

GRANITE FALLS SCHOOL DISTRICT

STUDENTS

POLICY 5005: HARASSMENT, INTIMIDATION, OR BULLYING

The district 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. “Harassment, intimidation, or bullying” means any intentionally written message or image including those that are electronically transmitted verbal, or physical act, including, but not limited to, one shown to be motivated by race, color, religion, ancestry, national origin, gender, sexual orientation including gender expression or identity, mental or physical disability, or other distinguishing characteristics, when an 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).

Behaviors/Expressions

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 district policies or building, classroom, or program rules.

Training

This policy is a component of the district’s responsibility to create and maintain a safe, civil, respectful, and inclusive learning community and shall be implemented in conjunction with training of staff and volunteers.

Prevention

The district will provide students with strategies aimed at preventing harassment, intimidation, or bullying. In its efforts to train students, the district 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 perpetrator, and to restore a positive school climate.

The district 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.

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.

It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, or 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 district 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 district.

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

Cross Reference Policy: 4065, 4095, 5000, 5050, 5051, 5001

Legal Reference: Title VII of the Civil Rights Act of 1964; 29 CFR 1604.11; RCW 46.60 Law Against Discrimination; WAC 392-190-056-057-058; RCW 9A.36.080; Chapter 207, Laws of 2002; RCW 28A.300.285 Harassment, intimidation, and bullying prevention

ADOPTED: JUNE 17, 1993

AMENDED: MARCH 16, 1995

DECEMBER 21, 1995

APRIL 27, 2000

FEBRUARY 19, 2003

APRIL 21, 2004

MAY 21, 2008

JANUARY 19, 2011

JUNE 20, 2012

POLICY 5005 PROCEDURES

A. Introduction

The Granite Falls School District strives to provide students with optimal conditions for learning by maintaining a school environment where everyone is treated with respect and no one is physically or emotionally harmed.

In order to ensure respect and prevent harm, it is a violation of district policy for a student to be harassed, intimidated, or bullied by others in the school community, at school sponsored events, or when such actions create a substantial disruption to the educational process. The school community includes all students, school employees, school board members, contractors, unpaid volunteers, families, patrons, and other visitors. Student(s) will not be harassed because of their race, color, religion, ancestry, national origin, gender, sexual orientation, including gender expression or identity, mental or physical disability, or other distinguishing characteristics.

Any school staff who observes, overhears, or otherwise witnesses harassment, intimidation, or bullying, or to whom such actions have been reported, must take prompt and appropriate action to stop the harassment and to prevent its reoccurrence.

B. Definitions

Aggressor is a student, staff member, or other member of the school community who engages in the harassment, intimidation, or bullying of a student.

Harassment, intimidation or bullying is an intentional electronic, written, verbal, or physical act that:

- 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.

Conduct that is "substantially interfering with a student's education" will be determined by considering a targeted student's grades, attendance, demeanor, interaction with peers, participation in activities, and other indicators.

Conduct that may rise to the level of harassment, intimidation, or bullying may take many forms, including, but not limited to: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, gestures, or acts relating to an individual or group whether electronic, written, oral, or physically transmitted messages or images. There is no requirement that the targeted student actually possess the characteristic that is the basis for the harassment, intimidation, or bullying.

Incident Reporting Forms may be used by students, families, or staff to report incidents of harassment, intimidation, or bullying.

Retaliation is when an aggressor harasses, intimidates, or bullies a student who has reported incidents of bullying.

Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, classified staff, substitute and temporary teachers,

volunteers, or paraprofessionals (both employees and contractors).

Targeted Student is a student against whom harassment, intimidation, or bullying has allegedly been perpetrated.

C. Relationship to Other Laws

This procedure applies only to RCW 28A.300.285 – Harassment, Intimidation, and Bullying prevention. There are other laws and procedures to address related issues such as sexual harassment or discrimination.

At least four Washington laws may apply to harassment or discrimination:

- RCW 28A.300.285 – Harassment, Intimidation, and Bullying
- RCW 28A.640.020 – Sexual Harassment
- RCW 28A.642 – Prohibition of Discrimination in Public Schools
- RCW 49.60.010 – The Law Against Discrimination

The district will ensure its compliance with all state laws regarding harassment, intimidation, or bullying. Nothing in this procedure prevents a student, parent/guardian, school, or district from taking action to remediate harassment or discrimination based on a person’s gender or membership in a legally protected class under local, state, or federal law.

D. Prevention

1. **Dissemination**

In each school and on the district’s website the district will post information on reporting harassment, intimidation, or bullying; the name and contact information for making a report to a school administrator; and the name and contact information for the district compliance officer. The district’s policy and procedure will be available in each school in a language that families can understand.

Annually, the superintendent will ensure that a statement summarizing the policy and procedure is provided in student, staff, volunteer, and parent handbooks, is available in school and district offices and/or hallways, or is posted on the district’s website.

Additional distribution of the policy and procedure is subject to the requirements of Washington Administrative Code 392-400-226.

2. **Education**

Annually, students will receive age-appropriate information on the recognition and prevention of harassment, intimidation, or bullying at student orientation sessions and on other appropriate occasions. The information will include a copy of the Reporting Form or a link to a web-based form.

3. **Training**

Staff will receive annual training on the school district’s policy and procedure, including staff roles and responsibilities, how to monitor common areas and the

use of the district's Reporting Form.

4. **Prevention Strategies**

The district will implement a range of prevention strategies including individual, classroom, school, and district-level approaches.

Whenever possible, the district will implement evidence-based prevention programs that are designed to increase social competency, improve school climate, and eliminate harassment, intimidation, or bullying in schools.

E. Compliance Officer or Designee

The district compliance officer or designee will:

1. Serve as the district's primary contact for harassment, intimidation, or bullying.
2. Provide support and assistance to the principal or designee in resolving complaints.
3. Receive copies of all Reporting Forms, discipline Referral Forms, and letters to parents providing the outcomes of investigations.
4. Be familiar with the use of the student information system. The compliance officer or designee may use this information to identify patterns of behavior and areas of concern.
5. Ensure implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough.
6. Assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training.
7. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis.
8. In cases where, despite school efforts, a targeted student experiences harassment, intimidation, or bullying that threatens the student's health and safety, the compliance officer or designee will facilitate a meeting between district staff and the child's parents/guardians to develop a safety plan to protect the student.

F. Staff Intervention

All staff members shall intervene when witnessing or receiving reports of harassment, intimidation, or bullying. Minor incidents that staff are able to resolve immediately, or incidents that do not meet the definition of harassment, intimidation, or bullying, may require no further action under this procedure.

G. Filing a Reporting Form

Any student who believes he or she has been the target of unresolved, severe, or persistent harassment, intimidation, or bullying, or any other person in the school community who observes or receives notice that a student has or may have been the target of unresolved, severe, or persistent harassment, intimidation, or bullying may report incidents verbally or in writing to any staff member. If the complaint

concerns the conduct of an administrator or the superintendent, the complainant or the person with the information should immediately report such complaint to the compliance officer or designee.

H. Addressing Bullying – Reports

Step 1: Filing a Reporting Form

In order to protect a targeted student from retaliation, a student need not reveal his identity on a Reporting Form. The form may be filed anonymously, confidentially, or the student may choose to disclose his or her identity (non-confidential).

Status of Reporter

a. Anonymous

Individuals may file a report without revealing their identity. No disciplinary action will be taken against an alleged aggressor based solely on an anonymous report. Schools may identify complaint boxes or develop other methods for receiving anonymous, unsigned reports. Possible responses to an anonymous report include enhanced monitoring of specific locations at certain times of day or increased monitoring of specific students or staff. (Example: An unsigned Reporting Form dropped on a teacher’s desk led to the increased monitoring of the boys’ locker room in 5th period.)

b. Confidential

Individuals may ask that their identities be kept secret from the accused and other students. Like anonymous reports, no disciplinary action will be taken against an alleged aggressor based solely on a confidential report. (Example: A student tells a playground supervisor about classmate being bullied, but asks that nobody know who reported the incident. The supervisor says, “I won’t be able to punish the bullies unless you or someone else who saw it is willing to let me use their names, but I can start hanging out near the basketball court, if that would help.”)

c. Non-confidential

Individuals may agree to file a report non-confidentially. Complainants agreeing to make their complaint non-confidential will be informed that due process requirements may require that the district release all of the information that it has regarding the complaint to any individuals involved in the incident, but that even then, information will still be restricted to those with a need to know, both during and after the investigation. The district will, however, fully implement the anti-retaliation provision of this policy and procedure to protect complainants and witnesses.

