

# Stoughton Area School District

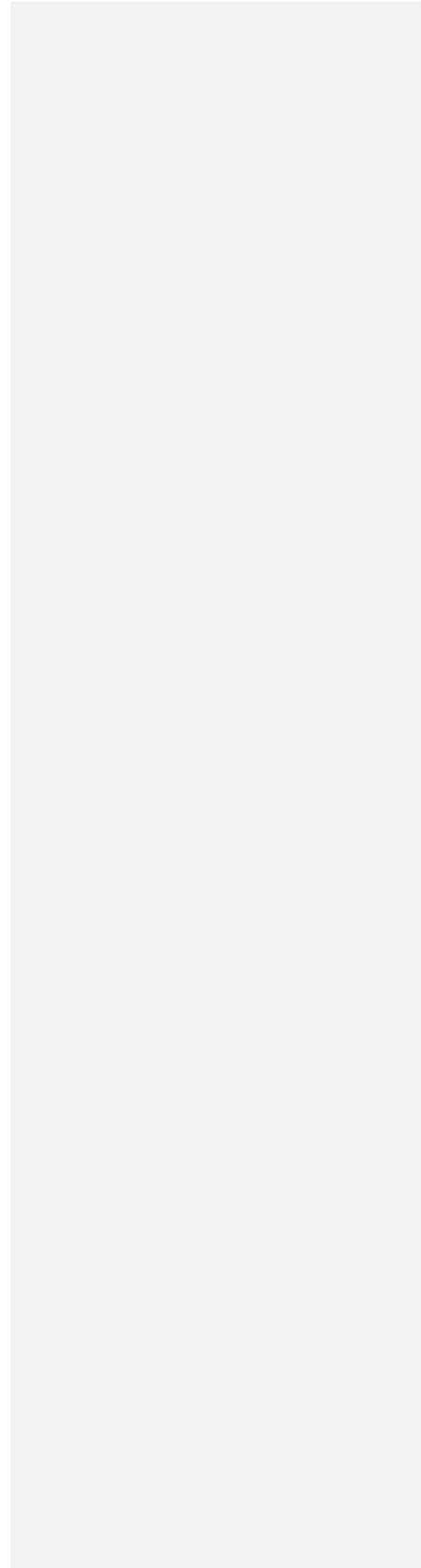
## Preventing and Addressing Bullying and Harassment



It is the policy of the Stoughton Area School District that no person may be denied admission to any public school in this District or be denied participation in, be denied the benefits of, or be discriminated against in any curricular, extra-curricular, pupil service, recreational, or other program or activity because of the person's sex, race, national origin, ancestry, creed, religion, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability as required by Wis. Stat. § 118.13.

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## **Introduction**

The Board of Education of the Stoughton Area School District is committed to maintaining an environment in which the dignity of each member of its community is respected, and the working and learning environments are free from harassment and related forms of misconduct. The Stoughton Area School District strives to provide a safe, secure and respectful learning environment for all students in school buildings and on school grounds, on school buses and at school-sponsored activities.

This manual was created by a committee comprised of administrators, counselors, school social workers, teachers and parents of the Stoughton Area School District during the 2012-13 school year. The committee met monthly during the year to discuss bullying and harassment and the impact that it can have on students, parents, school climate and culture.

The recommendation of this committee was to produce a bullying/harassment manual for stakeholders within the Stoughton Area School District which will serve as a consistent, district-wide reference for dealing with school bullying and harassment.

The following manual includes definitions, reporting forms, district policies, and procedures for addressing bullying and harassment at each educational level.

The state law of Wisconsin requires that each school board adopt a policy prohibiting bullying by pupils. The state's model policy includes definitions, a statement of prohibition against bullying, procedures for reporting incidents confidentially, and a prohibition against the retaliation of those reporting incidents. The model policy also requests that districts create procedures for the investigation of reported incidents and a list of disciplinary alternatives for those involved in bullying incidents. Importantly, a process for notifying parents/guardians of each pupil involved is also required.

This manual is intended to serve as a general guide and does not represent specific legal advice or a mandated procedure. Harassment claims will be considered on a case by case basis.

## **Frequently Used Terms/Definitions**

**Harassment:** A personal attack directed at an individual which causes the victim to feel embarrassed, uncomfortable or emotionally distressed. Harassment often assumes an imbalance of power and may be intentional or unintentional, depending on how the targeted person perceives the threat.

Some confusion seems to be present as to whether "bullying" is the same as "harassment" and whether both have the same legal consequence. "Harassment" is a term that is usually used to refer to conduct that is motivated by an actual or perceived characteristic protected by state or federal law (such as race, gender, sexual orientation or disability). When bullying is motivated by a protected characteristic, it is also "harassment."

