

## 5276-R Bullying

### **Reporting Bullying or Retaliatory Behaviors**

Any student, employee, parent, or third party who has knowledge of conduct in violation of Policy 5276, Bullying or Administrative Regulation 5276-R, Bullying; or any student who feels they have been a victim of hazing, harassment, discrimination, blackmail, intimidation, bullying, menacing, or retaliation or reprisal (hereafter “bullying” or “retaliatory behavior”) in violation of Policy 5276, Bullying or Administrative Regulation 5276-R, Bullying shall immediately report their concerns to:

- The building principal or designee;
- A teacher who will be responsible for notifying the building principal or designee immediately if the matter cannot be adequately addressed by the teacher, or it is sufficiently serious to warrant administrative intervention;
- A counselor who is responsible for notifying the building principal or designee immediately if the matter cannot be addressed by the counselor, or it is sufficiently serious to warrant administrative intervention;
- A coach or activity sponsor who will be responsible for notifying the building principal or designee immediately if the matter cannot be adequately addressed by the coach, or the allegations are sufficiently serious to warrant administrative intervention; or
- The superintendent of schools or designee.

Teachers, counselors and other certified, educational support personnel, and administrative staff who observe students engaging in bullying behavior are responsible for taking action to timely and appropriately address the behavior, and/or timely report the incident to the administrator or his designee.

Students and parents are encouraged to resolve concerns through discussions with school staff. However, if they are unable to resolve the complaint and believe the student is the recipient of bullying, they are encouraged to follow the procedure outlined in this administrative regulation.

### **Anonymous Reports**

Reports may be made anonymously through a variety of means including Safe2Tell, a statewide tip line which allows all citizens and students to report school safety concerns. Anonymous reports will be investigated and addressed consistent with the investigation process under this administrative regulation. Formal disciplinary action shall not be taken solely on the basis of an anonymous report unless the allegation has been investigated and corroborating evidence indicates a violation.

### **Confidentiality**

If a recipient of bullying or retaliation does not wish for his/her name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued; he/she may make such a request to the building principal or designee who shall evaluate that request in light of the duty to provide a safe environment for all students, staff, and other third parties engaging in District activities. Note that the

District's ability to remedy and respond to a reported incident may be limited if the recipient does not want the District to proceed with an investigation and/or resolution.

### **Interim Measures**

The building principal or designee may take immediate interim measures, at his/her discretion, to protect the alleged target of bullying or retaliation, the alleged aggressor, other students, and employees pending completion of an investigation of a complaint/report. These interim measures may include safety plans, altering academic or bus schedules for either the alleged target or alleged aggressor, changing locker locations, changing cafeteria or recess schedules, or providing academic or other support. The specific interim measures and process for implementing those measures will vary depending on the facts of each case.

### **Complaint Process**

While many concerns may be resolved through an informal process, the severity and/or nature of a specific incident may require initiation of a formal complaint.

- **Informal Complaint Process** - Reporting parties may use informal procedures such as oral reports to report and resolve lesser and/or isolated complaints of bullying or retaliation which do not result in physical harm or meet other criteria for formal reporting. Such complaints will be appropriately investigated and addressed by teachers, counselors, or other adults consistent with due process requirements. Substantiated reports will be documented in PowerSchool and/or student disciplinary file. Repeat offenses shall be referred to the principal or designee.

Schools may attempt to assist students and/or parents in resolving concerns and issues prior to the use of the formal complaint process, investigation, and disciplinary procedures. These interventions may include consultation, counseling, education, mediation, and/or other opportunities for problem-solving between the parties.

- **Formal Complaint Process** - Formal complaints should be made in writing and submitted to the appropriate administrator or designee. Forms shall be available for reporting, although the use of a specific form is not mandatory in order to lodge a formal complaint if the reporting party is unable or unwilling to put the complaint in writing.

Formal complaints are warranted any time a report and investigation is requested by any parent, student, or staff member; when bullying involves threats, is physical in nature, causes physical harm, is repeated (i.e.; more than once), is perpetrated by a group or groups of students or others, is highly offensive in nature, and/or and leaves the alleged victim feeling defenseless or vulnerable. The building administrator has the discretion to determine additional circumstances that warrant a formal complaint.

A copy of all formal complaints, investigations, and findings should be forwarded to the student support services office within 7 (seven) school days of completing the documentation. Such files shall be stored in a confidential manner, with access limited to administrative personnel and designees. File information shall also be available to administrative personnel or designees for the gathering and reporting of statistical and other data which does not individually identify the individuals therein.

### **Investigation**

In all schools the principal or designee shall be responsible for timely investigating a complaint made under Policy 5276, Bullying or Administrative Regulation 5276-R, Bullying. Formal complaints shall be promptly investigated and documented. While the investigator will make efforts to maintain confidentiality to the extent reasonably possible, reporting parties shall not be promised full confidentiality.

