

**CUMBERLAND SCHOOL DISTRICT
STUDENT HARASSMENT/BULLYING POLICY
411.1**

The Cumberland School District strives to provide a safe, secure and respectful learning environment for all students in school buildings, on school grounds, and school buses and at school-sponsored activities. Bullying has a harmful social, physical, psychological and academic impact on bullies, victims and bystanders. The school district consistently and vigorously addresses bullying so that there is no disruption to the learning environment and learning process.

Bullying is defined as including:

Bullying is deliberate or intentional behavior using words or actions intended to cause fear, intimidation or harm. Bullying may be repeated behavior and involves an imbalance of power. The behavior may be motivated by an actual or perceived distinguishing characteristic, such as but not limited to: age; national origin; race; ethnicity; religion; gender; gender identity; sexual orientation; physical attributes; physical or mental ability or disability; and social, economic or family status.

Bullying behavior can be:

1. Physical (e.g. assault, hitting or punching, kicking, theft, threatening behavior)
2. Verbal (e.g. threatening or intimidating language, teasing or name-calling, racist remarks)
3. Indirect (e.g. spreading cruel rumors, intimidation through gestures, social exclusion and sending insulting messages or pictures by mobile phone or using the internet – also known as cyber bullying)

Harassment is defined as including:

Personal Harassment is repeated, unwelcome, offensive conduct or comments, directed towards a specific person or persons, and has the effect of creating an intimidating, humiliating, and offensive learning environment.

Sexual Harassment is defined as unwelcome sexual advances, comments, looks, suggestions, audio and visual material of a sexual nature, requests for sexual favors and other verbal or physical conduct emphasizing sexuality, sexual identity or sexual orientation when such conduct:

1. Either explicitly or implicitly is a term or condition of a student's education;
2. Is used as a basis for scholastic achievement, co-curricular or extra-curricular decisions affecting another student; or
3. Interferes with a student's school performance or creates an intimidating, hostile, offensive learning environment.

Discriminatory Harassment is defined as discrimination contrary to the Human Rights Code and includes discriminatory acts against a student with respect to the learning environment or any educational program or service provided to the student because of race, color, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex or sexual orientation.

Harassment occurs when a student harasses another student or adult and when an adult harasses a student. Some examples of harassment include bullying, taunting, persistent teasing or leering, repeated jokes or innuendoes, false accusations.

Any student who is subjected to harassment, as defined in this policy, shall have the right to file a complaint in accordance with the procedures as set out in the regulations to this policy. No student shall be subject to retaliation for making a complaint of harassment against another student or employee.

Any student who knowingly makes a false complaint of harassment against another student or employee may be subject to discipline up to and including expulsion.

The right to confidentiality, both of the complainant and of the respondent, will be respected in accordance with the Freedom of Information and Protection of Privacy Act.

Prohibition

Bullying behavior is prohibited in all schools, buildings, property and educational environments, including any property or vehicle owned, leased or used by the school district. This includes public transportation regularly used by students to go to and from school. Educational environments include, but are not limited to, every activity under school supervision.

Procedure for Reporting/Retaliation

All school staff members and school officials who observe or become aware of acts of bullying are required to report these acts to administration (administrator designated by the Board of Education to be a recipient of such reports.)

Any other person, including a student who is either a victim of the bullying or is aware of the bullying or any other concerned individual is encouraged to report the conduct to administration (administrator designated by the Board of Education to be a recipient of such reports.)

Reports of bullying may be made verbally or in writing and may be made confidentially. All such reports, whether verbal or in writing, will be taken seriously and a clear account of the incident is to be documented. A written record of the report, including all pertinent details, will be made by the recipient of the report.

The school official receiving a report of bullying shall immediately notify the school district employee assigned to investigate the report. The following school district staff have been identified as the investigators: Elementary, Middle School and High School-administration and counselor; District Level-Superintendent.

There shall be no retaliation against individuals making such reports. Individuals engaging in retaliatory behavior will be subject to disciplinary action.

Procedure for investigating reports of bullying

The person assigned by the district to conduct an investigation of the bullying report shall, within one school day, interview the person(s) who are the victim(s) of the bullying and collect whatever other information is necessary to determine the facts and the seriousness of the report. Parents and/or guardians of each pupil involved in the bullying will be notified prior to the conclusion of the investigation. The district shall maintain the confidentiality of the report and any related pupil records to the extent required by law.

Sanctions and supports

If it is determined that students participated in bullying behavior or retaliated against anyone due to the reporting of bullying behavior, the school district administration and school board may take

disciplinary action, including suspension, expulsion and/or referral to law enforcement officials for possible legal action as appropriate. Pupil services staff will provide support for the identified victim(s).

Disclosure and Public Reporting

The policy will be distributed annually to all students enrolled in the school district, their parents and/or guardians and employees. It will also be distributed to organizations in the community having cooperative agreements with the schools. The school district will also provide a copy of the policy to any person who requests it.

Records will be maintained on the number and types of reports made, and sanctions imposed for incidents found to be in violation of the bullying policy.

An annual summary report shall be prepared and presented to the school board, which includes trends in bullying behavior and recommendations on how to further reduce bullying behavior. The annual report will be available to the public.

Legal Ref.: Wisconsin Statutes, Sections – 111.13, 111.31, 111.36, 118.20
Civil Rights Act of 1964 – Title VII
Education Amendments of 1972 – Title IX
Equal Employment Opportunities
Commission Guidelines

Cross Ref.: 511, Equal Opportunity Employment
512.1, Third Party Harassment
512 Rule, Harassment Guidelines

Adopted: July 30, 2001

Revised: April 26, 2004, October 29, 2007, July 26, 2010

CUMBERLAND SCHOOL DISTRICT
HARASSMENT/BULLYING COMPLAINT FORM

Name of Complainant: _____

Grade Level: _____

Date of Complaint: _____

Name of Alleged Harasser/Bullier: _____

Date and Place of Incident or Incidents: _____

Description of Conduct: _____

Name of Witnesses: _____

Evidence of Harassment/Bullying, i.e., Letters, Photos: _____

Any Other Information: _____

I agree that all the information on this form is accurate and true to the best of my knowledge and request that the school district investigate this complaint. I understand that while every effort will be made to maintain my complaint as confidential, the substance of this complaint and my identity may need to be disclosed to the alleged harasser/bullier.

Signature

Date