

Student Harassment

Code #411.01

The Tri-County Area School District is committed to the mission of creating a school environment that treats all students with dignity and respect, provides students with a safe physical and emotional learning environment and promotes respect, tolerance and cooperation.

To accomplish its mission, neither students nor school employees will be allowed to engage in any form of harassment or intimidation, including sexual harassment, toward students. This policy applies to students harassing students, students harassing staff or staff harassing students.

Therefore, the District will not tolerate harassment in any form and will take all necessary and appropriate action to eliminate harassment, up to and including discipline of offenders. Where appropriate, it is recommended that incidents of harassment be discussed with the person who has committed the harassment to make it clear that the behavior is offensive and not tolerated.

"Harassment" is unwelcome conduct that is based on or motivated by a victim's distinguishing characteristic such as sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability. Harassing conduct includes, but is not limited to, striking, shoving, kicking, throwing objects at, or otherwise subjecting another person to physical contact or attempting or threatening to do the same; name calling or other verbal misconduct; or engaging in a course of conduct or repeatedly committing acts which intimidate, cause discomfort to or humiliate another person or which interfere with the recipient's academic performance. "Intimidate" means to make timid or fearful, to frighten, or to compel or deter by threats.

Harassment/Intimidation includes verbal comments or other expressions which insult, degrade or stereotype any person or group because of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability .

Examples of conduct and behavior prohibited under this policy include, but are not limited to the following:

- A) Physical or mental abuse.
- B) Verbal comments or other expressions which insult, degrade, or stereotype any person or group because of sex, sexual orientation, race, national origin,

ancestry, color, creed, religion, pregnancy, marital or parental status, or physical mental, emotional or learning disability.

- C) Discriminatory remarks which are offensive or objectionable to the recipient or which cause the recipient discomfort, anger, or humiliation or which interfere with the recipient's academic performance.

Upon investigation, individuals who are determined to have engaged in harassment under the provisions of this policy may be subject to disciplinary action. This may include, but is not limited to, reprimand, detention, suspension, expulsion and/or discipline, up to and including termination, as well as being reported to law enforcement officials. Harassment is prohibited on school property at any time and at all school-sponsored programs or activities off school property, such as school sponsored field trips/activities or co-curricular/extracurricular activities at other schools or designated/determined locations.

It is the responsibility of administrators, employees and students to ensure that these prohibited activities do not occur. Anyone who believes that he/she is the subject of harassment or has witnessed harassment, or any parents/guardians who believes that his or her child has been subjected to or witnessed harassment, should report the harassing conduct to the Principal verbally and/or in writing. If an individual is not comfortable with making a complaint to the Principal, the complaint may be made to a teacher or school counselor with the understanding that incidents must be reported to the Administration for review and action.

Reports of harassment may be made confidentially. If a complainant asks for their identity to be kept confidential, the District will strive to honor that request. However, there may be circumstances in which the complainant's identity will be identifiable by the District's investigation. In those cases, complainants should be assured that the District strictly prohibits retaliation for reporting harassment and for participating in an investigation regarding alleged harassment.

The teacher or school counselor receiving the complaint shall report the complaint to the building level principal or District Administrator. The Administration shall investigate the harassment complaint as soon as possible and take the appropriate action to eliminate the harassing conduct. The Administration shall maintain a written report of the findings pertaining to the harassment complaint and the action taken to eliminate the harassing conduct.

Written harassment reports shall be maintained for the purpose of documenting compliance with State and Federal law.

Individuals subjected to harassment, individuals reporting harassment and individuals participating in a harassment investigation will be protected from retaliation. Any person

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retaliating against any person who is the subject of harassment, reports harassment or participates in a harassment investigation shall be disciplined.

All staff of the District are expected to intervene in any suspected or blatant acts of harassment or intimidation to students. Informal efforts to resolve acts of harassment or intimidation are encouraged by District staff.

The Principals are responsible for informing staff and students annually of the harassment policy.

This policy is to be published yearly in all student and staff handbooks.

Legal Reference: Sections 115.28(31), 118.13 and 118.155, Wisconsin Statutes
PI 9 and P1 41 of the Wisconsin Administrative Code
Title IX, Education Amendments of 1972
Title VI, Civil Rights Act of 1964
Section 504 of the Rehabilitation Act of 1973
Americans with Disabilities Act of 1990
Individuals with Disabilities Education Act
Civil Rights Act of 1991
McKinney-Vento Homeless Assistance Act

Cross Reference: Code 411.01 Rule Student Harassment - Complaint Procedures
Code 447.00 Student Discipline
Code 443.07 Student Hazing
Code 437.71 Bullying Prevention

Prior Approval: October 24, 2006
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