

STUDENT BULLYING POLICY

1. **Purpose and Policy.** Natrona County School District No. 1 (NCS D) is committed to providing a secure student learning environment free of threat, hazing, harassment, intimidation, menacing, cyber bullying, “sexting” and other bullying behavior. Pursuant to the policy and administrative regulations herein, created with the assistance of parents and guardians, school employees, volunteers, students, administrators and community representatives, no person may engage in threats, hazing, harassment, intimidation, menacing, cyber bullying, “sexting” or bullying behavior against an NCS D student or students participating in functions sponsored by the District (“student participants”). Further, NCS D prohibits reprisal or retaliation against a student, witness or person who reports information about or cooperates in the investigation of an act of threatening, hazing, harassment, intimidation, menacing, cyberbullying, “sexting” or bullying. *See* W.S. § 21-4-313, 314 (2009). **All such behavior by students, staff or third parties against any NCS D student or student participant is strictly prohibited and will not be tolerated by NCS D.**

2. **Implementation.** The Natrona County School District Administration shall, by December 31, 2009, formulate and adopt administrative regulations addressing the following, which shall be incorporated by reference into the policy herein:

a. Definitions relevant to the policy and administrative regulations, including but not limited to definitions of “harassment,” “intimidation” and “bullying” of a student or student participant;

b. Consequences and appropriate remedial actions for persons committing acts of harassment, intimidation or bullying or engaging in reprisal or retaliation;

c. Procedures for reporting and documenting acts of harassment, intimidation or bullying, including a provision for reporting anonymously;¹

d. Procedures for reporting and documenting acts of reprisal or retaliation against a person who reports or makes a complaint of harassment, intimidation or bullying;

e. Procedures for prompt investigation of reports or complaints of serious violations of the policy;

f. Procedures for development of strategies protecting a victim from additional harassment, intimidation or bullying, and from retaliation following a report;

g. Consequences and appropriate remedial action for a person who is found to have made a false accusation report or complaint;

h. A process for discussing the District’s harassment, intimidation and anti-bullying policy with students; and

¹ Formal disciplinary action shall not be taken solely on the basis of an anonymous report. The procedures shall identify the appropriate school personnel responsible for receiving a report and investigating a complaint. *See* W.S. §21-4-314(b)(iv)(2009).

- i. A statement and procedures addressing how the policy is to be publicized, including notice that the policy applies to students participating in functions sponsored by the District.
3. The NCSD Administration shall include the policy adopted by the Trustees in the Natrona County School District No. 1 Board Policy Manual, which also includes all District administrative regulations, and in all Natrona County School District student handbooks, which set forth the standards of conduct for schools and students of the District. The policy and administrative regulations shall be posted on the District website.
4. Information regarding the school district's policy and administrative regulations against harassment, intimidation and bullying shall be incorporated into the District's professional development programs.
5. Information regarding the school district's policy and administrative regulations against harassment, intimidation or bullying shall be provided to volunteers and other non-certified employees of the District who have significant contact with students.
6. The District shall annually review and update its Bullying Policy and administrative regulations as needed.

Effective Date: December 31, 2009.

Adopted: November 23, 2009

STUDENT BULLYING POLICY PROCEDURES

1. **Purpose and Policy.** Natrona County School District No. 1 (NCS D) is committed to providing a secure student learning environment free of threat, hazing, harassment, intimidation, menacing, cyber bullying, “sexting” and other bullying behavior. Pursuant to the policy and administrative regulations herein, created with the assistance of parents and guardians, school employees, volunteers, students, administrators and community representatives, no person may engage in threats, hazing, harassment, intimidation, menacing, cyber bullying, “sexting” or bullying behavior against an NCS D student or students participating in functions sponsored by the District (“student participants”). Further, NCS D prohibits reprisal or retaliation against a student, witness or person who reports information about or cooperates in the investigation of an act of threatening, hazing, harassment, intimidation, menacing, cyberbullying, “sexting” or bullying. *See* W.S. § 21-4-313, 314 (2009). **All such behavior by students, staff or third parties against any NCS D student or student participant is strictly prohibited and will not be tolerated by NCS D.**

