

**PROHIBITION OF HARASSMENT, INTIMIDATION, BULLYING, HAZING AND/OR INITIATION**

DATES (Adopted/Revised)	GUIDE WORDS
Adopted - July, 1992 Revised - November , 2004 Revised - June, 2006 Revised - August, 2007 Revised - June, 2015	Harassment Intimidation Bullying Hazing Initiation

The Pocatello/Chubbuck School District No. 25 Board of Trustees is committed to providing a safe and civil learning and working environment free from any form of harassment, intimidation, bullying, hazing, and initiation for all students, and employees, as well as volunteers and patrons who are in the schools. No act of harassment, intimidation, bullying, hazing or initiation will be tolerated by the District. Such actions will result in disciplinary actions.

Idaho Code 18-917A indicates that a student may be guilty of a criminal infraction for engaging in acts of harassment, intimidation or bullying and indicates specifically that:

- No student or minor present on school or District property shall intentionally commit, or conspire to commit, any act of harassment, intimidation or bullying against another student;
- Harassment, intimidation and bullying means any intentional gesture, or any intentional written, verbal or physical act or threat by a student that:
  - o A reasonable person under the circumstances should know will have the effect of:
    - (i) Harming a student; or
    - (ii) Damaging a student's property; or
    - (iii) Placing a student in reasonable fear of damage to his or her person; or
    - (iv) Placing a student in reasonable fear of damage to his or her property; or
  - o Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for a student.
- An act of harassment, intimidation or bullying need not occur directly in person, through actions or conversation but also may be committed through the use of landline, car phone or wireless telephone or through the use of data or computer software that is accessed through a computer, computer system or computer network.

Harassment, intimidation, bullying, hazing and initiation can include any intentional written, verbal or physical act, including but not limited to one determined to be motivated by any characteristic such as race, color, religion, ancestry, national origin, gender, sexual orientation or mental or physical disability. Other distinguishing characteristics can include, but are not limited to: physical appearance, clothing or other apparel, socioeconomic status, gender identity, and marital status.

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

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Harassment, intimidation, bullying, hazing and initiation can take many forms including: slurs, rumors, jokes, innuendos, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral or physical actions.

Intentional acts refer to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

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, bullying, hazing and initiation may still be prohibited by other District policies, or District/building, classroom, or program procedures.

The policy is to be implemented in conjunction with the District's Safety Plans which include prevention, intervention, crisis response, recovery, and annual review. Employees, in particular, are expected to support the dignity and safety of all members of the school community.

**Reporting**

If an individual feels s/he has been subjected to any form of harassment, intimidation, bullying, hazing and/or initiation, the individual is encouraged to firmly and clearly tell the person engaging in the behavior that it is unwelcome, offensive and should stop at once. The individual shall also report any such behavior to the immediate supervisor, a director, or any other administrator. As a matter of policy, it is also required that any individual who becomes aware of any such objectionable conduct involving another employee, student, supervisor or administrator shall report the behavior to the immediate supervisor, a director, or any other administrator. Any false reporting constitutes violation of this policy and may be grounds for immediate disciplinary action up to and including suspension, expulsion, discharge or termination of employment.

**Investigation**

Any allegation of harassment, intimidation, bullying, hazing and/or initiation shall be investigated promptly in accordance with the process outlined in the Procedure and will be conducted in a confidential manner by the administration so as to protect the privacy of all persons involved. Confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances. A timely resolution of each complaint will be reached and communicated to the individual making the claim and any other parties involved.

**Involvement of Law Enforcement**

Depending upon the frequency and severity of the conduct, law enforcement shall be involved to remediate the impact on the victim and the climate of the learning/working environment and to remediate the behavior of the perpetrator.

**Retaliation**

Retaliation against any individual who makes a complaint or brings such objectionable conduct to the District's attention or who assists or participates in any investigation, proceeding or litigation pertaining to harassment, intimidation, bullying, hazing or initiation is prohibited. Any such retaliation constitutes grounds for immediate disciplinary action up to and including suspension, expulsion, discharge or termination of employment.

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**Procedures**

The Superintendent is directed to develop and implement procedures consistent with this policy.

**Staff Training**

The District is responsible for training all staff with regard to all elements of this policy and its procedures. School staff shall be reminded of their legal responsibility to report suspected child abuse, and how that responsibility may be implicated by some allegations of harassment, intimidation, bullying, hazing and/or initiation.

**Student Training**

Students shall be provided with age-appropriate information on the recognition and prevention of harassment, intimidation, bullying, hazing, and/or initiation and their rights and responsibilities under this and other District policies and rules.