

PROHIBITION OF HARASSMENT, INTIMIDATION, OR BULLYING

The board is committed to a safe and civil educational environment for all students, employees, parents/legal guardians, volunteers, and community members that is free from harassment, intimidation, or bullying.

As defined in legislation, “Harassment, intimidation, or bullying” means any intentional electronic, written, verbal, or physical act, including but not limited to one shown to be motivated by any characteristics in RCW 28A.640.010 and 28A.642.010, or other distinguishing characteristics, when the message or act:

- A. Physically harms a student or damages the student’s property;
- B. Has the effect of substantially interfering with a student’s education;
- C. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- D. Has the effect of substantially disrupting the orderly operation of the school.

Nothing in this section requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation, or bullying.

“Other distinguishing characteristics” can include, but are not limited to: physical appearance, clothing or other apparel, socioeconomic status and weight.

“Intentional acts” refers to the individual’s choice to engage in the act rather than the ultimate impact of the action(s).

Behaviors/Expressions

This policy recognizes that ‘harassment,’ ‘intimidation,’ and ‘bullying’ are separate but related behaviors. Each must be addressed appropriately. The accompanying procedure differentiates the three behaviors, however, this differentiation should not be considered part of the legal definition of these behaviors.

Harassment, intimidation, or bullying can take many forms, including, but not limited to: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral, physical or electronically transmitted messages or images.

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation, or bullying may still be prohibited by other district policies and/or building, classroom, or program rules.

Training

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful, and inclusive learning community and will be implemented in conjunction with comprehensive training of staff and volunteers. Specific training requirements are included in the accompanying procedure.

Prevention

The district will provide students with strategies aimed at preventing harassment, intimidation, and bullying. In its efforts to train students, the district will seek partnerships with families, law enforcement, and other community agencies.

Interventions

Interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the aggressor, and to restore a positive school climate. The district will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correction behavior and discipline, to law enforcement referrals.

Students with Individual Education Plans or Section 504 Plans

If allegations are proven that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the aggressor or target of harassment, intimidation or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free, appropriate public education (FAPE). The meeting should occur regardless of whether the harassment, intimidation, or bullying incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation, or bullying incident, the district will provide additional services and supports as deemed necessary, such as counseling, monitoring and/or reevaluation or revision of the student's IEP or Section 504 plan, to ensure the student receives a FAPE.

Retaliation/False Allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying, or participating in an investigation.

It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Compliance Officer

The superintendent will appoint a compliance officer as the primary district contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The district compliance officer will participate in at least one mandatory training opportunity offered by OSPI.

The superintendent authorized to direct the implementation of procedures addressing the elements of this policy.

Cross reference:	Board Policy 3205	Sexual Harassment of Students Prohibited
	Board Policy 3210	Nondiscrimination
	Board Policy 3240	Student Conduct Expectations and Reasonable Sanctions
	Board Policy 3241	Classroom Management, Discipline, and Corrective Action
	Board Policy 4220	Complaints Concerning Staff or Programs
	Board Policy 5010	Nondiscrimination and Affirmative Action
	Board Policy 5011	Sexual Harassment of District Employees
Legal reference:	RCW 28A.300.285	Harassment, intimidation, and bullying prevention policies and Procedures—Model policy and procedure—Training materials—Posting on web site—Rules—Advisory committee RCW 28A.600.480—Reporting of harassment, intimidation, or bullying—Retaliation prohibited—Immunity
	RCW 9A.36.080	Malicious harassment—Definition and criminal penalty
	Chapter 28A.640 RCW	Sexual Equality
	Chapter 28A.642 RCW	Discrimination Prohibition
	Chapter 392-190 WAC	Equal Educational Opportunity—Unlawful Discrimination Prohibited
	Chapter 49.60 RCW	Discrimination—Human Rights Commission
	42 U.S.C. §§ 12101	Americans with Disabilities Act
	Section 504 of the Rehabilitation Act of 1973 (34 C.F.R. Part 104)	
	Office of Superintendent of Public Instruction, Prohibiting Discrimination in Washington Public Schools, dated February 2012	

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