2. Definitions

- a. **“Bullying”** (*See* “Intimidation” or “Bullying,” below.)
- b. **“Cyber-bullying”** (*See* “Intimidation” or “Bullying,” below.)
- c. **“Discrimination”** means any act that has the purpose or effect of unreasonably differentiating in treatment based on disability, race, color, gender, national origin, ethnicity, sexual orientation, age, characteristics or linguistic characteristics of a national origin group.
- d. **“District”** includes NCS D facilities, NCS D premises and non-district property if the student or employee is at any district-sponsored, district-approved or district-related activity or function such as field trips or athletic events where students are under the auspices of the district or where the employee is engaged in district business.
- e. **“Electronic communication”** means a communication transmitted by means of an electronic device, including but not limited to a telephone, cellular phone, computer or pager.
- f. **“False charges” or “malicious accusations”** means an untrue allegation which is made intentionally, knowingly, with reckless disregard for the truth or an untrue allegation made with the specific intent of causing injury or damage to another person. The District will take disciplinary action against any individual making a false charge or malicious accusation of bullying, discrimination or harassment.
- g. **“Harassment”** means unwanted behavior of a non-verbal, verbal, written, graphic, sexual or physical nature that is directed at an individual or group of students or staff on the basis of disability, race, color, gender, national origin, ethnicity, sexual orientation, age, religion, marital status, socioeconomic status, cultural background, familial status, physical characteristic or linguistic characteristics of a national origin group.
- h. **“Hazing”** includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation

or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment, e.g., forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, “paddling” or other physical punishment, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student; requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene, degrading or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate a particular person or group.

i. **“Intimidation” or “bullying”** means any intentional gesture, any intentional electronic communication (“**cyber bullying**”) or any intentional written, verbal or physical act or statement initiated, occurring or received by a student at school that a reasonable person under the circumstances should know will have the effect of:

- 1) Harming a student physically or emotionally, damaging a student's property or placing a student in reasonable fear of personal harm or property damage;
- 2) Insulting, mocking or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school; or
- 3) Creating an intimidating, threatening, hostile or abusive educational environment for a student or group of students through substantially severe, persistent or pervasive behavior.

j. **“Menacing”** includes, but is not limited to, any assault or threat intended to place a school employee, student or third party in fear of imminent physical injury.

k. **“Retaliation” or “Reprisal”** means any verbal or physical act or statement against any person who reports, files a complaint or participates in an investigation under this policy. Retaliation is prohibited and is considered a serious violation of board policy, independent of whether a complaint is substantiated.

l. **“School”** includes a classroom or other location on school premises, school grounds, a school bus or other school-related vehicle, a school bus stop, an activity or event sponsored by a school, whether or not it is held on school premises, and any other program or function where the student is present as a student of the school.

m. **“Sexting”** means sending, forwarding, displaying, retaining, storing or posting sexually explicit, lewd, indecent or pornographic photographs, images or messages by or on a cell phone, computer or other electronic means during school hours or activities on or off campus, while on school district property, during any recess, lunch or leave periods on or off school district property, by use of school district property, or beyond the hours of school operation if the behavior detrimentally affects the personal safety or well-being of school-related individuals, the governance, climate or efficient operation of the school or the educational process or experience.

n. “**Third parties**” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in district business or activities who are not directly subject to District control at inter-district and intra-district athletic competitions or other school events.

3. **Reporting Bullying or Retaliatory Behaviors**

a. Any student, employee, parent or third party who has knowledge of conduct in violation of this policy or any student who feels he/she has been a victim of hazing, harassment, discrimination, blackmail, intimidation, bullying, menacing or retaliation or reprisal (hereafter “bullying” or “retaliatory behavior”) in violation of this policy shall immediately report his/her concerns to:

- 1) The building principal or his/her designee;
- 2) A teacher who will be responsible for notifying the building principal or his/her designee immediately if the matter cannot be adequately addressed by the teacher or is sufficiently serious to warrant administrative intervention;
- 3) A counselor, who is responsible for notifying the building principal or his/her designee immediately if the matter cannot be addressed by the counselor or is sufficiently serious to warrant administrative intervention; or
- 4) The superintendent of schools or his designee.

b. Complaints against the building principal shall be filed with the superintendent or his designee. Complaints against the superintendent shall be filed with the Board chairman. Complaints against the Board chairman shall be filed with the vice-chairman.