Step 2: Receiving a Reporting Form

All staff are responsible for receiving oral and written reports. Whenever possible staff who initially receive an oral or written report of harassment, intimidation, or bullying shall attempt to resolve the incident immediately. If the incident is resolved to the satisfaction of the parties involved, or if the incident does not meet

the definition of harassment, intimidation, or bullying, no further action may be necessary under this procedure.

All reports of unresolved, severe, or persistent harassment, intimidation, or bullying will be recorded on a district Reporting Form and submitted to the principal or designee, unless the principal or designee is the subject of the complaint. In that case, all reporting should be made to the compliance officer or designee.

Step 3: Investigations of Unresolved, Severe, or Persistent Harassment, Intimidation, or Bullying

All reports of unresolved, severe, or persistent harassment, intimidation or bullying will be investigated with reasonable promptness. Any student may have a trusted adult with them throughout the report and investigation process.

- a. Upon receipt of the Reporting Form that alleges unresolved, severe, or persistent harassment, intimidation, or bullying, the school or compliance officer or designee will begin the investigation. If there is potential for clear and immediate physical harm to the complainant, the district will immediately contact law enforcement and inform the parent/guardian.
- b. During the course of the investigation, the district will take reasonable measures to ensure that no further incidents of harassment, intimidation, or bullying occur between the complainant and the alleged aggressor. If necessary, the district will implement a safety plan for the students involved. The plan may include changing seating arrangements for the complainant and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a safe person for the complainant; altering the alleged aggressor's schedule and access to the complainant, and other measures.
- c. Within two (2) school days after receiving the Reporting Form, the school, compliance officer or designee will notify the families of the students involved that a complaint was received and direct the families to the district's policy and procedure on harassment, intimidation, or bullying.
- d. In rare cases, where after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the district has evidence that it would threaten the health and safety of the complainant or the alleged aggressor to involve his or her parent/guardian, the district may initially refrain from contacting the parent/guardian in its investigation of harassment, intimidation, or bullying. If professional school personnel suspect that a student is subject to abuse and neglect, they must follow district policy for reporting suspected cases to Child Protective Services.
- e. The investigation shall include, at a minimum:
 - An interview with the complainant;
 - An interview with the alleged aggressor;
 - A review of any previous complaints involving either the complainant or the alleged aggressor; and
 - Interviews with other students or staff members who may have knowledge of the alleged incident.

- f. It may also be determined that other steps must be taken before the investigation is complete.
- g. The investigation will be completed as soon as practicable but generally no later than ten (10) school days from the initial complaint or report. If more time is needed to complete an investigation, the district will provide the parent/guardian and/or the student with weekly updates.
- h. No later than five (5) school days after the investigation has been completed the compliance officer or designee shall respond in writing or in person to the parent/guardian of the complainant and the alleged aggressor stating:
 - The results of the investigation;
 - Whether the allegations were found to be factual;
 - Whether there was a violation of policy; and
 - The process for the complainant to file an appeal if the complainant disagrees with results.

Because of the legal requirement regarding the confidentiality of student records, the compliance officer or designee may not be able to report specific information to the targeted student's parent/guardian about any disciplinary action taken unless it involves a directive that the targeted student must be aware of in order to report violations.

If a district chooses to contact the parent/guardian by letter, the letter will be hand delivered or mailed to the parent/guardian of the complainant and alleged aggressor by United States Postal Service with return receipt requested unless it is determined, after consultation with the student and appropriate staff (psychologist, counselor, social worker) that it could endanger the complainant or the alleged aggressor to involve his or her family. If professional school personnel suspect that a student is subject to abuse or neglect, as mandatory reporters they must follow district policy for reporting suspected cases to Child Protective Services.

