

SCHOOL DISTRICT OF WAUPACA

SERIES 400

STUDENTS CODE: 411.1

ANTI-BULLYING, -HARRASSMENT, -HAZING POLICY

I. BULLYING

A. DEFINITION

Bullying is a series of negative and/or violent repetitive actions between individual students or groups of students. Bullying is deliberate or intentional behavior using words or actions, intended to cause fear, intimidation or harm. Bullying may be repeated behavior and involves an imbalance of power. The behavior may be motivated by an actual or perceived distinguishing characteristic, such as, but not limited to: age; national origin; race; ethnicity; religion; gender; gender identity; sexual orientation; physical attributes; physical or mental ability or disability; and social, economic or family status. Bullying may involve verbal, physical, and/or indirect behavior.

EXAMPLES OF BULLYING

Verbal bullying behaviors may include, but are not limited to:

- Intimidating
- Name-calling
- Threatening
- Teasing
- Intentionally excluding someone from a group
- Racist remarks

Physical bullying behaviors may include, but are not limited to:

- Assault
- Kicking
- Punching
- Slapping
- Pulling on and/or tearing clothes
- Shoving
- Spitting
- Making faces
- Making dirty gestures
- Restraining another
- Threatening remarks or actions involving a weapon
- Stealing (taking things from someone repeatedly, like pencils, mittens, etc.)

Indirect bullying behaviors may include, but are not limited to:

- Spreading cruel rumors

- Intimidation through gestures
- Social exclusion
- "Cyberbullying" - when a child, preteen or teen is tormented, threatened, harassed, humiliated, embarrassed, or otherwise targeted by another child, preteen, or teen using the Internet, interactive and digital technologies or mobile phones. (www.stopcyberbullying.org)

B. PROHIBITION

Bullying behavior is prohibited in all schools, buildings, property and educational environments, including any property or vehicle owned, leased or used by the school district. Educational environments include, but are not limited to, every activity under school supervision.

C. REPORTING PROCEDURES

- All school staff members and school officials who observe or become aware of acts of bullying are required to report these acts to the building administrator.
- Any other person, including a student who is either a victim of the bullying or is aware of the bullying or any other concerned individual is encouraged to report the conduct to the assistant principal, principal, dean of students, school counselor(s), teacher(s), or to any staff member.
- There shall be no retaliation against individuals making such reports. Individuals engaging in retaliatory behavior will be subject to disciplinary action.

D. REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor or other employee of the school district who retaliates against any person who makes a good faith report of alleged harassment or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists or participates in a proceeding or hearing relating to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

E. INVESTIGATION PROCEDURES

- To file a formal complaint, it must be filed in writing with the building administrator.
- The building administrator will promptly investigate the complaint, arrange meetings to discuss the complaint with all parties involved and submit reports of the results to all parties. Disciplinary action may be administered at that time.
- These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with Waupaca County Health and Human Services, the Waupaca Police Department or seeking redress under state and/or federal statutes and laws.

F. CONSEQUENCES OF BULLYING ANOTHER PERSON

There are many different consequences for a student who bullies another student. Consequences may include, but are not limited to:

- Notification of parent(s)
- Meetings with some combination of bully, victim, parent, counselor, administrator or other appropriate individuals
- Reparation, perhaps the writing of a letter of apology
- Staying after school
- In-school suspension
- Out-of-school suspension
- Removal from co-curricular activities
- In-school "no contact" order with specific peers
- Loss of non-curricular privileges, such as recesses, field trips, classroom parties, prom, graduation, or other district/school functions, etc.
- Legal repercussions
- Expulsion
- Referral to social services

G. SCHOOL'S RESPONSE TO BULLYING

The problem of bullying can be most efficiently addressed by a consistent policy supported by all members of the school community. Staff, students and parents need to be aware of their rights to feel safe and of the school's commitment and obligation to protect those rights.

H. SCHOOL'S RESPONSE TO OFF-CAMPUS BULLYING

Bullying that originates or continues after the school day and off-campus, unconnected to school activities, which cause a disruption during school hours or activities will be investigated and held to the same standards of this policy.

I. CONFIDENTIALITY

Complaint records shall remain confidential. They shall be maintained separate and apart from student and personnel files. When final determination is made by the building administrator, records pertaining to the matter may become a part of the student and personnel files.

It is the policy of the School District of Waupaca that no student, on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability may be denied participation in, be denied the benefits of, or be discriminated against in any curricular,

extracurricular, pupil services, recreational, vocational, or other program or activity. Federal law prohibits discrimination in employment on the basis of age, race, color, national origin, sex, religion or handicap.

II. HARASSMENT

A. DEFINITIONS OF HARASSMENT

Generic Harassment may include verbal abuse, epithets, vulgar or derogatory language, display of offensive cartoon or materials, mimicry, lewd or offensive gestures and telling of jokes offensive to protected class members (a student or employee of the school district). The behavior must be more than a few isolated incidents or casual comments. It involves a pattern of abusive and degrading conduct directed against a protected class member that is sufficient to interfere with their work or create an offensive and hostile work or school environment.