c. Teachers, counselors and other certified classified and administrative staff who observe students engaging in bullying behavior are responsible for taking action to timely and appropriately address the behavior and/or timely report the incident to the administrator or his designee.

d. Students and parents are encouraged to resolve concerns through discussions with school staff. However, if they are unable to resolve the complaint and believe the student is the recipient of bullying, they are encouraged to follow the procedure outlined in this policy and the *Student Handbook*.

e. Reports may be made anonymously. Anonymous reports will be investigated and addressed consistent with the investigation process under this policy. Formal disciplinary action shall not be taken solely on the basis of an anonymous report unless the allegation has been investigated and corroborating evidence indicates a policy violation.

f. While many concerns may be resolved through an informal process, the severity and/or nature of a specific incident may require an immediate formal complaint and disciplinary action.

4. Complaint Process

a. Reporting parties may use informal procedures such as oral reports to report and resolve lesser and/or isolated complaints of bullying or retaliation which do not result in physical harm or meet other criteria for formal reporting as noted in ¶4(b), below. Such complaints will be appropriately investigated and addressed by teachers, counselors or other adults consistent with due process requirements. Substantiated reports will be documented in the Student Management System and/or student disciplinary file. Repeat offenses shall be referred to the principal or his/her designee.

b. Formal complaints should be made in writing and submitted to the appropriate administrator or his/her designee. Forms shall be available for reporting, although the use of a specific form is not mandatory in order to lodge a formal complaint if the reporting party is unable or unwilling. Formal complaints are warranted any time such a report and investigation is requested by any parent, student or other person, when bullying involves threats, is physical in nature, causes physical harm, is repeated (i.e.; more than once), is unusual in nature, is perpetrated by a group or groups of students or others, is racial or discriminatory in nature and/or otherwise highly offensive in nature.

c. A copy of all formal complaints, investigations and results should be forwarded to the Safe Schools office within three (3) school days of completing the documentation. Such files shall be stored in a confidential manner, with access limited to administrative personnel and their designees. File information shall also be available to administrative personnel or their designees for the gathering and reporting of statistical and other data which does not individually identify the individuals therein.

5. Investigation

a. In all schools the principal or his or her designee shall be responsible for timely investigating a complaint made under this policy. Alleged serious violations shall be promptly investigated and documented. While the investigator will make efforts to maintain confidentiality to the extent reasonably possible, reporting parties shall not be promised full confidentiality.

b. The complaint, investigation, witness and other information shall be documented along with the findings. Substantiated reports will be documented in the Student Management System and/or student discipline file.

c. Both the alleged student victim and the individual accused of bullying behavior shall have the opportunity to be heard by the investigating adult or a designee prior to a final “substantiated” or “unsubstantiated” finding.

d. For formal complaints, the complainant and reported party, and their respective parents or guardians, shall be notified of whether the allegations are substantiated or unsubstantiated and, if appropriate, that remedial action has or will be taken.

6. Consequences and Remedial Actions for Substantiated Reports

- a. Students whose behavior is found to be in violation of this policy will be subject to discipline up to and including expulsion. *See also* listing of potential consequences, *NCS D Student Handbook*. Staff whose behavior is found to be in violation of this policy will be subject to discipline up to and including dismissal. 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 Board, up to and including civil trespass orders. Any individual may be referred to law enforcement officials if his or her behavior may constitute a crime.
- b. Schools may attempt to assist students and/or parents in resolving concerns and issues prior to the use of the formal complaint process, investigation and disciplinary procedures. These interventions may include consultation, counseling, education, mediation and/or other opportunities for problem-solving between the parties.
- c. Consequences and remedial actions shall be determined taking into consideration the context of events, all relevant circumstances, the parties' prior behavior, the nature of the bullying behavior and its potential harm and the emotional and/or physical harm resulting from the reported party's actions.

7. Protection of Victims from Additional Bullying or Retaliation/Reprisal

- a. The principal or his or her designee shall be responsible for working with the student, parents and others to timely develop and implement strategies for protecting the reporting party and/or affected student following the report of threat, hazing, harassment, intimidation, menacing, cyber-bullying, bullying, "sexting," reprisal or retaliation.
- b. Such strategies may include, but are not limited to, monitoring, counseling, follow-up checks with the student and/or parent, safety plans for the affected student, reassignment of one or more students and other protective planning and/or interventions.
- c. The student who has been bullied, or his/her parent, is responsible for reporting any reprisal or retaliation.