The complaint, investigation, witness, and other information shall be documented along with the findings. Substantiated reports will be documented in PowerSchool and/or student discipline file.

Both the alleged student victim and the individual accused of bullying behavior shall have the opportunity to be heard by the investigating Principal or designee prior to a final determination of whether the allegations were substantiated.

For formal complaints; the complainant, reported party, aggressor, and their respective parents or guardians shall be notified of whether the allegations are substantiated or unsubstantiated; and if appropriate, what remedial action has or will be taken.

### **Consequences for Substantiated Reports**

Students whose behavior is found to be in violation of Policy 5276, Bullying or Administrative Regulation 5276-R, Bullying will be subject to discipline up to and including expulsion. The range of corrective measures and discipline for a student who has violated this policy will vary depending on the facts of the case. All corrective measures and discipline taken shall remain at the full discretion of the District and shall be administered in accordance with District policy, the District's student handbook, and all applicable law. Any corrective or disciplinary action(s) should be consistent with past discipline imposed by the District in similar situations.

Disciplinary consequences and remedial actions shall be determined taking into consideration the age of the students, context of events, all relevant circumstances, the parties' prior behavior, the nature and severity of the bullying behavior and its potential harm, and the emotional and/or physical harm resulting from the reported party's actions.

### **Protection of Victims from Additional Bullying or Retaliation/Reprisal**

If the investigation substantiates the claim of bullying or retaliation, the District shall take remedial action to ensure a safe learning environment for the victim and others; to be determined on a case-by-case basis. The principal or designee shall be responsible for working with the student, parents, and others to timely develop and implement strategies for protecting the victim and/or reporting party.

Remedial measures are those intended to stop and correct prohibited conduct from reoccurring and protect, support, and intervene on behalf of the victim and others. The District shall direct remedial measures to the victim as well as the aggressor.

Remedial measures may include, but are not limited to: monitoring, follow-up checks with the student and/or parent, safety plans, reassignment of one or more students, counseling, corrective instruction or other relevant learning experience, parent conferences, and restitution and restoration.

Anyone who reports, files a complaint, or participates in an investigation conducted pursuant to this policy should immediately report any reprisal or retaliation.

### **Consequences and Remedial Actions for False Accusations**

False accusations of bullying shall be immediately reported by the affected party their parent, or by someone with knowledge of the false accusation to the principal or designee.

False accusation reports shall be investigated consistent with due process procedures noted under "investigation" above.

The District will take disciplinary action against any individual making a false charge of bullying or retaliation. Students found to have made false accusation reports may be disciplined up to and including suspension or expulsion administered in accordance with District policy, the District's student handbook, and all applicable law.

### **Student Bullying Policy Education for Students, Certified and Educational Support Personnel, Coaches, Activity Sponsors, Parents, Volunteers and the Community**

- Students - Prior to October 1 of each year, Policy 5276, Bullying and Administrative Regulation 5276-R, Bullying, shall be discussed at each school during student orientation or at an alternative time to be determined by the principal or designee. Each building principal or designee shall be responsible for assuring the delivery of this standardized orientation information. In the event of a report of bullying or retaliatory behavior, substantiated or unsubstantiated, a student accused of a bullying or retaliatory behavior shall be re-educated concerning Policy 5276, Bullying and Administrative Regulation 5276-R, Bullying. Each building principal or designee shall be responsible for assuring the delivery and documentation of delivery of this re-education. A version of the Student

Bullying Policy shall be included in the Campbell County School District No. 1 Student Handbook. Online versions of the Student Handbook shall include a link to Policy 5276, Bullying and Administrative Regulation 5276-R, Bullying.

- Certified, Educational Support Personnel, Coaches and Activity Sponsors - Prior to October 1 of each year, for those personnel who have substantial contact with students, Policy 5276, Bullying and Administrative Regulation 5276-R, Bullying shall be presented at employee orientations or at an alternative time to be determined by the building principal or designee. Each building principal or designee shall be responsible for assuring the delivery of this orientation information and documentation of delivery. Professional development programs concerning bullying prevention, intervention, and reporting shall be available to certified and educational support personnel who have substantial contact with students.
- Students, Parents, Volunteers, and Community Members - Policy 5276, Bullying and Administrative Regulation 5276-R, Bullying shall be posted on the Campbell County School District No. 1 website. Student support services shall be responsible for assuring the website posting and updating Policy 5276, Bullying and Administrative Regulation 5276- R, Bullying.

The District may establish bullying prevention programs or other initiatives and may involve school staff, students, administrators, volunteers, parents, law enforcement and community members.

ADOPTION DATE: January 12, 2021; Revised September 28, 2021

LEGAL REFERENCE(S): W.S. § 21-4-311 – 21-4-315, “Safe School Climate Act”

CROSS REFERENCE(S): 5276, Bullying, 4374, Title IX Sexual Harassment

ADMINISTRATIVE REGULATION: