

Luther School Student Protection Procedures: Bullying, Harassment, Intimidation, and Hazing

Policy Adopted & Finalized October 6, 2014

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Every child deserves to feel secure, valued and surrounded by adults they trust at school. A positive school climate is foundational to a quality learning environment.

Like other disruptive behaviors; bullying, harassment, intimidation and hazing negatively impact the learning environment. Bullying, harassment, intimidating and hazing behaviors will not be tolerated at any grade level. Students and staff are strictly prohibited from taking any action that could be interpreted as bullying, intimidation, harassment, hazing, or retaliation for reporting such action.

Luther School District complies with Montana's Student Protection Procedures accreditation standards.

Luther District Policy Guidelines

Key Step

Board Expectations for Student Protection

The Luther School Board of Trustees believes that bullying prevention requires a comprehensive approach that includes prevention, education, intervention, and accountability. To support a safe learning environment, the District shall implement the following practices:

1. Clearly define bullying behavior, including harassment, and cyber- bullying.

- Bullying is negative, often repeated behavior with the intent to hurt someone physically or emotionally and involves an imbalance of power (physical size, social status) between the aggressor(s) and the target(s)
- Cyber-bullying is the use of cell phones, texting, social networking sites, email, or other electronic media to harass, threaten or intimidate someone. (Definitions adapted from www/bullyingprevention.org.)

2. Establish clear policies and procedures for how your school will address bullying behavior.

- School districts are required by the Board of Public Education under the Accreditation Standards (ARM 10.55.719, Student Protection Procedures) to have a policy and procedures to address bullying and harassment, including cyber- bullying.
- Provide training for teachers, staff (bus drivers, lunch room attendants, playground supervisors), students, parents and community members that include what bullying is, how to prevent it and how to appropriately intervene.

3. Make bullying prevention and intervention part of the school environment by promoting a safe school and classroom culture where educators model positive behavior.

- Require all faculty and staff to model the same positive behaviors expected of students with one another and with students.
- Increase adult supervision in areas identified as “hot spots” such as in hallways between class periods, playgrounds, the lunch room and bus stops.
- Commit to bullying prevention for the long term. Successful prevention efforts are an on-going part of the school curriculum and culture.
- Train school personnel and students in appropriate ways to respond when they observe bullying.

4. Establish clear guidelines for reporting, investigating, and responding to bullying incidents.

- Identify a person who is the point of contact at the school for parents, students, teachers and staff who need to take additional steps in reporting and/or intervention.
- Require a firm claim for investigating and response.
- Allow reports made by students, parents, guardians, or other individuals who are not school or district staff members, to be made anonymously and confidentially.
- Make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form, a voicemail box and a suggestion box.

- Depending on the severity of the incident, the school may also need to contact law enforcement authorities.

Luther School District Bully Policy

District Policy Statement

The Luther School District 9-10 is committed to providing a safe, productive and positive learning environment at all grade levels. A safe and accepting school environment is conducive to, and necessary for optimal academic achievement. Like other disruptive behaviors, bullying, harassment, intimidation and hazing negatively impact the learning environment. Bullying, harassment, intimidating and hazing behaviors will not be tolerated at any grade level. Students and staff are strictly prohibited from taking any action that could be interpreted as bullying, intimidation, harassment, hazing, or retaliation for reporting such action.

The Board of Trustees believes that every student has the right to attend school in an environment that is physically safe, emotionally secure, and free from bullying, harassment, intimidation, hazing, and retaliation. Preventing these behaviors is a shared responsibility of students, families, staff, volunteers, trustees, and the community.

I. Definitions

A. “Bullying, harassment, intimidation, and hazing ” means any threatening, insulting, or demeaning gesture or physical conduct, including any intentional written, verbal, or electronic communication or threat directed against a student regardless of the underlying reason for such conduct that:

- a. Causes a student physical or mental harm, damages a student’s property or places a student in reasonable fear of harm to the student or the student’s property;
- b. Substantially interferes with a student’s access to educational opportunity or benefit; or
- c. Substantially disrupts the orderly operation of the school.

B. “Electronic Communication” is defined in 45-8-213, MCA, and includes any communication by any electronic device including but not limited to text messaging, sexting, email, or use of social networking.

C. “Hazing” means an act against a student or coercing a student into behavior that creates risk of harm to a person in order for the student to be initiated into, or affiliated with a student activity, team, club or organization, or for any other purpose.

D. “Retaliation” means an intentional act or communication intended:

- 1. As retribution against a person who has reported an incidence of bullying, harassment, or intimidation; or
- 2. To improperly influence the reporting, investigation, or discipline that results from an incidence of bullying, harassment, or intimidation.

E. “Sexting” means sending sexually explicit messages or photographs, primarily between mobile phones, such as sending a text message with a sexual image.

F. “Staff member” includes, but is not limited to teachers, specialists, coaches, administrators, board members, volunteers, custodians, and any others employed or authorized by the school, school board, or district.

G. “Designated Investigator (s)” is/are the County Superintendent and/or Lead Teacher appointed by the Board of Trustees and/or the Title IX Coordinator of the school responsible for receiving and investigating reports of bullying, harassment, or intimidation.