<http://www.wasb.org/websites/legal/File/legal-comments/C201208.pdf>

**Gender-based (Sexual) Harassment:** Unwelcome conduct (visual, verbal or physical) of a sexual nature that can deny or limit, on the basis of sex, a student's ability to participate in or to receive benefits, services, or opportunities in the school's program.

**Bullying:** Aggressive behavior intended to inflict harm and/or stress on the victim. Bullying behavior assumes an imbalance of power and may be verbal (threats, name-calling, etc.), physical (hitting, destroying property etc.) or indirect (psychological-spreading rumors, excluding from a group) and generally assumes further aggression-repeated over time.

**Bully:** An individual who intentionally inflicts harm on another individual of lesser power. Some common characteristics of bullies are, but not limited to: hot-tempered and quick to anger, impulsive, low tolerance for frustration, difficulty conforming to rules, need to dominate, feels superior over other students, aggressive, good at talking themselves out of situations, enjoy putting down others, disrespectful.

**Bystander:** An individual who watches or observes bullying behavior but does not respond to help the victim. Whether the individual actively supports the bully or remains passive, the act of being a bystander can also be considered bullying.

**Upstander:** An individual who observes bullying behavior and confronts the bully and/or reports the incident to the proper authorities.

**Cyber-bullying:** Aggressive behavior intended to inflict harm and/or stress through the use of technology (e-mail, cell phones, text messaging, blogs, online personal web sites, etc.). It is used to deliberately and repeatedly harm an individual or group. Cyber-bullying can be damaging and dangerous to both the victim and the sender.

**Victim:** The target of a bully's aggression.

**Passive victim:** Common traits are, but not limited to: physically slight, does not tease others, does not defend self, responds to bullying by crying.

**Reactive victim:** (less common) sometimes called bully-victims because they often fight back by taunting bullies and then channel their rage into bullying others smaller and weaker than themselves. Common behaviors are, but not limited to: changes in behavior (withdrawn, anxious, preoccupied, loss of interest in school and favorite activities), comes home from school with bruises, damaged clothes/belongings, loss of appetite, excessive trips to the school nurse, sleep problems, loses things (money, valuables), appears afraid or reluctant to go to school, headaches, stomachaches, reluctant to take school bus.

**Independent Student Conflict:** An isolated, inappropriate interaction between students which needs to be reported to and addressed by administration/staff. The incident is a one-time event and is neither repeated nor a threat to an individual of a protected class.

**Relational aggression:** A bullying behavior intended to affect a child's ability to maintain rapport with peers. Often associated with girls, the behavior is intended inflict harm, manipulate peers or injure social acceptance through intimidation, rumor, gossip, social exclusion, etc.

**Intimidation:** A tactic intended to force an action through the use of fear.

**Social Exclusion:** An ostracizing tactic intended to keep the victim from participating in or being a part of the group.

**Hazing:** An act or ceremony which creates a risk of harm (physical or emotional) and is required as a form of initiation into a club or activity.

**Retaliation:** To "pay back" an injury in kind. Retaliation in bullying involves an action in which the aggressor dispenses consequences to the victim for reporting of an incident.

## **Harassment and Bullying Prevention and Resolution**

### **Prevention Programming:**

- Use of Second Step Educational Programming within district to educate all students on bullying and harassment.
- Weekly/Monthly themes against harassment and bullying within each school in the district through PBIS teams.
- Additional educational programming against harassment and bullying with counseling/pupil service staff at each school.
- Education by the principal/assistant principal at the beginning of the school year to address the topic of bullying and harassment within their school.
- Use of mandatory confidential reporting form in every classroom/office area in each school within the district.
- Use of district website for harassment/bullying form to be able to report and submit a confidential reporting form from home.
- Assigned staff member to process confidential forms through the school or from the website submissions. This is almost always the principal or assistant principal at each school within the district.
- Monthly data report on harassment and bullying events at school for entire school building.
- All school buildings within the district will strive for a yearly theme of a harassment and bully free school environment.

### **Resolution of Harassment/Bullying within the school environment:**

- Student may be referred to pupil services for additional counseling/education to reform behavior
- Parents may be contacted for conference with principal/pupil service team to address harassment/bullying behaviors.
- Harassment events will be coded into infinite campus for data collection gathering for district.
- Use of technology devices may be suspended at school if it is technology related harassment or bullying event.
- Student may be subject to in-school suspension, out of school suspension, or police for repeated occurrences of harassment or bullying.
- All harassment or bullying events will be process within 48 hours of the time they were submitted by student.
- Resolution form given to student who reported the harassment or bullying by principal/assistant principal.

