

MOUNT BAKER POLICY 3207

PROHIBITION OF HARASSMENT, INTIMIDATION AND BULLYING OF STUDENTS

The board is committed to a safe and civil educational environment that is free from the harassment, intimidation or bullying of any student. As defined in Chapter 28A.600 RCW (Students) "Harassment, intimidation or bullying" means any intentionally electronic, written, verbal, or physical act including but not limited to one shown to be motivated by any characteristic in RCW 28A.640.010 and RCW 28A.642.010, or other distinguishing characteristics, when an act:

- A. Physically harms a student or damages the student's property;
- B. Has the effect of substantially interfering with a student's education;
- C. Is so severe, persistent or pervasive that it creates an intimidating or threatening educational environment; or
- D. 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 and weight.

"Intentional acts" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

This policy and accompanying procedure do not govern harassment, intimidation, or bullying of an employee, volunteer, parent/legal guardian, or community member.

Behaviors/Expressions

This policy recognizes the 'harassment,' 'intimidation,' and 'bullying' are separate but related behaviors towards students. Each must be addressed appropriately. The accompanying procedure differentiates the three behaviors, however, this differential should not be considered part of the legal definition of these behaviors.

Harassment, intimidation or bullying can take many forms including, but not limited to, slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats or other written, oral, physical or electronically transmitted messages or images directed toward a student.

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.

Training

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful and inclusive learning community for students and will be implemented in conjunction with comprehensive training of staff and volunteers.

Prevention

The district will provide students with strategies aimed at preventing harassment, intimidation and bullying toward students. In its efforts to train students, the district will seek partnerships with families, law enforcement and other community agencies.

Interventions

Interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the perpetrator, and to restore a positive school climate. The district will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior and discipline, to law enforcement referrals.

Students with Individual Education Plans or Section 504 Plans

If allegations are proven that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the target of harassment, intimidation or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free, appropriate public education (FAPE). The meeting should occur regardless of whether the harassment, intimidation or bullying incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation or bullying incident, the district will provide additional services and supports as deemed necessary, such as counseling, monitoring and/or reevaluation or revision of the student's IEP or Section 504 plan, to ensure the student receives a FAPE.

Retaliation/False Allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm a student for reporting harassment, intimidation, or bullying, being identified as a targeted student, or participating in an investigation.

It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees who knowingly report or corroborate false allegations will be subject to appropriate discipline. However, students, or employees will not be disciplined for making a report in good faith.

Compliance Officer

The superintendent will appoint a compliance officer as the primary district contact to receive copies of all formal and informal complaints and oversee policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The district compliance officer will participate in at least one mandatory training opportunity offered by OSPI.

The superintendent is authorized to direct the implementation of procedures addressing the elements of this policy.

Cross Reference:

MB Policy 2161	Special Education and Related Services for Eligible Students
MB Policy 3205	Sexual Harassment of Students Prohibited
MB Policy 3210	Nondiscrimination
MB Policy 3211	Gender-Inclusive Schools
MB Policy 3241	Student Discipline

Legal References:

RCW 28A.300.285	Harassment, intimidation, and bullying prevention policies and procedures – Model policy and procedure – Training materials – Posting on web site – Rules
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WAC 392-190-059 – Advisory committee
Harassment, intimidation and bullying prevention policy and procedure –
School districts.

Management Resources:

Policy & Legal News, July 2023

Policy Alert, August 2019

Policy & Legal News, December 2014 – Office for Civil Rights Dear Colleague Letter: Responding to
Bullying of Students with Disabilities (OCR 10/21/20141)

Policy News, December 2010 – Harassment, Intimidation and Bullying Policy Strengthened

Policy News, April 2008 – Cyberbullying Policy Required

Policy News, April 2002 – Legislature Passes an Anti-Bullying Bill

Adoption Date: 07.10.03

Mount Baker School District

Classification: Essential

Revised: 05.08.08; 09.08.11; 08.08.13; 01.09.14; 02.12.15; 8.27.20; 02.08.24