II. Prohibitions

A. No school student or staff member will engage in any of the following:

1. Bullying, harassment, intimidation or hazing of a student;
2. Retaliation against a student or staff member for reporting an incident of bullying, harassment, intimidation or hazing; or
3. Coercion of another person to commit bullying, harassment, intimidation, or hazing.

B. Bullying, harassment, intimidation and hazing is strictly prohibited:

1. In a classroom or any other location on school premises;
2. During any school sponsored program, activity, or function where the school is responsible for the student, including on a school bus or other school-related vehicle; or
3. Through the use of electronic communication as defined in 45-8-213, regardless of when or where it occurs, that substantially disrupts the orderly operation of the school or any school-sponsored program, activity, or function where the school is responsible for the student.

III. Consequences

A. If a student or staff member is found to have committed one of the above-prohibited behaviors, consequences may follow, up to and including expulsion or termination from employment. Such action is meant not only to discipline the offending student or staff member, but also to protect the target from future aggression or retaliation. Consequences may be implemented after reporting, investigation, and determination that a prohibited act has been committed.

B. Depending on the age of the students involved and severity of the infraction, disciplinary and remedial actions for students may include:

1. Parental notification
2. Loss of privilege(s)
3. Parent conference
4. Reassignment of seats
5. Reassignment of classes
6. Reassignment to another mode of transportation
7. Escort of the perpetrator
8. Completion of apology letter and acknowledgement of behavior
9. Referral or appointments with school counselor or other professionals
10. Payment for damaged property
11. Detention
12. Suspension (in-school or out-of-school)
13. Referral to law enforcement
14. Expulsion

Any student disciplined will be afforded due process as required by District policy for action taken by school administration or the Board of Trustees.

C. Depending on the severity of the offense, disciplinary and remedial actions for school staff is subject and commensurate with the district's personnel policies and may include:

1. Verbal warning
2. Written warning
3. Suspension
4. Referral to law enforcement
5. Termination of employment

IV. Intervention

1. All staff members shall intervene when witnessing potentially bullying, harassment, or intimidating behavior. If the staff member witnesses or receives a report of unresolved bullying, harassment, intimidation or hazing the staff member will report the matter pursuant to Sections: V. Reporting and VI. Investigatory Process below.
2. If it is determined that staff was aware of bullying, intimidation or harassment and did nothing to intervene, discipline or remedial action may be invoked.

V. Reporting

1. Students who feel they have been subjected to bullying, harassment, intimidation or hazing, or other students, parents, staff, or other community members who believe they have witnessed bullying, harassment, intimidation or hazing of a student may report the incident either in writing (via Incident Reporting Form) or verbally. Reports may be made to any staff member.
2. Any staff member who becomes aware of bullying, harassment, intimidation or hazing should attempt to resolve the matter immediately. When staff is made aware of unresolved incidents they shall fill out an Incident Reporting Form and submit it to Designated Person(s) (unless the designated staff member is the subject of the complaint) within 48 hours of the incident.
3. If the Designated Person is the subject of the complaint, the report should be submitted to the County Superintendent.
4. Anonymous reports containing adequate detail to investigate will be investigated.
5. Incident Reporting Forms are available on the School District website or in the school office.

VI. Investigatory Process

1. All investigations should be initiated promptly, but no later than two school days after the Incident Report has been completed and filed with the school administration office.
2. The designated investigator will determine whether bullying, harassment, intimidation or hazing has occurred by interviewing the aggressor(s), the target(s), the reporter, and known bystanders and other witnesses. Previous incident reports involving the same students should also be taken into consideration.
3. Any interviewees should be informed that information given will be kept as confidential as possible in accordance with student due process rights, but that disclosure may be necessary.

4. The investigation should be performed and concluded within **five** school days of receipt of a report. Upon conclusion, if it is found that bullying, harassment, intimidation or hazing has occurred, parents of the target(s) and the aggressor(s) shall be notified immediately by a designated staff member/ County Superintendent and/or school board trustee.
5. The school administration will determine whether another entity has jurisdiction over the incident. If instances of bullying, harassment, intimidation or hazing rise to the level of a possible criminal offense, a staff member or member of the school administration shall immediately notify the police.
6. A staff member and/or school administrator shall determine and implement appropriate consequences, which may include discipline and/or remedial action for the aggressor and the target. The aggressor will be informed that retaliation is strictly prohibited and will be met with similar or additional consequences.
7. The school administration shall take all necessary steps to protect the target from further bullying, harassment, intimidation or hazing incidents. This can include but is not limited to changing the aggressor's seat, transportation route, or classes and identifying a staff member to act as a supervisor for the aggressor. If an escort is appropriate, the aggressor – not the target – should be escorted.
8. The designated school staff member or school administration will follow up with the target of any bullying, harassment, intimidation or hazing to ensure that the negative behavior has stopped.
9. A written record will be kept of each reported incident, including the written report, investigatory steps and information, conclusive findings, referral to other entities (e.g. law enforcement) and disciplinary and/or remedial action taken.

VII. Notification and Training

1. The District policy and procedures will be included in student handbooks for all grade levels and prominently posted on the district's webpage.
2. Reporting form(s) will be readily available to staff members, student's, and parents, including on-line on the District's website.
3. Staff and students will be educated on the policy and procedures, including: recognizing inappropriate behaviors; using appropriate intervention and remediation; and possible consequences and discipline.

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