Sexual Harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education; or
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that student's education; or
3. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with a student's education or creating an intimidating, hostile, or offensive education environment.

In addition to Board policy, federal and state laws require schools to maintain an educational environment that is free from sexual harassment.

Sexual harassment may include but is not limited to:

- Verbal harassment or abuse;
- Subtle pressure for sexual activity;
- Inappropriate patting or pinching ;
- Intentional brushing against a student's body;
- Demanding sexual favors accompanied by implied or overt threats concerning a student's educational status;
- Demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to a student's educational status;
- Any sexually motivated, unwelcome touching; or
- Sexual violence which is a physical act of aggression which includes a sexual act or purpose.

OTHER FORMS OF HARASSMENT

Harassment based on race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, physical, mental, emotional or learning disability or handicap are also prohibited by the law and Board policy.

B. PROHIBITION

Harassing behavior is prohibited in all schools, buildings, property and educational environments, including any property or vehicle owned, leased or used by the school district. Educational environments include, but are not limited to, every activity under school supervision.

C. REPORTING PROCEDURES

- a. All school staff members and school officials who observe or become aware of acts of harassment are required to report these acts to the building administrator.
- b. Any other person, including a student who is either a victim of harassment or is aware of the harassment or any other concerned individual is encouraged to report the conduct to the assistant principal, principal, dean of students, school counselor(s), teacher(s), or to any staff member.
- c. There shall be no retaliation against individuals making such reports. Individuals engaging in retaliatory behavior will be subject to disciplinary action.

D. REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor or other employee of the school district who retaliates against any person who makes a good faith report of alleged harassment or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists or participates in a proceeding or hearing relating to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

E. INVESTIGATION PROCEDURES

- To file a formal complaint, it must be filed in writing with the building administrator.
- The building administrator will promptly investigate the complaint, arrange meetings to discuss the complaint with all parties involved and submit reports of the results to all parties. Disciplinary action may be administered at that time.
- These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with Waupaca County Health and Human Services, the Waupaca Police Department or seeking redress under state and/or federal statutes and laws.

F. CONSEQUENCES OF HARASSING ANOTHER PERSON

There are many different consequences for a student who harasses another student. Consequences may include, but are not limited to:

- Notification of parent(s)
- Meetings with some combination of the harasser, victim, parent, counselor, administrator, or other appropriate adults
- Detention
- In-school suspension
- Out-of-school suspension
- Removal from co-curricular activities
- In-school "no contact" order with specified peers
- Loss of non-curricular privileges, such as school dances, field trips, classroom parties, etc.
- Legal repercussions
- Expulsion
- Referral to social services

G. SCHOOLS RESPONSE TO HARASSMENT

The problem of harassment will be efficiently addressed by a consistent policy supported by all members of the school community. Staff, students, and parents need to be aware of their rights to feel safe and of the schools commitment and obligation to protect those rights.

H. SCHOOL'S RESPONSE TO OFF-CAMPUS HARASSMENT

Harassment that originates or continues after the school day and off-campus, unconnected to school activities, which cause a disruption during school hours or activities will be investigated and held to the same standards of this policy.

I. CONFIDENTIALITY

Complaint records shall remain confidential. They shall be maintained separate and apart from student and personnel files. When final determination is made by the building administrator, records pertaining to the matter may become a part of the student and personnel files.

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III. HAZING

A. INTRODUCTION TO HAZING

Frequent misconceptions about hazing include the idea that hazing is nothing more than harmless pranks and that it is a practice largely isolated to college fraternities. The reality is that hazing activities occur in many different arenas. Hazing takes place in both men's and women's organizations, and we believe it is common among students at the middle/high school level.

Hazing at any age can be exceedingly harmful. Hazing at the high school level is particularly troubling because the developmental stages of adolescence create a situation in which many students are more vulnerable to peer pressure due to the tremendous need for belonging, making friends and finding approval in one's peer group. Further, the danger of hazing at the high school level is heightened by the lack of awareness and policy development/enforcement around this issue. While many colleges and universities in the United States have instituted anti-hazing policies and educational awareness programs related to hazing, secondary schools are just beginning to address the issue.

A major part of the problem is the lack of understanding among the general population about hazing. Hazing practices in high schools are often overlooked and dismissed as mere "traditions" because students, parents, teachers, coaches and administrators do not understand the definition of hazing and how it operates in society. Many who are aware of hazing activities do not concern themselves with confronting the behavior because of the popular myths and misconceptions that are attached to the term. Hazing is not about harmless traditions or silly antics. Hazing is about abuse of power and violation of human dignity. Hazing is a form of abuse and victimization. That is why it is crucial to promote anti-hazing education and support for victims at the middle and high school levels. Taken from: "High School Hazing" StopHazing.org 1998-2000. www.stophazing.org

B. DEFINITIONS OF HAZING

The broad definition of HAZING, as adopted by the School District of Waupaca, is:

- any action taken or situation created intentionally,
- on or off school grounds
- with or without consent
- that produces excessive physical fatigue, embarrassment, or public ridicule, possibly cause mental or physical harm or injury to a person or property in the context of initiating that person into a student group.

