

The Board is committed to providing a positive and productive learning and working environment. To this end, hazing, harassment, intimidation, menacing, bullying or cyber bullying by students, staff or third parties is strictly prohibited and shall not be tolerated in the district.

Definitions

1. “Third parties” includes, 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 interdistrict and intradistrict athletic competitions or other school events.
2. “District” include district facilities, district premises and non district property of the student or employee at any district-sponsored, district approved or district-related activity or function, such as field trips or athletic events where students are under the control of the district or where the employee is engaged in district business.
3. “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, i.e., forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, 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 or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate.
4. “Harassment” includes, but is not limited to, any act which subjects an individual or group to unwanted, abusing 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).
5. “Harassment, intimidation, bullying or cyber bullying” means any act that substantially interfered with a student’s educational benefits, 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 that has the effect of:
 - a. Physically harming a student or damaging a student’s property:

- b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;
 - c. Creating a hostile educational environment.
6. 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 postings, including blogs through the District's computer network and the Internet, whether accessed on campus or off campus, during or after school hours. In the situation that cyber bullying originated from a non-school computer, but brought to the attention of school officials, any disciplinary actions shall be based on whether the conduct is determined to be severely disruptive of the educational process. In addition, such conduct must also be in violation of a school policy or state law.
 7. "Intimidation" includes, but is not limited to, any threat or act intended to tamper substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis or race, color, religion, national origin or sexual orientation.
 8. "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.

Confidentiality

It is recognized that harassment is often very distressing for the victim and those who suffer harassment may be reluctant to make their concerns known. All reasonable steps will be taken to ensure that all inquiries and/or complaints are dealt with in confidence.

All complaints about behavior that may violate this policy shall be promptly investigated. Any student, employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, bullying, cyber bullying or menacing in violation of this policy shall immediately report his/her concerns to the building principal or superintendent who have overall responsibility for all investigations. This report may be made anonymously although disciplinary action based solely on an anonymous report is not permitted. A student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate district official.

Complaints against the building principal shall be filed with the superintendent. Complaints against the superintendent shall be filed with the Board Chairman.

The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. The district may also file a request to the Idaho Department of Transportation to suspend the driving privileges or the right to apply for driving privileges of a student 15 years of age or older who has been suspended or expelled at least twice for menacing another student or employee, willful damage or injury to district property or for the use of threats, intimidations, harassment or coercion. 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.

Individuals may also be referred to law enforcement officials. Staff will be reported to Teacher Standards Commission.

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

The superintendent shall be responsible for ensuring notice of this policy is provided to students, staff and third parties and the development of administrative regulations, including reporting and investigative procedures, as needed. Complaint procedures, as established by the district, shall be followed.



LEGAL REFERENCE: Board Action
Date of Adoption: 3/8/93 Reviewed 10/21/98, 5/10/99
Amended: 1/10/05, 6/13/05, 12/14/09

Hazing/Harassment/Intimidation/Bullying/Cyber Bullying/Menacing
Complaint Procedures

Building principals and the superintendent have responsibility for investigations concerning hazing, harassment, intimidation, bullying, cyber bullying or menacing. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

All complaints will be investigated in accordance with the following procedures:

Step I Any hazing, harassment, intimidation, bullying, cyber bullying or menacing information (complaints, rumors, etc.) shall be filed with the building principal or superintendent. Complaints against the building principal shall be filed with the superintendent. Complaints against the superintendent shall be filed with the Board chairman. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Appropriate Forms: Incident Report Form and Witness Disclosure Form

Step II The district official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The district official will arrange such meetings as may be necessary with concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The district official(s) conducting the investigation shall notify the complainant and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.

Appropriate Form: Status Report

Step III If the complainant is not satisfied with the decision at Step II; he/she may submit a Formal Complaint Form to the superintendent or designee. The Formal Complaint Form must be filed within 10 working days after receipt of the Step II decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant's formal complaint within 10 working days.

Appropriate Forms: Formal Complaint Form, Status Report Form

Step IV If the complainant is not satisfied with the decision at Step III; a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step III decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Documentation related to the incident may be maintained as a part of the student's education records or employee's personnel file. Additionally, a copy of all hazing, harassment, intimidation, bullying, cyber bullying or menacing complaints and documentation will be maintained as a confidential file in the district office.

Appropriate Form: Status Report Form

**Highland School District #305
INCIDENT REPORT**

Employee/Student: _____

Date and Time of Incident _____

Where Did The Incident Occur? _____

Describe in detail the Incident:

List any witnesses who were present :

Reported To: _____ Date: _____

My signature below verifies that the information I have provided is true, accurate, and complete to the best of my knowledge and belief.

Complainant's Signature

Date

Return to Building Principal, Supervisor, or Superintendent

**Highland School District #305
WITNESS DISCLOSURE FORM**

Name of Witness: _____

Position of Witness: _____

Date and Time of Testimony/Interview: _____

Description of Incident Witnessed:

My signature below verifies that the information I have provided is true, accurate, and complete to the best of my knowledge and belief.

 Witness Signature Date

Return to Building Principal, Supervisor, or Superintendent

OFFICE USE:	
Received by _____ Signature and Title	Date: _____

Highland School District #305

INCIDENT STATUS REPORT

Is the Incident Resolved? Yes ____ No ____

Explain:

Further Action:

Reviewed By: _____ Date: _____

**Highland School District #305
FORMAL COMPLAINT FORM**

Highland School District maintains a policy for prompt resolution of any complaint presented to a district administrator, supervisor, or Board Member. If you have been unsuccessful in resolving a complaint at the informal level and you wish your complaint to be addressed through this complaint procedure, please complete the following information regarding the complaint:

Complainant Name: _____

Home Address: _____

Work Address: _____

Home Phone: _____ Work Phone: _____

Type of Complaint: _____

Specific Complaint: Please provide detailed information including date, time, location, witnesses, and specifics of incident. (Continue on separate page if more space is needed.)

Did you discuss this complaint with the person at the informal level? Yes ___ No ___

If so, where and when did that discussion occur?

My signature below verifies that the information I have provided is true, accurate, and complete to the best of my knowledge and belief.

Complainant Signature

Date

Return to Building Principal, Supervisor, or Superintendent.

Attach all pertinent forms: Incident Report Form, Witness Disclosure Form, Status Report Form