

## **3226 STUDENTS**

### **Hazing/Harassment/Intimidation/Bullying**

The Great Falls Public School District is committed to providing a safe, productive and positive learning environment. A safe and accepting school environment is conducive to, and necessary for optimal academic achievement. Like other disruptive behaviors, bullying, harassment, intimidation and hazing negatively impact the learning environment. Bullying, harassment, intimidating and hazing behaviors will not be tolerated. Students, staff and third parties are strictly prohibited from bullying, harassment, intimidation, hazing, or retaliation for reporting such action.

#### **I. Definitions**

“Bullying, harassment, hazing, or intimidation” means any threatening, insulting, or demeaning gesture or physical conduct, including any intentional written, verbal, or electronic communication directed against a student regardless of the underlying reason for such conduct that:

- substantially and materially disrupts the orderly operation of the school;
- substantially interferes with a student’s access to educational opportunity or benefit;
- places a student in reasonable fear of harm to the student or the student’s property;
- damages a student’s property; or
- causes a student physical or mental harm.

With the above parameters, the following definitions apply:

“Bullying” is aggressive behavior that involves unwanted, negative actions. Bullying involves a pattern of behavior repeated over time and involves an imbalance of power or strength.

"Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written (electronic or otherwise), or physical nature, on the basis of any protected class as defined under federal and/or Montana state law.

“Hazing” means an act against a student or coercing a student into behavior that creates risk of mental or physical harm to a person in order for the student to be initiated into, or affiliated with a student activity, team, club or organization, or for any other purpose.

"Intimidation" includes, but is not limited to, any threat or act intended to tamper with, substantially damage, or interfere with another person or their property, cause substantial inconvenience, subject another to offensive physical contact, or inflict serious physical injury.

“Electronic Communication” is defined in 45-8-213, MCA, and includes any communication by any electronic device including but not limited to text messaging, email, or use of social networking.

“Retaliation” means an intentional act or communication intended:

- as revenge against a person who has reported or participated in an investigation of bullying, harassment, hazing or intimidation; or

- to improperly influence the reporting, investigation, or discipline that results from an incidence of bullying, harassment, hazing or intimidation.

“Third Parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District and others not directly subject to District control at inter-District and intra-District athletic competitions or other school events.

“Designated Investigator” is the principal of the school, the designated Title IX coordinator, or a staff member appointed by the principal responsible for receiving and investigating reports of, bullying, harassment, hazing, and intimidation. An independent investigator may be designated by the Superintendent.

## **II. Prohibitions**

No student, staff member, or third parties will engage in any of the following:

- bullying, harassment, hazing or intimidation of a student;
- retaliation against a student or staff member for reporting or thought to have reported an incident of bullying, harassment, hazing or intimidation; or
- coercion of another person to commit bullying, harassment, hazing or intimidation.

Bullying, harassment, hazing or intimidation is strictly prohibited where the school is responsible for the student:

- on school premises;
- during any school sponsored program, activity, or function including on a school bus or other school-related vehicle; or
- through the use of electronic communication as defined in 45-8-213, MCA regardless of when or where it occurs, that substantially disrupts the orderly operation of the school or any school-sponsored program, activity, or function.

## **III. Consequences**

If a student or staff member is found to have committed one of the above-prohibited behaviors, consequences may follow, up to and including expulsion or termination from employment. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Superintendent or the Board. Individuals may also be referred to law enforcement officials. Such action is meant not only to discipline the offending student, staff member, or third party, but also to protect individuals from future aggression or retaliation. Consequences may be implemented after a report has been investigated and a determination has been made that a prohibited act was committed.

Depending on the age of the students involved and severity of the infraction, disciplinary and remedial actions for students may include, but not limited to:

- Detention
- Escort of the perpetrator

- Expulsion
- Loss of privilege(s)
- Parent conference
- Parental notification
- Payment or replacement of damaged property
- Reassignment of classes
- Reassignment of seats
- Reassignment to another mode of transportation
- Referral or appointments with school counselor or other professionals
- Referral to law enforcement
- Suspension (in-school or out-of-school)

Any student disciplined will be afforded due process as required by District policy for action taken by school administration or the Board of Trustees.

