

## **HAZING, HARASSMENT, INTIMIDATION, BULLYING, CYBER BULLYING, MENACING**

The Bonneville Joint School District No. 93 Board of Trustees is committed to maintaining an educational environment that protects and promotes the opportunity for students, employees, and visitors to participate or work in a safe, supportive atmosphere that promotes equal opportunities, free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive. Therefore, bullying, cyber bullying, hazing, harassment, intimidation, or menacing by students, staff, or third parties is strictly prohibited and shall not be tolerated.

### **Guidelines**

#### **Prohibition of Actions**

Any actions by students, staff, or third parties that substantially interfere with or disrupt the educational environment of the school are prohibited. Such actions may include but are not limited to:

1. Those occurring on any school premises or at any school sponsored activity, regardless of location;
2. Actions using electronic technology or electronic communication equipment on school computers, networks, forums, or mailing lists, and
3. Actions occurring at locations outside of those listed above that can be reasonably expected to impinge on the rights of other students at school.

#### **Student Expectations**

All students are expected to:

1. Treat each other with civility and respect;
2. **Not** engage in behavior that is harmful to another student or the property of another student; and
3. Conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for school personnel, and for the educational purpose underlying all school activities.

#### **Discipline**

1. Individuals in violation of this policy may be subject to school disciplinary action even

if the threat is not substantial, direct, or specific enough to constitute a violation of state or federal law.

- a. Students whose behavior is found to be in violation of this policy will be subject to discipline up to and including expulsion.
- b. Staff whose behavior is found to be in violation of this policy shall be reported to the Professional Standards Commission and will be subject to discipline up to and including dismissal.
- c. 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.
- d. The Superintendent/designee may refer the case to law enforcement officials when charges warrant such action.
- e. False accusations shall be regarded as a serious offense and shall result in disciplinary action or other appropriate sanctions.

### **Retaliation**

Retaliation against any person, who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry is prohibited.

### **Reporting**

The District shall annually report bullying incidents to the State Department of Education, in the manner and on the form provided.

### **DEFINITIONS**

**Bullying:** is the repeated aggressive behavior, frightening of others with an apparent intent to dominate, or any act that substantially interferes with a student's educational benefits or a school employee's or third party's opportunities, or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, or at any official school bus stop, and may include:

- a. Physically harming a school employee, student, or third party (hitting, pushing) or damaging a school employee's, student's, or third party's property;
- b. Knowingly placing a school employee, student, or third party in reasonable fear of physical harm to the individual or damage to the person's property;
- c. Name-calling, obscene gestures, malicious teasing, or electronic threats;

- d. Indirect attacks such as intentional exclusion from groups, anonymous hurtful notes, or spreading false rumors; or
- e. Creating a hostile educational environment.

Bullying often occurs without apparent provocation.

Bullying is not playful teasing between relatively equal individuals.

**Cyber Bullying:** includes but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or Web site posting, including blogs through the District's computer network and the Internet, whether accessed on campus or off campus, during or after school hours.

**District Official:** includes, but is not limited to, teacher, school counselor, school nurse, principal, assistant principal, and administrator.

**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 physical nature on the basis of age, race, religion, color, national origin, disability, marital status, sexual orientation, physical characteristic, cultural background, socioeconomic status, or geographic location.

Specific actions that constitute harassment may include, but are not limited to;

- a. Physical acts (i.e. aggression or assault, battery, damage to property, intimidation, vandalism, implied or overt threats of violence);
- b. Verbal acts (i.e. demeaning jokes, bullying, taunting, hazing, intimidation, hate speech, slurs, derogatory nicknaming, innuendoes, or other negative remarks);
- c. Visual acts (i.e. graffiti, slogans or visual displays such as cartoons or posters depicting derogatory sentiments); or
- d. Criminal acts (acts in violation of Idaho Criminal Codes or Idaho Human Rights Commission Code).

