, expulsion, termination of employment, or school service projects, among other options.

The complainant and the respondent may provide any concerns to the Superintendent. The Superintendent shall determine what action, if any, will be taken, and then implement any appropriate remedial action. Notice of the Superintendent's decision shall be provided to both the complainant and the respondent. The Superintendent's decision shall be final, except in the case of student expulsion or staff termination.

While there are no set timelines for completion of the investigation and recommendation, it should be done as quickly as possible. Generally, if the Coordinator cannot conclude the investigation within five (5) business days, the reason for the delay should be recorded and the individuals involved advised of the reasons for the delay and estimated time for conclusion. If necessary, separation of the individuals, suspension, or administrative leave may be used to avoid further problems during the investigation.

### **Confidentiality**

The Coordinator and the District staff will make all reasonable efforts to maintain confidentiality in the investigation and protect the rights of the complainant and the respondent during the process. Student confidentiality under the Family Education and Privacy Rights Act will be maintained. However, absolute confidentiality cannot be guaranteed. The need to investigate specific charges, and the availability of public records through the Freedom of Information Act, may allow identification of individuals and/or facts relating to an investigation.

### REPORT OF HARASSMENT

Student's Name: \_\_\_\_\_ Date of Report: \_\_\_\_\_

Date of Alleged Harassment: \_\_\_\_\_

Location of Alleged Harassment: \_\_\_\_\_

Name of Alleged Harasser: \_\_\_\_\_

Description of the Incident(s): \_\_\_\_\_

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Names of Witness(es), if any: \_\_\_\_\_

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\_\_\_\_\_  
Signature of Person Making the Report

\_\_\_\_\_  
Signature of Person Taking the Report