## **Relevant State Statutes and Board Policies**

### **Wisconsin State Statutes**

- Wisc. Adm. Code ch. PI9 Pupil nondiscrimination
- Wisc. Stat. sec. 118.13 Wisconsin pupil discrimination law
- Wisc. Stat. sec. 118.46 Policy on bullying
- Wisc. Stat. sec. 947.012 Unlawful use of telephone
- Wisc. Stat. sec. 947.0125 Unlawful use of computerized communication systems
- Wisc. Stat. sec. 947.013 Harassment

To access Wisconsin laws regarding bullying, harassment, and unlawful use of computerized communication systems, please visit:  
<http://legis.wisconsin.gov/rsb/stats.html>

### **Stoughton Area School Board Policy**

- Board Policy 501 Nondiscrimination statement
- Board Policy 502 Harassment and related forms of misconduct
- Board Policy 503 Bullying
- Board Policy 601 Informal complaint procedure
- Board Policy 602 Formal complaint procedures
- Board Policy 603 Processing a formal complaint
- Board Policy 705 Extracurricular group and activities
- Board Policy 717 Internet and electronic device usage
- Board Policy 804 Behavior and responsibility
- Board Policy 1014 Locker room designated dressing area restroom privacy

To access Stoughton Area School Board Policies regarding bullying and harassment, please visit: <http://www.stoughton.k12.wi.us/policies.cfm?sid=302>

## **Stoughton Area School District Harassment and Bullying Board Policy**

### **502 Harassment and Related Forms of Misconduct**

The Board of Education of the Stoughton Area School District is committed to maintaining an environment in which the dignity of each member of its community is respected, and the working and learning environments are free from harassment and related forms of misconduct.

The District will not tolerate harassment or related forms of misconduct by anyone including, but not limited to, supervisors, other employees, students, Board members, agents, consultants, volunteers, or citizens in any curricular, extracurricular, pupil service, recreational or other program or District activity.

The Board of Education acknowledges all regulations, requirements, and responsibilities defined by state and federal laws.

Federal law prohibits employee harassment on the basis of: age, sex, race, national origin, color, religion, and qualified person with a disability. In addition state law prohibits harassment of employees on the basis of: marital status, ancestry, sexual orientation, political or religious affiliation, membership in the national guard, state defense force or any reserve component of the military forces of the United States or this state, use or non-use of lawful products off the employer's premises during nonworking hours, conviction record, or arrest record.

Federal law prohibits student harassment on the basis of: sex, race, color, national origin, or qualified person with a disability. In addition, state law prohibits harassment based on: ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability.

The Stoughton Area School District, for the purposes of this policy, defines misconduct as harassment-type conduct that interferes with any employee's ability to perform in the work environment including gross misconduct or interferes with any student's school performance and/or ability to access and benefit from the educational setting.

#### **502.10 Harassment and related forms of misconduct may include but are not limited to:**

- A. Verbal/expressive harassment: for purposes of this policy, verbal harassment is defined as verbal comments or other expressions which insult, degrade, or stereotype any group that occurs on school property or at a school sponsored event. This includes, but is not limited to, bullying, the misuse of telecommunications and/or display of offensive materials such as photographs or print material.

- B. Physical harassment is defined as bullying, hazing, or otherwise subjecting another person to unwanted physical contact, or attempting or threatening to do the same.
- C. Sexual harassment is defined as but is not limited to:
  - 1. students: sexual advances, request(s), threats or demands for sexual favors, and/or other visual, verbal, written or physical conduct of a sexual nature directed at any person;
  - 2. others: unwelcome sexual advances, request(s), threats, or demands for sexual favors, and/or other visual, verbal, written or physical conduct of a sexual nature directed at any person.

It is the responsibility of District employees, students, and Board members to foster a learning community free from such harassment or misconduct. Members of the District community, including employees, students, and community members, are expected to promptly report any conduct that could be in violation of this policy.

#### **502.11 Disciplinary Procedures**

- A. Students who engage in harassment or related forms of misconduct shall be subject to disciplinary action, up to and including expulsion. In addition, where appropriate, the District will consider referring the matter to proper legal authorities.
- B. Employees who engage in harassment or related forms of misconduct shall be subject to disciplinary action, up to and including termination. In addition, where appropriate, the District will consider referring the matter to proper legal authorities.
- C. Agents, consultants, and other third party providers who engage in harassment or related forms of misconduct may be subject to having their contract or agreement with the District terminated and the District will consider referring the matter to proper legal authorities.
- D. Volunteers or citizens involved in the school community and engaging in harassment or misconduct may have their participation restricted or terminated. The District may consider referring the matter to proper legal authorities.
- E. A false charge of harassment or related forms of misconduct will be treated as a serious offense and may result in disciplinary action, up to and including termination/expulsion. In addition, the District may consider referring the matter to proper legal authorities.
- F. Individuals reporting incidents of harassment or related forms of misconduct in good faith will be protected from retaliation or reprisals. Any person who engages in retaliatory conduct against a complainant may be subject to disciplinary action, up to and including termination/expulsion.

