

5276 - Bullying

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 regulation 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.

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.

For information concerning threat, harassment, intimidation, hazing, cyber bullying, “sexting”, and other menacing and/or bullying behavior on the basis of race, color, national origin, sex, disability, age, or any other basis protected by federal, state, or local law; see Policy 4012 on-Discrimination and Anti-Harassment and Administrative Regulation 4012-R Non-Discrimination and Anti-Harassment.

DEFINITIONS

Bullying, Harassment, Intimidation, or Threats – means any intentional electronic communication or any written, verbal, or physical act initiated, occurring, or received at school that a reasonable person under the circumstances should know will have the effect of:

- **Harming a student physically or emotionally, damaging a student’s property, or placing a student in reasonable fear of personal harm or property damage;**
- **Insulting or demeaning a student or group of students, including directly attacking, causing substantial disruption in, or substantial interference with, the orderly operation of the school; or**
- **Creating an intimidating, threatening, or abusive educational environment for a student or group of students through sufficiently severe, persistent, or pervasive behavior.**

In the case of bullying, the following three criteria must also be met:

- **Must be an intentional action meant to harm,**

- Must be repeated behavior over time, and
- Must have a power imbalance where a student or group of students have a hard time defending themselves.

Bullying – See Intimidation or Bullying below.

Cyber-bullying - See Intimidation or Bullying below. means sending or posting messages or images using electronic media, including but not limited to email, cell phone and pager, voice, text, still photograph or video messages, instant messaging, defamatory personal web sites, social networking sites and online personal polling sites or journals, or other technology to support bullying, harassment, intimidation, hazing, or other menacing and/or bullying behavior.

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-District property if the student is at any District-sponsored, District-approved or 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
- watch

False charges allegations 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 allegation or malicious accusation of bullying, discrimination, or harassment.

Harassment – means unwanted behavior of a non-verbal, verbal, written, graphic, sexual, or physical nature directed at an individual or group of individuals 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. **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,
- assignment of pranks to be performed,
- any activities intended to degrade or humiliate a particular person or group, or
- any other forced activity that could adversely affect:
 - the mental health, 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.

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 Behavior - includes, but is not limited to, any assault or threat intended to place a student, school employee, 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,
- 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)
- any other program or function where the student is present as a student of the school is responsible for the student.

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 **any** 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 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
- 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.

COMMUNICATION

Students will be provided with age-appropriate information on the recognition and prevention of threat, harassment, intimidation, hazing, cyber bullying, “sexting” and other menacing and/or bullying behavior and their responsibilities under this policy. Parents will be provided with this policy and its associated procedures.

DISCLAIMER

This policy shall not be interpreted to prevent an alleged target from seeking redress pursuant to any other applicable civil or criminal law. This policy does not create or alter any civil cause of action for monetary damages against any person nor shall it constitute grounds for any claim or motion raised by either the state or defendant in any proceedings, except that the defense of immunity will be retained by the District and may be asserted in any action arising under the Wyoming Safe School Climate Act.

In the event of any ambiguity, this policy and associated administrative regulations should be interpreted in conformity with the Wyoming Safe Schools Act, W.S. §§ 21-4-311 through 21-4-315.

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, “Wyoming Safe School Climate Act”

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

ADMINISTRATIVE REGULATION: 5276-R, Bullying