

School District of New Holstein

Student Harassment and Bullying Policy and Procedures Notice

The School District of New Holstein is committed to creating a safe, caring, respectful learning environment for all students and strictly enforces a prohibition against bullying of any of its students by anyone. The board of education has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Harassment or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Demonstration of appropriate behavior, treating others with civility and respect and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

"Harassment" or "bullying" is any gesture or written, verbal, graphic, or physical act (including "cyber bullying" or electronically transmitted acts – i.e. internet, cell phone, personal digital assistant (PDA), or wireless hand held device etc. Cyber bullying includes but is not limited to the following misuses of technology: harassment, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful email messages, instant messages, text messages, digital pictures or images, or website postings, including blogs or any other messages via cyberspace) that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression; or sensory disability or impairment; or by any other distinguishing characteristic. Such behavior may be considered harassment or bullying whether it take place on or off of school property, at a school-sponsored function, or in a school vehicle.

"Harassment or bullying" is conduct that meets all of the following criteria:

- is directed at one or more individuals;
- substantially interferes with educational opportunities, benefits, or programs of one or more individuals;
- adversely affects the ability of an individual to participate in or benefit from the school district's educational programs or activities because the conduct, as reasonably perceived by the individual, is so severe, pervasive, and objectively offensive as to have this effect; and,
- is based on the individual's actual or perceived distinguishing characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics.

School administrators will implement procedures that ensure both the appropriate consequences and remedial responses to a student or staff member who commits one or more acts of harassment or bullying. Reprisal or retaliation against any person who reports an act of harassment or bullying is prohibited. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstance of the act.

The following procedure is adopted to provide for the resolution of student complaints alleging any acts of bullying or harassment.

No person shall on the basis of age, race, color, creed, national origin, sex, physical, mental, emotional, learning, or developmental disability, handicapping condition, marital or parental status, ancestry, sexual orientation, arrest record, conviction record, religion, pregnancy, physical condition, membership in the national guard, state defense force or any other reserve component of the military forces of the United States or this state or use or nonuse of lawful products be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any program, activity or employment by the School District of New Holstein as required by Title VI, Title IX, Section 504, and Title II of the ADA.

- Step One: Any person who believes that he/she has been subjected to bullying or harassing behavior by another person is encouraged to confront the offender in an effort to stop the offensive behavior. If the effort fails or if the person is unwilling or unable to confront the offender, then he/she should proceed to step two.
- Step Two: Any complaint shall be reported orally or in writing to either a faculty member or the building principal. Parents/guardians who believe that their child has been bullied or harassed may make a report on behalf of their child. The complaint should include the specific nature of the harassment or bullying; factual information such as dates and locations; and the name of the complainant. The complaint reports must, in turn, be directed to the building principal by the end of the next working day. Verbal reports must be transcribed to assist each investigation.
- Step Three: The building principal shall thoroughly investigate within ten (10) work days after receipt of the complaint. The building principal shall give a written answer to the complainant, with a copy sent to the individual accused. The building principal will determine both the appropriate consequence and remedial response to a student or staff member who commits one or more acts of harassment or bullying. Consequences will increase in severity if the situation continues to persist. Consequences for students may include, but are not limited to, notification of parents, meeting with parents and other parties involved, reparation, detention, suspension, removal from extra-curricular activities, removal from non-curricular privileges, legal repercussions, referral to human services, or expulsion. Employees found guilty of bullying or harassment will be subject to immediate corrective or disciplinary action, up to and including discharge, as deemed appropriate by the District.
- Step Four: If any party wishes to appeal the decision of the building principal, he/she may submit a signed statement of appeal in writing to the District Administrator within ten working days of the building principal's response. The District Administrator will meet with the building principal that investigated the complaint, review all support documentation, and conduct additional investigation as needed. He/she will then formulate a conclusion, and respond to the appeal within ten working days. In a case involving the District Administrator or a Board member, an appeal must be submitted to the Board.
- Step Five: If a party remains dissatisfied with the building principal and District Administrator's decision, he/she may appeal to the Board of Education within 10 days of the receipt of the District Administrator's response. The Board of Education will then investigate and render a decision in the matter.

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