### **502.12 Distribution of Information on Harassment and Related Forms of Misconduct**

- A. Each employee in the District will receive a copy of this policy.
- B. Each employee will receive a cover letter explaining the importance of the policy and the District's prohibition of all forms of harassment or related forms of misconduct.
- C. Posters will be placed in each workplace advising employees, students and community members to "tell someone" if they feel they are being harassed.
- D. An in-service for all employees will be presented in which an understanding of forms of harassment is developed and the importance of their vigilance is underscored.
- E. This policy will be included in each school's student handbook, staff handbook, and in the District-wide parent handbook.

### **502.13 Complaint Procedure**

Individuals who wish to file a complaint regarding a violation of the Harassment and Related Forms of Misconduct Policy should follow the District's complaint procedure.

### **503 Bullying**

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

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.

#### **503.10 Bullying behavior can be:**

- A. Physical (e.g. assault, hitting or punching, kicking, theft);
- B. Verbal (e.g. threatening or intimidating language, teasing or name-calling, racist remarks);
- C. Indirect (e.g. spreading cruel rumors, intimidation through gestures, social exclusion and sending insulting messages or pictures by use of an electronic communication device); or
- D. Between students and students, students and adults, or adults and adults.

### **503.20 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. Educational environments include, but are not limited to, every activity under school supervision.

### **503.30 Procedure for Reporting/Retaliation**

It is the responsibility of all school staff members, students, and concerned individuals who observe or become aware of acts of bullying to report these acts confidentially to a school staff member or administrator designated by the Board of Education to be a recipient of such reports. All such reports, either verbal or in writing are to be taken seriously and a clear account of the incident is to be documented. There shall be no retaliation against individuals making such reports. Individuals engaging in retaliatory behavior will be subject to disciplinary action.

### **503.40 Procedure for Investigating Reports of Bullying**

An investigation of the facts and seriousness of a complaint or alleged incident will take place in a timely manner to verify the validity and the seriousness of the report. Affected parents and/or guardians will be notified that a report has been made. The district shall maintain the confidentiality of the report and any related pupil records to the extent required by law.

### **503.50 Sanctions and Supports**

- A. If it is determined that a student or students participated in bullying behavior in violation of the policy, the principal may take disciplinary action, including: suspension, expulsion and/or referral to law enforcement officials for possible legal action as appropriate.
- B. Students found in violation of the bullying policy may be referred to pupil services staff for counseling or other educational programming designed to prevent subsequent bullying behavior.
- C. Employees found to have participated in bullying behavior, or having become aware that bullying was taking place and failed to report the behavior, are considered to be in violation of this policy. They may be subject to disciplinary action consistent with the collective bargaining agreement or disciplinary action established by policy or practice.

### **503.60 Disclosure and Public Reporting**

- A. 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.
- B. 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.



## Stoughton Area School District Student Incident Report

Name: \_\_\_\_\_ Grade: \_\_\_\_\_ Date: \_\_\_\_\_

**Type of Incident:**

- Verbal
- Physical
- Sexual
- Cyber/Electronic Media
- Social (intimidation, exclusion)
- Other: \_\_\_\_\_

**I think this was motivated by:**

- Race/Ethnicity
- Gender
- Disability
- Income
- Sex
- None of the above: \_\_\_\_\_

**\* An Administrator will follow-up on this report \***

1. Who was involved in this incident? \_\_\_\_\_

2. Were there any witnesses? \_\_\_\_\_

3. When did the incident occur? \_\_\_\_\_

4. Where did the incident occur? \_\_\_\_\_

5. What happened? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. How did you respond? \_\_\_\_\_

\_\_\_\_\_

7. Have you talked to anyone about this?  Yes  No If yes, who?

Teacher  Counselor  Social Worker  Principal Name: \_\_\_\_\_

\* \* \* \* \*

For Administrative Use Only:

\_\_\_\_\_ Date I referred student to \_\_\_\_\_  
\_\_\_\_\_ Date I met with reporting student  
\_\_\_\_\_ Date I met with person(s) alleged with harassing behavior  
\_\_\_\_\_ Date I followed up with reporting student

\_\_\_\_\_  
*Principal/Staff Signature* \_\_\_\_\_  
*Date*

*Follow up notification delivered to reporting student* \_\_\_\_\_  
| \_\_\_\_\_ *Date*

This report and follow-up will be kept on file in the above principal's office.

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Administrative Notes: \_\_\_\_\_

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