

Sun Prairie Area School District

Section J Students

POLICY JBA
BULLYING, CYBER-BULLYING, AND HAZING

Adopted by the School Board: September 28, 2009

LEGAL REF.:—_Sections 111.31, 118.13, 118.164, 118.195, 118.20, 120.12(26), 120.13(1), 947.013, 948.51, and 947.0125, Wisconsin Statutes; PI 9 of the Wisconsin Administrative Code; Title IX of the Education Amendments of 1972; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Equal Protection Clause of the Fourteenth Amendment.

CROSS REF.:—_BDDI-R, *Procedures for Handling Public Suggestions, Concerns and Complaints*; IAA & IAA-R, *Character Education*; IGBJ, *Response to Intervention*; Procedure IIBGA-R, *Technology and Communication Resources, Acceptable Use Procedure*; JB, *Student Discrimination and Harassment*; JB-R *Student Discrimination and Harassment Complaint Procedures*; JFCE, *Code of Classroom Conduct*; JG, *Student Discipline, Suspensions and Expulsions*; *Administrative Guidelines for Student Discrimination and Harassment Response*

I. The Sun Prairie Area School District is committed to providing a safe positive learning environment for all students. The expectation is that everyone will treat each other with respect and consideration. Actions such as bullying, cyber-bullying, or hazing create an atmosphere of fear and intimidation, detract from the safe environment necessary for student learning, and may lead to more serious violence. Therefore, all types of bullying and hazing are prohibited.

II. Definitions & Conditions

A. "Bullying" is defined as systematically or persistently inflicting physical hurt or psychological distress on one or more students. It is intentional written, spoken, nonverbal, or physical behavior, including but not limited to any threatening, insulting, or dehumanizing gesture or communication that has the effect of doing any of the following:

1. Substantially interfering with any student's education.
2. Creating a threatening or fearful environment in a school setting for any student or group of students.
3. Substantially disrupting the orderly operation of the school.

B. "Cyber-bullying" is defined as bullying that involves the use of digital technologies, including but not limited to, e-mail, cell phones, text messages, instant messages, chat rooms, and social websites (e.g., My Space or Facebook). Cyber-bullying is prohibited and treated the same as all other types of bullying.

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C. "Hazing" is defined as any intentional or reckless act which endangers the physical health or safety of a student, or is meant to induce pain or humiliation, or that results in property damage or theft and is directed against another student or students, for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization, class, club or team sponsored or supported by a school or the school district regardless of students' willingness to participate.

D. "Discriminatory Harassment" occurs when acts of bullying or hazing are related to, or motivated by a student's sex, color, religion, profession or demonstration of belief or non-belief, race, national origin, limited English proficiency, ancestry, creed, pregnancy, marital or parental status, homelessness status, sexual orientation or physical, mental, emotional or learning disability or any other basis protected by state ~~of~~ or federal law. Such incidents shall be handled in accordance with Policy JB, *Student Discrimination and Harassment*.

III. Bullying, cyber-bullying, hazing, and/or harassment of any student are expressly prohibited in the following settings and/or circumstances:

A. During any educational program or activity conducted by or sponsored in whole or in part by the school or school district.

B. While being transported on a district provided bus or any other district vehicle.

C. Accessed, created, expressed, or communicated using any district-owned computer, digital technology, or system network.

D. Sent or passed on through any type of non-district owned technology or personal electronic device while on school grounds, at any school related or sponsored activity, or on district provided transportation.

E. Any type of threat indicated to be carried out in a school setting. This includes threats made outside of school hours that communicate intent to be carried out during any school-related or school-sponsored program or activity, or on district provided transportation.

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F. While the District cannot assume liability for incidents that occur at times or locations not defined above, a student or witness may file a complaint against a student and the school will provide assistance and intervention as deemed appropriate, which may include parent contact and/or referral to law enforcement.

IV. School officials need not wait for substantial interference with education, the creation of a threatening environment, or the disruption of the operation of the school to occur. School officials may intervene and/or discipline students when it is reasonably foreseeable that bullying or hazing pose a credible threat of creating such interference, threats, or disruption.

V. All staff members must be alert to and aware of the signs of bullying or hazing and intervene promptly and firmly against it in accordance with this policy.

VI. Any person who believes that a student has been the subject of bullying or hazing shall promptly report the matter to the school principal or assistant principal. Reports of bullying may be made verbally or in writing and may be made confidentially. All reports of bullying or hazing shall be taken seriously, treated fairly and promptly and thoroughly investigated in accordance with Procedure JBA-R. The incident will be documented. There shall be no retaliation against any person who makes a report under this policy. Individuals engaging in retaliatory behavior will be subject to disciplinary action.

VII. School officials shall take all appropriate and necessary action to eliminate bullying and hazing, up to and including disciplinary action towards the offenders and/or involvement of law enforcement.

VIII. School officials shall inform students, staff, parents, and other adults on school grounds, at least annually, that bullying and hazing will not be tolerated. Such notice shall be by at least two of the following means, as deemed appropriate by the principal.

- A. Distribution of this written policy
- B. Publication in student and staff handbooks
- C. Presentation at assemblies
- D. Training sessions for students, parents, and/or staff
- E. Incorporation into character education programming
- F. Posting of notices or signs