

DE SOTO AREA SCHOOL DISTRICT

411.1

STUDENT HARASSMENT, INTIMIDATION AND BULLYING

It is the policy of the De Soto School District to maintain a learning environment free from all forms of harassment, intimidation or bullying, and to insist that all students are to be treated with dignity, respect, and courtesy. Harassment, intimidation, and bullying behavior can be:

- Physical (e.g. assault, hitting or punching, kicking, theft, threatening behavior)
- Verbal (e.g. name calling, racist remarks, to make timid or fearful, to frighten, or to compel or deter by or as if by threats)
- Indirect (e.g. spreading cruel rumors, intimidation through gestures, social exclusion and sending insulting messages or pictures by mobile phone or using the internet - also known as cyber bullying.
- Including but not limited to one shown to be motivated by such characteristics as sex, race, religion, national origin, color, ancestry, creed, pregnancy, marital or parental status, sexual orientation, physical, mental, emotional or learning disability or handicap, physical appearance, clothing or other apparel, socioeconomic status or other distinguishing characteristics.

Sexual Harassment - Any behavior toward any student by anyone which constitutes unwelcome sexual advances or requests for sexual favors; the display of derogatory posters, cartoons, or drawings; or uninvited letters, telephone calls, looks, gestures, touching, teasing, jokes, remarks, or questions of a sexual nature; or other verbal or physical conduct of a sexual nature will be considered to be sexual harassment when:

- a. submission to such conduct is made a condition of an individual's school attendance;
- b. submission to or rejection of such conduct by an individual is used as a basis for school attendance affecting such individual;
- c. such conduct has the purpose or effect of interfering with an individual's school performance or creating an unfriendly or offensive school environment.

Prohibition

Bullying Behavior is prohibited in all schools, buildings, property and educational environments, including any property or vehicle owned, leased or used by the school district. This includes public transportation regularly used by students to go to and from school. Educational environments include, but are not limited to, every activity under school supervision.

False reports of harassment, intimidation or bullying are also considered a violation of policy. Although there is no absolute definition of conduct which constitutes harassment in every case, all students are asked to conduct themselves reasonably in accordance with this policy. The District shall not tolerate any conduct which fails to comply with the letter and spirit of this policy. All students are required to abide by this policy. Disciplinary measures up to and including suspension may be imposed for violation of this policy.

All students are encouraged to report incidents which may violate this policy in accordance with established procedures. All such complaints shall be objectively and discreetly investigated by the administration and reported to the Board of Education in a prompt manner and proper action to correct the situation shall follow if the investigation concludes that harassment, intimidation or bullying has occurred. Retaliation in any form against any student for complaints or participation in any investigation of alleged harassment, intimidation or bullying is prohibited.

Disclosure and Public Reporting

The policy will be distributed annually to all students enrolled in the school district, their parents and/or guardians and employees. It will also be distributed to organizations in the community having cooperative agreements with the schools. The school district will also provide a copy of the policy to any person who requests it.

Records will be maintained on the number and types of reports made, and sanctions imposed for incidents found to be in violation of the Student Harassment, Intimidation and Bullying policy.

An annual summary report shall be prepared and presented to the school board, which includes trends in harassment/ bullying behavior and recommendations on how to further reduce such behavior. The annual report will be available to the public.

LEGAL REF.: Sections 115.28(31) Wisconsin Statutes
118.13
120.13(1)
947.0125
947.013

PI 9; 41, Wisconsin Administrative Code
Title VI, Civil Rights Act of 1964
Title IX, Education Amendments of 1972
Section 504, Rehabilitation Act of 1973
Americans with Disabilities Act of 1990
Individuals with Disabilities Education
Improvement Act of 2004
Civil Rights Act of 1991
McKinney-Vento Homeless Assistance Act

CROSS REF.: 411.1-Rule, Student Harassment Complaint
Procedures

APPROVED: August 20, 2007
APPROVED REVISED: August 23, 2010