**Harassment, Intimidation or Bullying:** means any act that substantially interferes with a student's educational benefits, opportunities, or performance, or a school employee's opportunities or performance that takes place on any school premises or at any school sponsored activity, regardless of location and that has the effect of:

- a. Physically harming a school employee, student, or third party or damaging the individual's property;
- b. Knowingly placing a school employee, student, or third party in reasonable fear of physical harm to the person or damage to the individual's property; or
- c. Creating a hostile educational environment.

**Hazing:** includes but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health, or safety of a school employee, student, or third party for initiation or as a condition or precondition of attaining membership in, or affiliation with, any District-sponsored activity or grade level attainment such as but not limited to:

- a. Forced consumption of any drink, alcoholic beverage, drug, or controlled substance;
- b. Forced exposure to the elements;
- c. Requiring total or substantial nudity on the part of the person;
- d. Requiring, encouraging, authorizing or permitting another to be subject to wearing or carrying any obscene or physically burdensome article;
- e. Physical assaults upon the person;
- f. Offensive physical contact with the person;
- g. Participation by the person in boxing matches, excessive number of calisthenics, or other physical contests;
- h. Transportation and abandonment of the person;
- i. Forced prolonged exclusion from social contact;
- j. Confinement to unreasonably small, unventilated, unsanitary, or unlighted areas;
- k. Sleep deprivation;
- l. Assignment of pranks to be performed;
- m. Any forced activity that could adversely affect the mental or physical health or safety of a school employee, student, or third party; or
- n. Any other activities intended to degrade or humiliate.

The term hazing, as defined does not include customary athletic events/activities or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any group or organization.

The term hazing does not include corporal punishment administered by District officials or employees of the District when such actions are in accordance with the Corporal Punishment policy #3345.

Any activity described in this definition shall be presumed to be “forced” activity, the willingness of an individual to participate in such activity notwithstanding.

**Intimidation:** includes, but is not limited to, any threat or act intended to:

- a. Tamper, substantially damage, or interfere with another’s property,
- b. Cause substantial inconvenience,
- c. Subject another to offensive physical contact, or
- d. Inflict serious physical injury on the basis of race, color, religion, national origin, or sexual orientation.

**Menacing:** includes, but is not limited to, any act intended to place a school employee, student, or third party in fear of imminent serious physical injury.

**On any school premises or at any school sponsored activity, regardless of location:** shall include, but not be limited to buildings, facilities, and grounds on the school campus, school busses or at any official school bus stop, school parking areas; and the location of any school sponsored activity. This includes instances in which the conduct occurs off the school premises but impacts a school related activity.

**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 interscholastic events, extracurricular athletic completions, or other school events.

Adopted	09-14-2005	Reviewed	Revised	12-13-2006
				11-18-2009
				02-08-2017

Cross Reference: Uniform Grievance Procedure #3210  
Gender Identity and Sexual Orientation #3281  
Student Conduct #3285  
Sexual Harassment – Intimidation of Students #3290

Assault and/or Battery #3315  
Corporal Punishment #3345  
Safe and Secure Learning/Work Environment #4305  
Reporting Child Abuse, Abandonment or Neglect #5260  
Disruption of School Operations #4325

Legal Reference: Idaho Code §18-917 Hazing  
Idaho Code §18-917A Student Harassment – Intimidation – Bullying  
Idaho Code § 33-205 Denial of School Attendance  
Idaho Code §33-512 Governance of Schools  
Idaho Code § 33-1630 Requirements for Harassment, Intimidation, and  
Bullying Information and Professional Development 20 USC § 1681,  
et seq. Title IX of the Education Amendments of 1972  
Idaho Code §67-5909 Acts Prohibited  
34 CFR Part 106 Nondiscrimination on the basis of sex in education programs  
and activities receiving or benefiting from federal financial assistance  
I.D.A.P.A. 08.02.03.160 Safe Environment and Discipline