

Model Policy for School Districts on Harassment, Intimidation, and Bullying
Proposed by the MT Advocacy Project and MT Human Rights Network – 11-2005

_____ **School District**

Harassment, Intimidation, and Bullying Prevention Policy

The policy of the Board of Trustees of _____ is to provide students and staff with a school environment free from harassment, intimidation and bullying. The _____ School District will not tolerate harassment, intimidation or bullying in any form at school, school-related events, including off-campus events, school-sponsored activities, school buses or any event related to school business.

Harassment, Intimidation and Bullying include: Any gesture or written, verbal or physical act that is reasonably perceived as being motivated either by any actual or perceived attribute such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity, culture, social origin or condition, political affiliation, mental, physical or sensory disability, or by any other characteristic, that a reasonable person knows or should have known:

(a) will have the effect of harming the person or damaging the person's property; or

(b) will place a person in reasonable fear of physical harm; or

(c) will demean any person or group of people in such a way as to disrupt or interfere with the school's educational mission, the education of any student, or the ability of a staff member to perform the essential functions of the staff member's job.

Inciting, aiding, coercing or directing others to commit acts of harassment, intimidation or bullying is also prohibited.

Reporting

1. The District encourages students who believe they are being subjected to harassment, intimidation, or bullying and students who have first-hand knowledge of such harassment, to report the matter promptly to their teacher, counselor, bus driver, coach, principal, or any responsible adult who is not involved in the alleged harassment, intimidation or bullying.

2. The District encourages staff who believe they are being subjected to harassment, intimidation, or bullying by anyone to report the matter promptly to the administration.

3. Any adult school employee, adult volunteer, district contractor or agent who witnesses, overhears or receives a report, formal or informal, written or oral, of harassment, intimidation or bullying shall report it in accordance with procedures developed under this policy.

Responsibilities

Each District Administrator is responsible for maintaining a work environment and/or educational environment free of harassment, intimidation and bullying. The District Administrator shall take appropriate actions to ensure the School District's Harassment, Intimidation and Bullying policy and procedures are enforced.

These actions include, at a minimum:

1. Providing notification in the Student and Staff handbooks of the rights and responsibilities of students and staff regarding harassment, intimidation and bullying;
2. Acquainting new employees in the School District with this policy;
3. Taking prompt action to investigate/report complaints of harassment, intimidation and bullying;
4. Taking appropriate disciplinary action as appropriate;
5. Instructing employees and students regarding the procedures for reporting harassment, intimidation and bullying within the educational setting.

Every District's procedures shall require the following:

1. Prompt investigation of incidents which includes:
 - a. Conducting interviews of all students involved;
 - b. Conducting interviews of witnesses; and
 - c. Investigating the circumstances of the incident, including events or incidents that preceded the incident.
2. Prompt notification of the parents of all students involved;
3. Proper application of consequences consistent with District policy.

Consequences

Any person who engages in harassment, intimidation and bullying in the school setting may be subject to disciplinary action. Any student who engages in harassment, intimidation and bullying may be subject to disciplinary action up to and including expulsion. Any staff member who engages in harassment, intimidation and bullying may be subject to disciplinary action up to and including dismissal.

Any staff member who permits harassment, intimidation or bullying of students or staff may be subject to disciplinary action up to and including dismissal. Any staff member who receives complaints of harassment, intimidation and bullying and does not act promptly or does not forward the complaint to the staff member's supervisor shall be disciplined appropriately.

Retaliation and Reprisal

The _____ school district prohibits retaliation and reprisal against any person who reports an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature and circumstances of the act, in accordance with district policy. Individuals who intentionally fabricate allegations of harassment, intimidation or bullying may be subject to disciplinary action.