

1 **Bainville K-12 Schools**

2
3 **STUDENTS**

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4
5 Bullying/Harassment/Intimidation/Hazing

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7 The Board will strive to provide a positive and productive learning and working environment.
8 Bullying, harassment, intimidation, or hazing, by students, staff, or third parties, is strictly
9 prohibited and shall not be tolerated.

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11 Definitions

- 12 1. "Third parties" include but are not limited to coaches, school volunteers, parents, school
13 visitors, service contractors or others engaged in District business, such as employees of
14 businesses or organizations participating in cooperative work programs with the District,
15 and others not directly subject to District control at inter-district and intra-District athletic
16 competitions or other school events.
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18 2. "District" includes District facilities, District premises, and non-District property if the
19 student or employee is at any District-sponsored, District-approved, or District-related
20 activity or function, such as field trips or athletic events, where students are under the
21 control of the District or where the employee is engaged in District business.
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23 3. "Hazing" includes but is not limited to any act that recklessly or intentionally endangers
24 the mental or physical health or safety of a student for the purpose of initiation or as a
25 condition or precondition of attaining membership in or affiliation with any District-
26 sponsored activity or grade-level attainment, including but not limited to forced
27 consumption of any drink, alcoholic beverage, drug, or controlled substance, forced
28 exposure to the elements, forced prolonged exclusion from social contact, sleep
29 deprivation, or any other forced activity that could adversely affect the mental or physical
30 health or safety of a student; requires, encourages, authorizes, or permits another to be
31 subject to wearing or carrying any obscene or physically burdensome article, assignment
32 of pranks to be performed, or other such activities intended to degrade or humiliate.
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34 4. "Bullying" means any harassment, intimidation, hazing, or threatening, insulting, or demeaning
35 gesture or physical contact, including any intentional written, verbal, or electronic communication
36 ("cyberbullying") or threat directed against a student that is persistent, severe, or repeated, and
37 that substantially interferes with a student's educational benefits, opportunities, or performance,
38 that takes place on or immediately adjacent to school grounds, at any school-sponsored activity,
39 on school-provided transportation, at any official school bus stop, or anywhere conduct may
40 reasonably be considered to be a threat or an attempted intimidation of a student or staff member
41 or an interference with school purposes or an educational function, and that has the effect of:
- 42 a. Physically harming a student or damaging a student's property;
 - 43 b. Knowingly placing a student in reasonable fear of physical harm to the student or
44 damage to the student's property;
 - 45 c. Creating a hostile educational environment, or;
 - 46 d. Substantially and materially disrupts the orderly operation of a school.

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4 5. “Electronic communication device” means any mode of electronic communication,
5 including, but not limited to, computers, cell phones, PDAs, or the internet.
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7 Reporting
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9 All complaints about behavior that may violate this policy shall be promptly investigated. Any
10 student, employee, or third party who has knowledge of conduct in violation of this policy or
11 feels he/she has been a victim of hazing, harassment, intimidation, or bullying in violation of this
12 policy is encouraged to immediately report his/her concerns to the Superintendent, who has
13 overall responsibility for such investigations. A student may also report concerns to a teacher or
14 counselor, who will be responsible for notifying the appropriate District official. Complaints
15 against the Superintendent shall be filed with the Board.
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17 The complainant shall be notified of the findings of the investigation and, as appropriate, that
18 remedial action has been taken.
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20 Exhaustion of administrative remedies
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22 A person alleging violation of any form of harassment, intimidation, hazing, or threatening, insulting, or
23 demeaning gesture or physical contact, including any intentional written, verbal, or
24 electronic communication, as stated above, may seek redress under any available law, either civil
25 or criminal, after exhausting all administrative remedies.
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27 Responsibilities
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29 The Superintendent shall be responsible for ensuring notice of this policy is provided to students,
30 staff, and third parties and for the development of administrative regulations, including reporting
31 and investigative procedures, as needed.
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33 Consequences
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35 Students whose behavior is found to be in violation of this policy will be subject to discipline up
36 to and including expulsion. Staff whose behavior is found to be in violation of this policy will be
37 subject to discipline up to and including dismissal. Third parties whose behavior is found to be
38 in violation of this policy shall be subject to appropriate sanctions as determined and imposed by
39 the Superintendent or the Board. Individuals may also be referred to law enforcement officials.
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41 Retaliation and Reprisal
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43 Retaliation is prohibited against any person who reports or is thought to have reported a
44 violation, files a complaint, or otherwise participates in an investigation or inquiry. Such
45 retaliation shall be considered a serious violation of Board policy, whether or not a complaint is
46 substantiated. False charges shall also be regarded as a serious offense and will result in
47 disciplinary action or other appropriate sanctions.
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49 Cross Reference: 3225F Harassment Reporting Form for Students
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51 Legal Reference: 10.55.701(2)(f), ARM Board of Trustees

1 10.55.719, ARM Student Protection Procedures
2 10.55.801(1)(a), ARM School Climate

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4 Policy History:

5 Adopted on: Spring 2004

6 Reviewed on:

7 Revised on: 2/25/08; 6/10/15