

<b>Parker School District</b>	<b>NEPN Code: JFCE-R</b>
<b>Policy Reference Manual</b>	

## **STUDENT BULLYING (Regulation)**

### **A. DEFINITIONS**

**Bullying:** For the purposes of this policy, “bullying” is a pattern of repeated conduct that causes physical hurt or psychological distress on one or more students that may include threats, intimidation, stalking, physical violence, theft, destruction of property, any threatening use of data or computer software, written or verbal communication, or conduct directed against a student that:

- a. Places a student in reasonable fear of harm to his or her person or damage to his or her property; and either
- b. Substantially interferes with a student’s educational performance;
- c. Substantially disrupts the orderly operation of a school

Bullying also includes retaliation against a student for asserting or alleging an act of bullying.

Bullying may include, but is not limited to, the following behaviors and circumstances:

Verbal, nonverbal, physical or written harassment, hazing or other victimization that has the purpose of causing injury, discomfort, fear, or suffering to the victim;

Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;

Implied or explicit threats concerning grades, achievements, property, etc. that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;

Demeaning jokes, stories, rumors or activities directed at a student that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim; or

Unreasonable interference with a student’s performance or creation of an intimidating, offensive or hostile learning environment.

**Electronic:** For the purposes of this policy, “electronic” means any communication involving the transmission of information by wire, wireless broadband, radio, optical or similar means. “Electronic” includes, but is not limited to, communication via electronic mail, internet-based communications, pager service, cell phones, electronic text messaging or similar technologies.

**Third Parties:** For the purposes of this policy, “third parties” includes, but is not limited to, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as employees of business or

organizations participating in cooperative work programs with the District, and others not directly subject to District control at inter-district and intra-district school events.

## **B. REPORTING**

Any individual who believes a student has been the victim of bullying, as defined above, by students, staff or third parties shall report the alleged acts immediately. The report may be made anonymously. A form will be available from the building principal or from the district office. At the time a report is made, district staff may request any evidence of the alleged bullying, including, but not limited to, letters, tapes, or electronic communication devices.

**Designated Personnel:** The building principal is designated to receive written reports of bullying at each school building. Reports may also be received by an alternate, as designated by the building principal. Upon receipt of a written report, the building principal shall reasonably and promptly notify the superintendent and provide a copy of the report to the superintendent. Failure to forward any report as provided herein will result in disciplinary action. If the complaint involves the building principal, the complaint shall be filed directly with the superintendent.

**District Wide:** The School Board hereby designates the superintendent to receive reports of bullying from the building principal as outlined above. The superintendent shall designate an individual to receive reports in such cases that a report alleges bullying performed by the superintendent. If a report is filed involving the superintendent, the designated individual shall reasonably and promptly notify the Board Chair.

**Confidentiality:** The District will make every attempt to respect the confidentiality of the report and the individual(s) against whom the report is filed, consistent with district policy, legal obligations and the necessity to investigate allegations of bullying and take disciplinary action when the conduct has occurred.

**Procedure:** Any individual filing a report of bullying will be asked to put the facts surrounding the conduct in writing on a form provided by the District. The form shall include, but is not limited to: individual's name and address; date of the incident; description of the incident; name of any witnesses; what action, if any, has been taken; and signature of the complainant.

**Required Reporting:** If any accusations include possible criminal activity, the superintendent shall comply with all mandatory state reporting requirements.

## **C. INVESTIGATION**

Upon receipt of a written report, including those made anonymously, the building principal shall be responsible for reasonably and promptly conducting an investigation to determine whether an alleged act constitutes a violation of this policy. At the building principal's discretion, an investigation may be conducted by an alternate investigator as designated by the building principal. After completion of the investigation, the investigating party shall provide written conclusions and findings to the superintendent.

The investigation may consist of personal interviews with individuals named in the report and any others who may have knowledge of the alleged incident(s) or circumstances giving rise to the report. The investigation may also consist of any other methods deemed appropriate by the investigating party.

In addition, the District may take immediate steps, at its discretion, to protect students and employees pending completion of an investigation.

#### **D. PROHIBITION AGAINST RETALIATION**

The District prohibit retaliation against any person who, in good faith, makes a report of alleged bullying conduct or who retaliates against any person who, in good faith, testifies, assists, or participates in any investigation, proceeding, or hearing related to a report of bullying.

Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. If any student who has, in good faith, reported bullying or has testified, assisted or participated in an investigation, believes that he or she has been retaliated against because of his or her participation, he or she should follow the procedures set forth above.

Any charge of bullying found to have been intentionally dishonest or made maliciously without regard for truth is subject to disciplinary action consistent to district policy.

#### **E. CONSEQUENCES**

Any individual found to have violated this policy will be subject to discipline consistent with district policy. The District will take action it deems necessary and appropriate, up to including expulsion, dismissal or appropriate sanction determined and imposed by the administration or the Board. Individuals may also be referred to law enforcement.

#### **F. NOTIFICATION**

The district's bullying prevention efforts shall be annually discussed with students and staff and the district's policy and regulation shall be incorporated into the appropriate district handbooks, which shall be made available to district staff, students, and parents.

#### **Legal References:**

SDCL 22-19-A (Stalking)

#### **Cross References:**

- ACAA: Sexual Harassment
- JF: Student Rights and Responsibilities
- JFA: Student Due Process Rights
- JFC: Student Conduct
- JFCC (EEACC): Student Conduct on School Buses
- JFCD: Cybe Bullying
- JFCF: Hazing
- JFCE: Student Bullying
- JG: Student Discipline
- JGD: Student Suspension or Expulsion

Reviewed: 11/10/2014