

POLICY 5111
ANTI-BULLYING/HARASSMENT/HATE

Purpose/Introduction:

The Kenosha Unified School District strives to provide a safe, secure and respectful learning environment for all students in school buildings, on school grounds, in school buses and at school-sponsored activities. Bullying/harassment/hate has a harmful social, physical, psychological and academic impact on those choosing to bully, the targets of bullying and bystanders. The school district consistently and vigorously addresses bullying/harassment/hate with the goal of eliminating disruption to the learning environment and learning process. Bullying/harassment/hate 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.

Bullying/harassment/hate is defined as unwanted aggressive behavior(s) by a Kenosha Unified student or group of Kenosha Unified students, which involves an observed or perceived power imbalance and may be repeated multiple times or is highly likely to be repeated, as determined by the building administrator. Bullying/harassment/hate may inflict substantial harm or distress on the targeted youth including physical, psychological, social and/or educational harm.

The behavior may be motivated by an actual or perceived distinguishing characteristic, such as, but not limited to: age, sex, ancestry, creed, pregnancy, marital status, parental status, race, ethnicity, religion, sexual orientation, gender identity, gender expression, physical attributes, physical or mental ability or disability, and social, economic or family status.

Bullying/harassment/hate behavior can be, but is not limited to:

1. Physical (e.g. assault, hitting or punching, kicking, theft, threatening behavior, limiting freedom of movement)
2. Verbal (e.g. threatening or intimidating language, teasing or name-calling, racist remarks)
3. Written (e.g. graffiti, notes, signs, epithet)
4. Indirect (e.g. spreading cruel rumors, intimidation through gestures, social exclusion)
5. Electronic (e.g. Cyber bullying, mean vulgar messages, images, video, posting sensitive private information)

Bullying/harassment/hate can occur in person and/or through technology. Electronic aggression, or cyber bullying, happens through email, chat rooms, instant messaging, websites, text messages, digital applications or social media. Cyber bullying can take place at school, or outside of school and impacts student learning.

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Sexual harassment can include, but is not limited to: sexual comments, jokes, display of sexually offensive materials, sex-oriented name-calling (i.e. fag, gay, dyke); inappropriate staring at another individual or touching of his/her clothing, hair, or body; asking personal questions about another individual's sex life; or repeatedly asking someone out who has stated that he/she is not interested. It can happen through email, chat rooms, instant messaging, websites, text messages, digital applications or social media.

Bullying/Harassment/Hate:

The District also prohibits all forms of student bullying/harassment/hate activities, actions, or speech on school premises, at school activities or on sites normally considered to be under school control. Bullying/harassment/hate activities, actions and/or speech are defined as any acts or attempted acts of speech intended to cause physical injury, emotional suffering or property damage through intimidation, hazing, harassment, stress, bigoted epithets, vandalism, force or threat of any of the above, motivated all or in part out of hostility to the victim's real or perceived race, ethnicity, religion, sexual orientation, disability or individual circumstances such as appearance, social, economic or family status.

Training:

Employee training shall be provided as necessary/appropriate to help employees implement the District's policy and procedures.

LEGAL REF.: Wisconsin Statutes
Sections 118.01(2)(d)8 Instructional Programs
118.02 (9t) Special observance days
118.13 Student discrimination, including harassment, prohibited
118.46 (2) Policy on bullying
120.13 (1) Board power to set student conduct rules
947.0125 Unlawful use of computerized communication systems
947.013 Harassment prohibited
948.51 (2) Hazing
Wisconsin Administrative Code
PI 9, Wisconsin Administrative Code (Rules implementing student nondiscrimination law)
Title IX, Educational Amendments of 1972 (Sex discrimination, including sexual harassment, prohibited)

CROSS REF.: 2810, Incident Reporting
4111, Employee Harassment
4226, On-Line Forum
5110, Equal Educational Opportunities/Discrimination Complaint
5430, Student Conduct and Discipline
5435, Electronic Devices
5437, Threats/Assaults
5438, Gangs and Gang-Related Activities

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5473, Student Suspensions
5474, Student Expulsions
5475, Students with Disabilities
5540, Abused/Neglect

ADMINISTRATIVE REGULATIONS: None

AFFIRMED: January 11, 1994

REVISED: October 8, 1996
January 29, 2002
February 22, 2011
July 22, 2014

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Reporting Bullying Behavior:

All school employees and school officials who observe an act of bullying/harassment/hate are expected to intervene. Following an observation or becoming aware of acts of bullying/harassment/hate employees are required to report these acts to an administrator/designee. Any other person, who feels she/he is being bullied or who witnesses the bullying of others is encouraged to notify a building staff member.

Confidentiality:

The District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, take appropriate action, and conform to any discovery or disclosure obligations. All records generated under this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law.

Procedures for Investigating Reports of Bullying:

Reports of bullying/harassment/hate may be made verbally or in writing and may be made confidentially. All such documented reports, whether verbal or in writing, will be taken seriously, investigated, and a clear account of the incident will be documented. A written record of the report, including all pertinent details, will be made by the receipt of the report. There shall be no retaliation against individuals making such reports. Individuals engaging in retaliatory behavior will be subject to disciplinary action.

Parents and/or guardians of each pupil involved in the bullying/harassment/hate will be notified as soon as possible, but always 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.

If it is determined that someone participated in bullying/harassment/hate acts or retaliated against anyone due to the reporting of such acts, the School District administration/School Board will take disciplinary action, including but not limited to: suspension, expulsion and/or referral to law enforcement officials for possible legal action as appropriate. Student Support staff will provide assistance to identified targets, and follow-up interventions for the alleged suspect.

Sanctions and Supports:

If it is determined that students participated in bullying/harassment/hate behavior or retaliated against anyone due to the reporting of such behavior, the school district administration/designee and School Board may take disciplinary action, including:

- Official warnings to cease the offending behavior

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- Class schedule changes
- Limitations to computer access at school and to school electronic resources
- Detention
- Exclusion from certain areas of school premises
- Short-term in-school suspension
- Out-of-school suspension
- Expulsion
- Referral to law enforcement
- Other Appropriate disciplinary actions

Supports:

If it is determined that students were victims of or participated in bullying/harassment/hate behavior, the following supports may be provided as applicable:

- Immediate opportunity to discuss the experience with a school counselor/school social worker or other staff of their choice
- Ongoing support with the goal of restoring self-esteem and confidence, including developing strategies to handle difficult peer situations
- Assistance in discovering why students became involved
- Assistance in identifying bullying/harassment/hate behavior(s), motivations and the need to change

Parents may contact the Assistant Superintendent of Elementary or Assistant Superintendent of Secondary Schools to appeal any sanction and support decisions made by the school district administration/designee.

Disclosure and Public Reporting:

Students, parents and employees shall be informed of this policy annually. This policy will be posted on the District and school websites. It will also be distributed to organizations in the community having cooperative agreements with the schools and any person who requests it. Records will be maintained on the number and types of reports made, and intervention or sanctions imposed for incidents found to be in violation of this policy.

Monitoring, Evaluation and Review:

Each school will review this policy annually and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the school district by all employees.