

PROHIBITION OF HARASSMENT, INTIMIDATION, AND BULLYING

The NWESD 189 is committed to a safe and civil educational environment for all students, employees, parents/legal guardians, volunteers and patrons that is free from harassment, intimidation, or bullying. As defined in legislation, “Harassment, intimidation or bullying” means any intentional electronic, written, verbal, or physical act, including but not limited to, one shown to be motivated by any characteristic in RCW 28A.640.010 and 28A.642.010, or other distinguishing characteristics, when the act:

- Physically harms a student or damages the student’s property.
- Has the effect of substantially interfering with a student’s education.
- Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment.
- Has the effect of substantially disrupting the orderly operation of the school.

Nothing in this section requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation, or bullying.

“Other distinguishing characteristics” can include but are not limited to: physical appearance, clothing or other apparel, socioeconomic status and weight.

“Intentional acts” refers to the individual’s choice to engage in the act rather than the ultimate impact of the action(s).

NWESD 189 student programs will be free from sexual harassment. Allegations of sexual harassment will be processed and resolved as delineated by Policy 3205, *Sexual Harassment of Students Prohibited*, and Procedure 3205-P, *Procedure Sexual Harassment of Students Prohibited*.

Behaviors/Expressions

This policy recognizes that ‘harassment,’ ‘intimidation,’ and ‘bullying’ are separate but related behaviors. Each must be addressed appropriately. The accompanying procedure differentiates the three behaviors; however, this differentiation should not be considered part of the legal definition of these behaviors.

Harassment, intimidation, or bullying can take many forms including, but not limited to, slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats or other written, oral, physical or electronically transmitted messages or images.

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation, or bullying may still be prohibited by other NWESD 189 policies or building, classroom or program rules.

Training

This policy is a component of the NWESD 189's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and will be implemented in conjunction with comprehensive training of staff and volunteers. Specific training requirements are included in the accompanying procedure.

Prevention

The NWESD 189 will provide students with strategies aimed at preventing harassment, intimidation, and bullying. In its efforts to train students, the NWESD 189 will seek partnerships with families, law enforcement, and other community agencies.

Interventions

Interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the aggressor, and to restore a positive school climate.

The NWESD 189 will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior and discipline, to law enforcement referrals.

Students with Individual Education Plans or Section 504 Plans

If allegations are proven that a student enrolled in a NWESD 189 student program with an Individual Education Plan (IEP) or Section 504 Plan has been the aggressor or target of harassment, intimidation, or bullying, the program will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free, appropriate public education (FAPE). The meeting should occur regardless of whether the harassment, intimidation, or bullying incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation, or bullying incident, the NWESD 189 will have appropriate support services made available as deemed necessary, such as counseling, monitoring and/or reevaluation or revision of the student's IEP or Section 504 plan, to ensure the student receives a FAPE.

Retaliation/False Allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying, or participating in an investigation.

It is also a violation of NWESD 189 policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees will not be disciplined for making a report in good

faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Compliance Officer

The Superintendent will appoint a Compliance Officer as the primary NWESD 189 contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the Compliance Officer will be communicated throughout the NWESD 189. The NWESD 189 Compliance Officer will participate in at least one mandatory training opportunity offered by OSPI.

The Superintendent is authorized to direct the implementation of procedures addressing the elements of this policy.

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Reference:
RCW 28A.300.285
WAC 392-190-059

Cross Reference:
Policy 2161
Policy 3200
Policy 3205
Policy 3210
Policy 3211
Policy 3241