

**SCHOOL DISTRICT OF BONDUEL
STUDENT HARASSMENT POLICY**

The School District of Bonduel seeks to provide a learning environment free of any form of harassment or intimidation toward and between individuals. Therefore, the District will not tolerate harassment in any form and will take all necessary and appropriate action to eliminate it, including discipline of the offenders.

"Student harassment" means a behavior toward students based, in whole or in part, on sex, race, religion, national origin, color, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability or handicap which substantially interferes with a student's school performance or creates an intimidating, hostile or offensive school environment.

Harassment can include many different types of behavior. What makes behavior harassment in a particular case is (1) that the behavior is directed towards a pupil because of the pupil's membership in a protected class, e.g. race, sex, disability and (2) the behavior is pervasive or severe to the point that it interferes with the pupil's performance or creates an intimidating, hostile, or offensive environment. The elements of harassment are listed below.

BEHAVIOR	DIRECTED TOWARDS A PUPIL BECAUSE OF:	CREATE A HOSTILE ENVIRONMENT
<p>The following are Examples of behavior that can constitute harassment:</p> <p>Name calling, making threats, spreading rumors, telling jokes, making fun of someone, gestures of physical intimidation, hitting, touching, pranks or hazing, vandalism, or destruction of property.</p>	<ul style="list-style-type: none"> * Sex * Race * Religion * National Origin * Ancestry * Creed * Pregnancy * Marital status * Parent status * Sexual Orientation * Physical Disability * Mental Disability * Emotional Disability * Learning Disability 	<p>The behavior is:</p> <p>so severe (in view of all circumstances)</p> <p style="text-align: center;">Or</p> <p>pervasive (occurs often is part of a pattern of behaviors, permeates atmosphere)</p> <p>that it creates a hostile environment.</p>

It is the responsibility of students, staff and others to help enforce this policy so that these prohibited activities do not occur in the Bonduel School District. The principals are responsible for disciplining the offenders. Student discipline will be based on each situation according to the severity of the incident, along with the intellectual and emotional state of each student. Furthermore, each student's age and maturity level will be strongly considered when determining appropriate disciplinary actions. Commonsensical decisions will be used in all situations, with special attention placed on decision-making related to disciplining elementary school students.

Any student who believes that he/she has been the subject of harassment, or any parent/guardian who believes their child has been subjected to harassment, shall report the matter in accordance with established procedures. There shall be no retaliation against students who file reports under this policy. All reports shall be investigated in a timely manner and confidentiality shall be maintained in all situations.

In order to ensure dissemination of this policy, it is the responsibility of each building principal to ensure that the policy is reviewed at least one time annually. Discussion of harassment shall be included at an age appropriate level through the District's developmental guidance program. Rules, including the complaint procedure and associated form, will be provided to any individual wishing to file a complaint.

Proposed: December 4, 2000

Adopted: January 15, 2001

Legal References:

Section 118.13 Wisconsin Statutes
PI 9.02(9), Wisconsin Administrative Code
Section 504 of the Rehabilitation Act of 1973
Americans with Disabilities Act of 1990
Title VI of the Civil Rights Act of 1964

STUDENT HARASSMENT COMPLAINT PROCEDURES

It is important for these procedures to respect and advance the rights of all parties, including personal privacy interests and the protection and reputation of all concerned and involved parties. In order to ensure fair procedures to protect these interests, all parties are encouraged to keep these matters confidential. All investigating and reviewing offices are charged with the responsibility to hold these matters in the strictest of confidence, to the extent authorized by law, in order to guard against the unnecessary or inadvertent disclosure of information relating to any pending charges or investigations.

Students who believe they are the victims of harassment, or parents/guardians who believe their child is a victim of harassment, should immediately report to the principal, director of pupil services, school psychologist, guidance counselor, or teacher. If an adult, other than the principal receives the complaint, the adult shall forward the complaint to the principal/designee for review and action as necessary. If the student being harassed is a student with a disability, the information shall be forwarded to the pupil services director. If the principal/designee or pupil services director is the subject of the complaint, the complaint shall be forwarded to the district administrator. The principal/designee or other administrator will compose a written record of any verbal complaints.

Formal complaints will be taken seriously and will be subject to thorough review and a timely investigation by the receiving principal or designee. While time periods are established below for the completion of various actions, the principal shall provide prompt written notice to concerned parties of the expected time period for completion of the required action when exceptional circumstance do not allow completion within expected time period.

The following procedures will be used:

If informal discussions do not result in the initiation of formal disciplinary procedures, the offending parties may be asked to explain their conduct or behavior to the principal/designee at the request of the complainant.

- Complaints may be made either verbally or in writing to the principal/designee. The complaint should be documented and include a specific statement of alleged behavior, including (if possible) additional background details such as time, date, location and circumstance of each alleged incident.
- The principal/designee shall make an initial determination of the complaint which shall include investigating the complaint, notifying the person who has been accused of harassment; permitting a response to the allegation; arranging a meeting; and responding to the complaint. Since the District takes these complaints seriously, they will be subject to a timely review and investigation. The Principal/designee will be called when a complaint has been filed. Every effort will be made to complete this initial review within 15 calendar days. The principal/designee shall give a written report to the complainant after the completion of the initial review that will include investigations conducted and action taken.
- If any party is not satisfied with the report of the principal/designee, a written appeal may be submitted to the district administrator indicating the nature of the disagreement. The appeal must be filed within 20 calendar days after the receipt of the principal/designee decision. The district administrator shall schedule a meeting of all parties to the complaint to review the issues presented in the appeal.
- The district administrator shall provide a written response outlining the findings and disposition of the appeal within 10 calendar days of the date the appeal is filed or 10 calendar days after the meeting, whichever is later.

- If either party is not satisfied with the decision on the appeal, the party may file a request for formal review by the School Board. The appeal must be filed within 10 calendar days of the receipt of the prior decision. The Board shall conduct a hearing within 30 calendar days of the request for formal review of the prior decision,
- If either party is not satisfied with the decision of the Board, the party may pursue further review by filing a request with the State Superintendent of Public Instruction within 30 days of the Board's decision in accordance with state law and regulations.

Nothing in these procedures shall preclude persons from pursuing other avenues afforded by law to deal with a student harassment complaint in addition to or in lieu of these procedures.

**SCHOOL DISTRICT OF BONDUEL
STUDENT HARASSMENT REPORT FORM**

Employee Receiving Complaint: _____

Student Complainant(s): _____ D.O.B. _____

Parent/Guardian _____ Phone _____

Date Complaint Filed: _____

Alleged Harasser(s): _____

Alleged Harasser(s) Grade: _____ D.O.B. _____

- **What Happened? Be Specific (include date, time, location, how it made you feel etc.)**
- _____
- _____
- _____
- _____
- _____
- _____

- **What would you like to see happen?**
- _____
- _____
- _____

- **List who was present, involved and/or any witnesses:**
- _____
- _____
- _____

This complaint is filed based on my belief that _____ has personally harassed me. I hereby certify that the information provided in this complaint is true, correct and complete to the best of my knowledge and belief.

Complainant Signature

Date

Employee Signature

Date

Principal/Designee Signature

Date

**SCHOOL DISTRICT OF BONDUEL
STUDENT HARASSMENT INVESTIGATION REPORT FORM**

Employee Receiving Complaint: _____

Student Complainant(s): _____ D.O.B. _____

Parent/Guardian _____ Phone _____

Date Complaint Filed: _____

Alleged Harasser(s): _____

Alleged Harasser(s) Grade _____ D.O.B. _____

BRIEF SUMMARY OF INCIDENT:

PEOPLE INTERVIEWED/INFORMATION PROVIDED:

ACTION TAKEN (INCLUDING DATES):

PRINCIPAL/DESIGNEE SIGNATURE

DATE