8. Consequences and Remedial Actions for False Accusations

- a. False accusations of bullying shall be immediately reported by the affected party or an adult to the school principal or his/her designee.
- b. False accusation reports shall be investigated consistent with due process procedures noted under "investigation," above.
- c. Persons found to have made false accusation reports may be disciplined up to and including expulsion or dismissal. *See* listing of potential consequences, *NCS D Student Handbook*; *see also* potential consequences for NCS D employees and third parties, ¶6(A), above.

d. For formal complaints, the complainant and reported party, and their respective parents or guardians, shall be notified whether the allegations are substantiated or unsubstantiated and, if appropriate, that remedial action has or will be taken.

9. Student Bullying Policy Education for Students, Certified and Classified Personnel, Parents, Volunteers and the Community

a. **Students.** Bullying training and education curriculum shall be standardized, based on age group, throughout the District. Students shall be provided a copy of the Student Bullying Policy prior to December 31, 2009 and annually thereafter during registration and/or orientation. Each building principal or his or her designee shall be responsible for assuring the delivery, and documentation of the delivery, of this orientation information. Documentation of the delivery of bullying orientation information shall be sent to the Safe Schools Director within three (3) school days of delivery.

b. **Students.** Beginning in Fall, 2010, the Student Bullying Policy and procedures shall be discussed annually at each school during student orientation or at an alternative time to be determined by the principal or his or her designee prior to October 1. Each building principal or his or her designee shall be responsible for assuring the delivery of this standardized orientation information. Documentation of the delivery of bullying orientation information shall be sent to the Safe Schools Director within three (3) school days of delivery. In the event of a report of bullying or retaliatory behavior, substantiated or unsubstantiated, a student accused of a bullying or retaliatory behavior shall be re-educated concerning the District's Student Bullying Policy. Each building principal or his or her designee shall be responsible for assuring the delivery and documentation of delivery of this re-education.

c. **Students and Parents.** A version of the Student Bullying Policy shall be included in the *Natrona County School District No. 1 Student Handbook* beginning in Fall of 2010. On-line versions of the *Student Handbook* shall include a link to the Student Bullying Policy and administrative regulations no later than December 31, 2009.

d. **Certified and Classified Personnel.** All NCSD personnel shall be provided with a copy of the Student Bullying Policy and administrative regulations prior to December 31, 2009. Beginning in Fall, 2010, the Student Bullying Policy and administrative regulations shall be presented annually at classified and certified personnel orientations for those personnel who have substantial contact with students, or at an alternative time to be determined by the building principal or his or her designee prior to October 1. Each building principal, supervisor or his or her designee shall be responsible for assuring the delivery of this orientation information, and documentation of delivery.

e. **Certified and Classified Personnel.** Professional development programs concerning bullying prevention, intervention and reporting shall be available to certified and classified personnel who have substantial contact with students. Documentation of the delivery of bullying education shall be sent to the Human Resources Executive Director within three (3) school days of delivery.

f. **Volunteers.** All school volunteers with substantial contact with children shall be provided a copy of the Student Bullying Policy and administrative regulations beginning no later than December 31, 2009 or at the time the volunteer begins participating in volunteer activities in the schools. Each building principal or his or her designee shall be responsible for assuring the delivery of this orientation information.

g. **Students, Parents, Certified and Classified Personnel, Volunteers and Community Members.** The Student Bullying Policy and administrative regulations shall be posted on the Natrona County School District No. 1 website by December 31, 2009. The Communication Team supervisor shall be responsible for assuring the website posting and updating of the Student Bullying Policy and administrative regulations. No later than December 31, 2009 the Natrona County School District No. 1 Communication Team shall develop, adopt and begin implementing a Student Bullying Policy community education plan.

h. **Students, Parents, Certified and Classified Personnel, Volunteers and Community Members.** The District may establish bullying prevention programs or other initiatives and may involve school staff, students, administrators, volunteers, parents, law enforcement and community members.

10. Continuous Review and Revision

The District shall annually review and update Student Bullying Policy and procedures as needed.

Effective Date: December 31, 2009.

Adopted: _____