Depending on the severity of the offense, disciplinary and remedial actions for school staff is subject and commensurate with the district's personnel policies and may include but not limited to:

- referral to law enforcement
- suspension
- termination of employment
- verbal warning
- written warning

Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Superintendent, designee or the Board. Individuals may also be referred to law enforcement officials.

#### **IV. Intervention**

All staff members shall intervene when witnessing potential bullying, harassment, hazing or intimidating behavior. If the staff member witnesses or receives a report of unresolved bullying, harassment, hazing or intimidation the staff member will report the matter pursuant to V. below.

If it is determined that staff was aware of bullying, harassment, hazing or intimidation and did nothing to intervene; discipline or remedial action may be invoked.

#### **V. Reporting**

Students who feel they have been subjected to or witnessed bullying, harassment, hazing or intimidation, shall report the incident either in writing or verbally. Reports may be made to any staff member.

Any staff member who becomes aware of bullying, harassment, hazing or intimidation should attempt to resolve the matter and report the incident to the principal or designee in a timely manner.

If the principal is the subject of the complaint, the report should be submitted to the Superintendent or designee. Complaints against the Superintendent shall be filed with the Board.

Anonymous reports containing adequate detail will be investigated.

False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

The complainant and victim shall be notified in a timely manner of results of the investigation.

## **VI. Investigatory Process**

All investigations should be initiated promptly, after the incident has been reported.

The designated investigator will determine whether bullying, harassment, hazing or intimidation has occurred by interviewing the aggressor(s), the target(s), the reporter, and known bystanders and other witnesses. Previous incident reports involving the same individuals should also be taken into consideration.

Any interviewees should be informed that information given will be kept as confidential as possible in accordance with student due process rights, but that disclosure may be necessary.

If, as a result of an investigation, it is found that bullying, harassment, hazing or intimidation has occurred, the parents of the target(s) and the aggressor(s) shall be notified by a school administrator or designee.

The school administration will determine whether another entity has jurisdiction over the incident. If instances of bullying, harassment, hazing or intimidation rise to the level of a possible criminal offense, a school administrator shall notify the police.

The school administrator, in conjunction with other appropriate staff, shall determine and implement appropriate consequences, which may include discipline and/or remedial action for the aggressor and the target. The aggressor will be informed that retaliation is strictly prohibited and will be met with similar or additional consequences.

The school administration shall take necessary steps to protect the target from further bullying, harassment, hazing or intimidation incidents.

The school administrator or designee will follow up with the target of any bullying, harassment, hazing or intimidation to ensure that the negative behavior has stopped and no retaliation occurs. Documentation will be kept of each reported incident, conclusive findings, and action taken.

## **VII. Exhaustion of Administrative Remedies**

A person alleging violation of any form of harassment, intimidation, hazing, or threatening, insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or electronic

communication, as stated above, may seek redress under any available law, either civil or criminal, after exhausting all administrative remedies.

### **VIII. Retaliation and Reprisal**

Retaliation is prohibited against any person who reports or is thought to have reported a violation, files a complaint, or otherwise participates in an investigation or inquiry. Such retaliation shall be considered a serious violation of Board policy, whether or not a complaint is substantiated.

### **IX. Notification and Training**

The District policy and procedures will be included in student handbook for all grade levels and posted on the district's webpage.

Staff, students and parents will be educated on the policy and procedures, including: recognizing inappropriate behaviors; using appropriate intervention and remediation; and possible consequences and discipline.

Cross Reference:

3310 Student Discipline

4226 Community: Relations Hazing, Harassment, Intimidation, Bullying

5226 Personnel: Hazing, Harassment, Intimidation, Bullying

10.55.701 (2)(f), ARM Board of Trustees

10.55.801(1)(d), ARM School Climate

10.55.719 Student Protection Procedures

Policy History:

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