Student groups include schools, school-sponsored groups, clubs or organizations having students as their primary members or participants. It includes grade levels, classes, teams, activities or particular school events.

The School District of Waupaca also notes that hazing is defined for the purpose of Wisconsin criminal law (Statute 948.51) as follows:

1. In this section forced activity means any activity which is a condition of initiation or admission into or affiliation with an organization, regardless of a student's willingness to participate in the activity.
2. No person may intentionally or recklessly engage in acts which endanger the physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating in connection with a school, college or university. Under those circumstances, prohibited acts may include any brutality of a physical nature, such as whipping, beating, branding, forced consumption of any food, liquor, drug or other substance, forced confinement or any other forced activity which endangers the physical health or safety of the student.
3. Whoever violates sub. (2) is guilty of:
 - A Class A misdemeanor if the act results in or is likely to result in bodily harm to another.
 - A Class E felony if the act results in great bodily harm or death to another.

EXAMPLES OF HAZING

- any type of physical brutality such as whipping, beating, striking, or placing a harmful substance on the body.
- any type of physical activity such as subjecting another person to sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- any activity involving the coerced consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- any activity that subjects a student to embarrassment, shame or humiliation that adversely affects the dignity or mental health of the student.
- any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
- behaviors that emphasize a power imbalance between new members/rookies and other members of the group or team.

C. PROHIBITION

Hazing is prohibited in all schools, buildings, property and educational environments, including any property or vehicle owned, leased or used by the school district. Educational environments include, but are not limited to, every activity under school supervision.

D. REPORTING PROCEDURES

1. Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by school policy.
2. The building administrator, assistant principal, and /or other designated staff can receive reports of hazing at the building level. In lieu of reporting student hazing to a building administrator or designee, any person may report hazing directly to the building administrator.
3. Teachers, administrators, volunteers, coaches, contractors and other employees of the school district shall be particularly alert to possible situations, circumstances or events which might include hazing. Any such person who receives a report of, observes, or has other knowledge or belief of conduct which may constitute hazing must inform the building administrator immediately.
4. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades or work assignments.

E. REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor or other employee of the school district who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

F. INVESTIGATING PROCEDURES

- The school district will investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor or other employee of the school district who is in violation of this policy.
- To file a formal complaint, it must be filed in writing with the building administrator.
- The building administrator will promptly investigate the complaint, arrange meetings to discuss the complaint with all parties involved and submit reports of the results to all parties. Disciplinary action may be administered at that time.
- These procedures do not deny the right of any individual to pursue other avenues of recourse, which may include filing charges with Waupaca County Health and Human Services, the Waupaca Police Department or seeking redress under state and/or federal statutes and laws.

G. CONSEQUENCES OF HAZING

- Upon receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials and/or a third party

- designated by the school district.
- The school district may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of hazing.
 - Upon completion of the investigation, the school district will take appropriate action. Such action may include, but is not limited to:
 - Notification of parents/guardians
 - Participation in remediation activities
 - Out-of-school suspension
 - Transfer to another educational setting
 - Exclusion or expulsion
 - Suspension from student co-curricular activities.
 - Referral to local law enforcement agency for investigation and possible criminal prosecution.
 - Exclusion from major school activities such as Homecoming Activities, Prom, field trips, and/or graduation ceremonies.
 - School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements, applicable statutory authority, including the Wisconsin Compulsory Attendance and Expulsion Laws, school district policies and regulations.

H. SCHOOL'S RESPONSE TO HAZING

- No student, teacher, administrator, coach, volunteer, contractor or other employee of the school district shall plan, direct, encourage, aid or engage in hazing.
- No teacher, administrator, volunteer, contractor or other employee of the school district shall permit, condone or tolerate hazing.
- Any student who engages in an act that violates district hazing policy or law in order to initiate a student into an organization or group shall be subject to discipline for that act.
- Any student present at an incident where a student is hazed may receive disciplinary consequences as outlined in this policy. This includes observers, willing victims, and those who transport students as well as those aggressively hazing other students.
- Apparent permission, cooperation, or consent by a person being hazed does not lessen the prohibitions contained in this policy and will not influence the action taken by the District.
- Because of the impact which student hazing has on the educational environment, this policy applies to year-round behavior which may occur at school during school-sponsored activities, outside the school day, in the community and/or in other communities.

I. SCHOOL'S RESPONSE TO OFF-CAMPUS HAZING

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investigated and held to the same standards of this policy.

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ADOPTED: 081010

REVISED:

REVIEWED:

LEGAL REFERENCE:

CONTRACT REFERENCE:

CROSS REFERENCE:

The School District of Waupaca does not discriminate on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability.