

Student Bullying Policy

GENERAL STATEMENT OF POLICY

It is the policy of the Sweetwater County School District Number One, State of Wyoming ("the District") that all students have a right to a safe and healthy school environment. Bullying of any type does not allow students to learn at the best of their ability, and has no place in a school setting. The District will endeavor to maintain a learning environment free of bullying and one that promotes mutual respect, tolerance and acceptance. The District will not condone behavior that infringes on the safety or emotional well-being of any student.

It shall be a violation of this policy for any student to take part in bullying or cyberbullying of any person(s) if such takes place on school property, at a location that is part of a school-sponsored activity or transportation, or any other location if such bullying affects said person(s) in the school environment.

The District will act to investigate all reports and complaints, either formally or informally made in violation of this policy. Upon receipt of a complaint or report, the District will take appropriate action as determined by the responsible supervisory personnel. Such action may include, but is not limited to: warning, suspension, exclusion, expulsion, transfer, or remediation.

DEFINITIONS

Harassment, intimidation, or bullying means any intentional gesture, any intentional electronic communication or any intentional written, verbal or physical act initiated, occurring or received at school that a reasonable person under the circumstances should know will have the effect of:

- A. Harming a student physically or emotionally, damaging a student's property or placing a student in reasonable fear of personal harm or property damage;
- B. Insulting or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school; or
- C. Creating an intimidating, threatening, or abusive educational environment for a student or group of students through sufficiently severe, persistent, or pervasive behavior.

* School includes a classroom or other location on school premises, a school bus or other school – related vehicle, a school bus stop, an activity or event sponsored by a school, whether or not it is held on school premises, and any other program or function where the school is responsibility for the child.

Cyberbullying - bullying that takes place over digital devices such as cell phones, computers, and tablets; such communication occurs through email, chat rooms, instant messaging, website interaction, text messaging, gaming, social media, cell phone, or any other internet or electronic means. Cyberbullying includes, but is not limited to sending, posting, or sharing derogatory, harmful, or false content about someone else. While bullying typically involves repeated behavior, cyberbullying may involve one electronic or social media posting, if such does or can reasonably be expected to result in the involvement of multiple other persons. This may include sharing personal or private information about someone else causing embarrassment or humiliation.

**Use of the term "bullying" as used in this policy includes both bullying and cyberbullying.

REPORTING PROCEDURES

The District will promptly and reasonably investigate all reports and complaints, either formally or informally made, of bullying in violation of this policy.

An individual who knows or believes a student has been the victim of bullying under this policy should report the alleged acts immediately. The District encourages the reporting party or complainant to submit the complaint in written form, however, verbal, anonymous, or other informal reports shall be considered complaints and investigated as well. Complaints based solely on an anonymous complaint will not result in discipline, if no other corroborating evidence is found. Nothing in this policy shall prevent any person from reporting bullying directly to the District Human Resource Director or to the Superintendent.

- A. The building principal(s) of the student(s) being bullied or participating in the bullying is the official designated to receive a report of bullying.
- B. Upon receipt of a report, the building principal(s) shall notify the District Human Resource Director or the Superintendent. The principal may request the reporting party or complainant to prepare a written statement. A written statement of the facts alleged will be forwarded as soon as practicable by the principal to the Human Resources Director or the Superintendent. If the report was not given in written form, the principal shall personally reduce it to written form within twenty-four (24) hours, or within a reasonable time thereafter if extended for good cause, and forward it to the Human Resources Director or the Superintendent.

- C. The Board of Trustees hereby designates the District Human Resources Director to receive reports or complaints of bullying under this policy.
- D. Submission of a good faith complaint or report of bullying shall not affect the reporter or complainant's grades, result in discipline or have any other negative consequences by the District.
- E. False reporting of bullying, done with malicious intent, is a violation of this policy and may result in discipline up to and including suspension and expulsion.

INVESTIGATION

By authority of the Board of Trustees, the Human Resource Director or Superintendent, upon receipt of a report or complaint alleging bullying under this policy, shall immediately undertake or authorize an investigation. The investigation may be conducted by the building principal(s), a designated investigator of the District, other designated District officials, or a third party designated by the District.

The investigation may consist of personal interviews with the complainant, the individual against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also utilize other methods of investigation or resources deemed pertinent by the investigator, and documents deemed pertinent by the investigator.

In determining whether the alleged conduct constitutes a violation of this policy, the District should consider the surrounding circumstances, the nature of the behavior, past incidents or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on the relevant facts and surrounding circumstances.

The District may take immediate steps to protect the complainant, students, teachers, administrators or other school personnel pending completion of an investigation of bullying.

In the event a student involved in a substantiated bullying incident (whether being bullied or participating in the bullying) has an Individualized Education Plan (IEP) or a 504 plan, the person responsible for the IEP or 504 will be directed by the building principal or designee to review the plan to ensure that the student is not denied a free appropriate public education (FAPE) under the Individuals with Disabilities Education Act (IDEA) or Americans with Disabilities Act (ADA).

RETALIATORY CONDUCT

The District will discipline or take other appropriate action against any student, teacher, administrator or other school personnel who retaliates against any person who reports alleged bullying, or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such bullying. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment and/or violence or bullying.

DISSEMINATION OF POLICY

This policy shall be available on the District website and posted within each District building.

This policy shall appear in the student handbooks.

The District will inform students and staff members of this policy.

OTHER

Under certain circumstances, alleged bullying under this policy may also constitute reportable abuse under Wyoming law.

Nothing in this policy will prohibit the District from taking immediate action to protect victims of alleged bullying.

LEGAL REFERENCES: Civil Rights Act of 1964 (Titles IV, VI, VII)
 Americans with Disabilities Act (ADA)
 Equal Pay Act
 Rehabilitation Act of 1973 (Section 504)
 Immigration Reform and Control Act
 Individuals with Disabilities Education Act (IDEA)
 Education Amendments of 1972 (Title IX)

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