Step 4: Corrective Measures for the Aggressor

After completion of the investigation, the school or compliance officer or designee will institute any corrective measures necessary. Corrective measures will be instituted as quickly as possible, but in no event more than five (5) school days after contact has been made to the families or guardians regarding the outcome of the investigation. Corrective measures that involve student discipline will be implemented according to district policy. If the accused aggressor is appealing the imposition of discipline, the district may be prevented by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

If in an investigation it is found that a student knowingly made a false allegation of harassment, intimidation or bullying, that student may be subject to corrective measures, including discipline.

Step 5: Targeted Student's Right to Appeal

- a. Upon completion of the investigation, the Title IX Officer or designee shall provide the Superintendent with a full written report of the complaint and the results of the investigation, unless the matter is resolved to the satisfaction of the complaining party prior to the submission of a full written report.
- b. The Superintendent shall respond in writing to the complaining party within thirty (30) calendar days following receipt of the written complaint.
- c. The response by the Superintendent shall state either:
 1. That the District denies the allegations contained in the complaint received, or
 2. The nature of such reasonable corrective measures deemed necessary to eliminate any such act, condition or circumstance within the District.
- d. Any corrective measures deemed necessary shall be instituted as expeditiously as possible but in no event later than thirty (30) calendar days following the Superintendent's mailing of a written response to the complaining party.
- e. In the event a complainant remains aggrieved as a result of the action or inaction of the Superintendent, said complainant may appeal to the School District Board of Directors by filing a written notice of appeal with the Secretary of the Board of Directors on or before the tenth calendar (10th) day following:
 1. The date upon which the complainant received the Superintendent's response, or
 2. The expiration of the thirty calendar (30) day response period in Section D above, whichever occurs first.
- f. Upon receipt of an appeal, the Board shall schedule a hearing to commence on or before the twentieth calendar (20th) day following the filing of the written notice of appeal.
 1. Both parties shall be allowed to present such witnesses and testimony as the Board deems relevant and material.
 2. The Board shall render a written decision on or before the tenth calendar (10th) day following the termination of the hearing and shall provide a copy to all parties involved.
- g. In the event a complainant charging sex discrimination in violation of RCW 28A.640 or WAC 392-190 remains aggrieved with the decision of the Board, said complainant may appeal the Board's decision to the Superintendent of Public Instruction under WAC 392-190-075 on or before the twentieth calendar (20th) day following the date upon which the complainant received written notice of the School Board's decision.

Step 6: Discipline/Corrective Action

The district will take prompt and equitable corrective measures within its authority on findings of harassment, intimidation, or bullying. Depending on the severity of the conduct, corrective measures may include counseling, education, discipline, and/or referral to law enforcement.

Corrective measures for a student who commits an act of harassment, intimidation, or bullying will be varied and graded according to the nature of the behavior, the developmental age of the student, or the student's history of problem behaviors and performance. Corrective measures that involve student discipline will be implemented according to district policy.

If the conduct was of a public nature or involved groups of students or bystanders, the district should strongly consider schoolwide training or other activities to address the incident.

If staff have been found to be in violation of this policy and procedure, school districts may impose employment disciplinary action, up to and including termination. If a certificated educator is found to have committed a violation of WAC 181-87, commonly called the Code of Conduct for Professional Educators, OSPI's Office of Professional Practices may propose disciplinary action on a certificate, up to and including revocation. Contractor violations of this policy may include the loss of contracts.

Step 7: Support for the Targeted Student

Persons found to have been subjected to harassment, intimidation or bullying will have appropriate district support services made available to them, and the adverse impact of the harassment on the student shall be addressed and remedied as appropriate.

I. Immunity/Retaliation

No school employee, student, or volunteer may engage in reprisal or retaliation against a targeted student, witness, or other person who brings forward information about an alleged act of harassment, intimidation, or bullying. Retaliation is prohibited and will result in appropriate discipline.

