

HARRASSMENT, INTIMIDATION, AND BULLYING

Highline School District Policy #3207

STUDENTS

Prohibition of Harassment, Intimidation, and Bullying

The Highline School District is committed to a safe and civil educational environment for all students, employees, volunteers, and patrons, free from harassment, intimidation, or bullying. "Harassment, intimidation, or bullying" means any intentional written, verbal, or physical act, including but not limited to one shown to be motivated by any characteristic in RCW 9A.36.030(3), (race, color, religion, ancestry, national origin, gender, sexual orientation, or mental or physical disability), or other distinguishing characteristics, when the intentional written, verbal, or physical act:

- Physically harms a student or damages the student's property; or
- Has the effect of substantially interfering with a student's education; or
- Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- 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, gender identity, ethnicity, illness, pregnancy, family, and marital status. Harassment, intimidation, or bullying 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" refers 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, or bullying may still be prohibited by other district policies or building, classroom, or program rules.

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful, and inclusive learning community. The superintendent shall develop procedures to provide age-appropriate information and education to district staff, students, parents, and volunteers regarding this policy and the recognition and prevention of harassment, intimidation, and bullying.

Depending upon the frequency and severity of the conduct, intervention, counseling, correction, discipline and/or referral to law enforcement will be used to remediate the impact on the victim and the climate and change the behavior of the perpetrator. This includes appropriate intervention and restoration of a positive climate for victims and others impacted by the violation. False reports or retaliation for harassment, intimidation, or bullying also constitute violations of this policy.

The superintendent shall develop and implement formal and informal complaint procedures for receiving, investigating, and resolving complaints or reports of harassment, intimidation, and bullying. The procedures will include reasonable and prompt timelines and delineate staff responsibilities under this policy. All staff are responsible for receiving informal complaints and reports of harassment, intimidation, and bullying and informing appropriate district personnel of the complaint or report for investigation and resolution. All staff are also responsible for directing complainants to the formal complaint process as appropriate.

The schools shall be responsible for maintaining documentation related to harassment, intimidation, and bullying.

Cross References:	Board Policy 3210	Nondiscrimination
	Board Policy 3240	Student Conduct
	Board Policy 5010	Nondiscrimination
	Board Policy 5262	Sexual Harassment
Legal References	RCW 9A.36.080(3)	Malicious harassment – Definition and criminal penalty
	RCW 28A.640.020	Regulations, guidelines to eliminate discrimination-Scope
	WAC 392-190-056 to 058	Sexual harassment

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Prevention

Staff and regular volunteers will be provided information on recognizing and preventing harassment, intimidation, and bullying. They shall also be fully informed of the formal and informal complaint process and their roles and responsibilities under the policy and procedures.

Students will be provided with age-appropriate information on the recognition and prevention of harassment, intimidation, and bullying and their rights and responsibilities under this and other district policies and rules at student orientation sessions and in classroom training sessions. Appropriate materials on the recognition and prevention of harassment, intimidation, and bullying shall be available upon request. Parents shall be provided information pertinent to this policy annually.

Student Reporting Procedures

Students who believe they have been harassed, intimidated, or bullied are encouraged to act promptly to make an attempt to resolve the matter informally. Informal reports may be made to any staff member, although staff shall always inform complainants of their right to and the process for filing a formal complaint. Staff shall also direct potential complainants to an appropriate staff member who can explain the informal and formal complaint processes. Victims are cautioned to keep accurate documentation of any harassment, intimidation, or bullying in the event such documentation is needed in formal or legal steps. Documentation should include dates, places, specific behaviors, the victim's responses, and any witnesses. Students are permitted to have a guardian, friend, or advisor with them for support during any

step of this procedure. In addition, witnesses are encouraged to report acts of bullying to school authorities. Students who encourage harassment/intimidation/bullying are subject to disciplinary sanctions. Retaliation against any person who makes a complaint or a witness to a complaint is prohibited. Appropriate corrective action will be taken.

Informal Complaint Process

Anyone may use informal procedures to report and resolve complaints of harassment, intimidation, or bullying. At the building level, programs may be established for receiving anonymous complaints.

Complainants should not be promised confidentiality, however, in regard to an investigation. Such complaints must be appropriately investigated and handled consistent with due process requirements.

Informal reports may be made to any staff member, although staff shall always inform complainants of their right to, and the process for, filing a formal complaint. Staff shall also direct potential complainants to an appropriate staff member who can explain the informal and formal complaint process and what a complainant can expect. Staff shall also inform an appropriate supervisor or designated staff person when they receive complaints of harassment, intimidation, or bullying, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

Informal remedies include an opportunity for the complainant to explain to the alleged perpetrator that the conduct is unwelcome, disruptive, or inappropriate, either in writing or face-to-face; a statement from a staff member to the alleged perpetrator that the alleged conduct is not appropriate and could lead to discipline if proven or repeated; or a general public statement from an administrator in a building reviewing the district harassment, intimidation, and bullying policy without identifying the complainant.

Informal complaints may become formal complaints at the request of the complainant, parent, guardian, or because the district believes the complaint needs to be more thoroughly investigated.

Formal Complaint Process

Anyone may initiate a formal complaint of harassment, intimidation, or bullying, even if the informal complaint process is being utilized. Complainants should not be promised confidentiality in regard to an investigation. It cannot be predicted what will be discovered or what kind of hearings may result. Efforts should be made to increase the confidence and trust of the person making the complaint. The district will fully implement the anti-retaliation provisions of this policy to protect complainant(s) and witness(es). Student complainants and

witnesses may have a parent or trusted adult with them, if requested, during any district-initiated investigatory activities.

These steps can begin either following, or in lieu of, the use of informal attempts at resolution.

1. Present allegations to a building administrator or designee. Facts presented must include who, specific behaviors, dates, and times. A copy of the district Harassment, Intimidation, and Bullying Complaint Form (3207F/5262F) will be used to identify the information needed.
2. The building administrator or designee will respond in writing to the complainant regarding resolution options as soon as possible. Options given will be responsive to the individual situation and may focus on either or both short- or long-term solutions. If possible, a resolution will occur at the school level.
3. If a resolution cannot be found at the school level, the formal complaint will be referred to the superintendent/designee.

Investigation Procedures

When the investigation is completed, the superintendent/designee shall compile a full written report of the complaint and the results of the investigation. The superintendent/designee shall respond in writing to the complainant and the accused stating:

1. That the district intends to take corrective action; or
2. That the district does not have adequate evidence to conclude that bullying, harassment, or intimidation occurred.

Corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty days after the superintendent's/designee's written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

Appeals

If a student remains aggrieved by the superintendent's/designee's response, the student may pursue the complaint as one of discrimination pursuant to Policy 3210, Nondiscrimination or a complaint pursuant to Policy 4312, Complaints Concerning Staff or Programs.

Approved by the Superintendent: May 28, 2003