

5276 - Bullying

STUDENT BULLYING POLICY PROCEDURES

Purpose and Policy

Campbell County School District No. 1 (CCSD) 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 ~~s herein which were~~ 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 a CCSD student or students participating in functions sponsored by the District. (“student participants”). Further, CCSD 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, cyber bullying, “sexting” or bullying. See W.S § 21-4-313, 314 (2009). All such behavior by students, staff, or third parties against any CCSD student or student participant is strictly prohibited and will not be tolerated by CCSD.

DEFINITIONS

Bullying - See Intimidation or Bullying below.

Cyber-bullying - See Intimidation or Bullying below.

Discrimination - means any act that has the purpose or effect of unreasonably differentiating in treatment based on the following:

- disability
- Race
- Color
- Gender
- national origin
- ethnicity
- sexual orientation
- age
- characteristics or linguistic characteristics of a national origin group.

District – includes the following:

- CCSD facilities
- CCSD premises
- Non-~~e~~District property if the student is at any ~~e~~District-sponsored, ~~e~~District-approved or ~~e~~District-related activity or function such as the following:
 - field trips
 - athletic events where students are under the auspices of the District.

Electronic communication - means a communication transmitted by means of an electronic device including but not limited to the following:

- telephone
- cellular phone
- computer
- pager

False charges or a malicious accusation - 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.

Harassment - means unwanted behavior of a non-verbal, verbal, written, graphic, sexual, or physical nature that is directed at an individual or group of individuals students or staff on the basis of the following:

- 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.

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., Examples include:

- 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 health, or physical health, or safety of a student; or

- 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
- any activities intended to degrade or humiliate a particular person or group

Intimidation or Bullying - means any intentional gesture, any intentional electronic communication (**cyber-bullying**), or any intentional written, verbal or physical act or statement received by a student repeatedly and over time on the part of one or more other persons which is negative in nature and causes a student to have difficulty defending himself or herself.

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

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.

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

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 eDistrict property, during any recess, lunch, or leave periods on or off school eDistrict property, by use of school eDistrict property, or beyond the hours of school operation if the behavior detrimentally affects the personal safety or well-being of school-related individual, the governance, climate or efficient operation of the school or the educational process or experience.

Third parties - include, but are not limited to:

- coaches
- school volunteers
- parents
- school visitors

- ~~5. 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.~~

~~Complaint Process~~

- ~~1. 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 noticed 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 PowerSchool and/or student disciplinary file. Repeat offenses shall be referred to the principal or his/her designee.~~
- ~~2. 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 and leaves the victim feeling defenseless or vulnerable.~~
- ~~3. A copy of all formal complaints, investigations and results should be forwarded to the Student Support Services office within 7 (seven) 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.~~

~~Investigation~~

- ~~1. In all schools the principal or his/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.~~
- ~~2. The complaint, investigation, witness and other information shall be documented along with the findings. Substantiated reports will be documented in PowerSchool and/or student discipline file.~~

- ~~3. 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.~~
- ~~4. 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.~~

~~Consequences and Remedial Actions for Substantiated Reports~~

- ~~1. 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 in the *Student Handbook*.~~
- ~~2. 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.~~
- ~~3. 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.~~

~~Protection of Victims from Additional Bullying or Retaliation/Reprisal~~

- ~~1. The principal or his/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.~~
- ~~2. 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.~~
- ~~3. The student who has been bullied, or his/her parent, is responsible for reporting any reprisal or retaliation.~~

~~Consequences and Remedial Actions for False Accusations~~

- ~~1. False accusations of bullying shall be immediately reported by the affected party or an adult to the school principal or his/her designee.~~
- ~~2. False accusation reports shall be investigated consistent with due process procedures noted under "investigation" above.~~
- ~~3. Persons found to have made false accusation reports may be disciplined up to and including expulsion or dismissal. See listing of potential consequences, *CCSD Student Handbook*; see also potential consequences for CCSD employees and third parties, ¶6(a), above.~~
- ~~4. 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.~~

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

- ~~1. Students~~

~~Students shall be provided a copy of the Student Bullying Policy annually during registration and/or orientation. Each building principal or his/her designee shall be responsible for assuring the delivery, and documentation of the delivery, of this orientation information.~~

~~Beginning in fall, 2011 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/her designee prior to October 1. Each building principal or his/her designee shall be responsible for assuring the delivery of this standardized orientation information. 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/her designee shall be responsible for assuring the delivery and documentation of delivery of this re-education.~~

- ~~2. Students and Parents~~

~~A version of the Student Bullying Policy shall be included in the *Campbell County School District No. 1 Student Handbook* beginning in the fall of 2011. Online versions of the *Student Handbook* shall include a link to the Student Bullying Policy.~~

- ~~3. Certified and Classified Personnel~~

~~Beginning fall, 2011, the Student Bullying Policy 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/her designee, prior to October 1. Each building principal, supervisor or his/her designee shall be responsible for assuring the delivery of this orientation information and documentation of delivery.~~

~~Professional development programs concerning bullying prevention, intervention and reporting shall be available to certified and classified personnel who have substantial contact with students.~~

~~4. Students, Parents, Certified and Classified Personnel, Volunteers and Community Members-~~

~~The Student Bullying Policy shall be posted on the Campbell County School District No. 1 website by fall 2011. Student Support Services shall be responsible for assuring the website posting and updating of the Student Bullying Policy.~~

~~The District may establish bullying prevention programs or other initiatives and may involve school staff, students, administrators, volunteers, parents, law enforcement and community members.~~

~~Continuous Review and Revision~~

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

ADOPTION DATE: December 8, 2009; Major Revision June 14, 2011, **Revised January 12, 2021**

LEGAL REFERENCE(S): W.S. § 21-4-311 – 21-4-315, “Safe School Climate Act”

CROSS REFERENCE(S): **4374, Title IX Sexual Harassment**

ADMINISTRATIVE REGULATION: **5276-R, Bullying**