J. Other Resources

Students and families should use the district's complaint and appeal procedures as a first response to allegations of harassment, intimidation, or bullying. However, nothing in this procedure prevents a student, parent/guardian, school, or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected class under local, state or federal law. An harassment, intimidation, or bullying complaint may also be reported to the following state or federal agencies:

OSPI Equity and Civil Rights Office
360.725.6162
Email: equity@k12.wa.us
www.k12.wa.us/Equity/default.aspx

Washington State Human Rights Commission
800.233.3247
www.hum.wa.gov/index.html
Office for Civil Rights, U.S. Department of Education, Region IX
206.607.1600
Email: OCR.Seattle@ed.gov
www.ed.gov/about/offices/list/ocr/index.html
Department of Justice Community Relations Service
877.292.3804
www.justice.gov/crt/
Office of the Education Ombudsman
866.297-2597
Email: OEOinfo@gov.wa.gov
www.governor.wa.gov/oeo/default.asp
OSPI Safety Center
360.725-6044
www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx

K. Other District Policies and Procedures

Nothing in this policy or procedure is intended to prohibit discipline or remedial action for inappropriate behaviors that do not rise to the level of harassment, intimidation, or bullying as defined herein, but which are, or may be, prohibited by other district or school rules.

Employee/Student Informal Interview Form
Student Harassment/Intimidation/Bullying

It is the policy of the Granite Falls school District to maintain a learning and working environment that is free from harassment/intimidation/bullying.

Complainant Name: _____ Position: _____

Home Address: _____ Phone: _____

School Site/Bldg: _____ Phone: _____

Name alleged harasser: _____

The alleged harasser works for the district: Yes Worksite: _____ Position: _____

No

The alleged harasser is a student: Yes Building: _____ Grade: _____

No

Relationship of alleged harasser to you:

Teacher/Administrator Support Staff Student

Supervisor Co-Worker Other: _____

Date(s) of alleged incident(s): _____

Where and when did the incident(s) occur? _____

Describe the incident(s) of offensive behavior on the part of the alleged harasser as clearly as possible including comments, actions, requests, physical contact, etc. Attach additional pages if necessary.

List any individuals who may have witnessed or had knowledge of the incident(s) of harassment.

Have steps been taken to resolve this prior to this report? Yes No If yes,

describe:

How would you like to see the problem resolved? _____

Course of Action:

After an informal interview the interviewee wishes to:

Check One	Description	Comments
	Confront the harasser in person.	
	Write the harasser a letter describing the offensive behavior, how it makes the complainant feel, and request the behavior to stop.	
	Ask the supervisor, building administrator, or Title IX officer to confront the harasser and requires the behavior to stop.	
	Other:	

If the complaint is successfully resolved through the informal process, this form shall be filed with the Title IX Compliance Officer.

If the interviewee does not wish to follow the informal procedure, or is not satisfied with the results of the informal process, (s)he may request a formal complaint process.

Do you wish to the district to take further action? Yes No If no, why? _____

I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge.	
_____	_____
Complainant Signature	Date

Form completed by: Complainant Bldg/Program Administrator/Teacher/Support Staff
(circle one)

Received By: PRINT NAME _____ Date _____

Signature _____

District Action: None Other (Explain action or non-action below)

Resolution/Date: _____

Complainant's Signature _____

Investigator's Signature _____

Formal Report Form Student Harassment/Intimidation/Bullying

It is the policy of the Granite Falls school District to maintain a learning and working environment that is free from harassment/intimidation/bullying.

Complainant Name: _____ Grade: _____

Home Address: _____ Phone: _____

School Site/Bldg: _____ Phone: _____

Name of person you believe harassed/intimidated/bullied you: _____

Please provide location where alleged incident occurred:

Site/Address: _____

Relationship of harasser to you:

Teacher/Principal Support Staff Fellow Student Other: _____

Date(s) of alleged incident(s): _____

Where and when did the incident(s) occur? _____

Describe the incident(s) of offensive behavior on the part of the alleged harasser as clearly as possible including comments, actions, requests, physical contact, etc. Attach additional pages if necessary.

List any individuals who may have witnessed or had knowledge of the incident(s) of harassment.

Have steps been taken to resolve this prior to this report? Yes No If yes, what?

How would you like to see the problem resolved? _____

I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge.

Complainant Signature

Date

Form completed by: Complainant Bldg/Program Administrator/Teacher/Support Staff
(circle one)

Received By: PRINT AND SIGN NAME _____

Date

Resolution/Date: _____

Complainant's Signature

Investigator's Signature