

Staff 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 employees and students have a right to a safe and healthy school environment. Bullying of any type does not allow students to learn to the best of their ability, does not allow staff to work in a healthy environment, and has no place in a work place. The District will endeavor to maintain a safe and productive working and 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 staff member or student.

It shall be a violation of this policy for District personnel (hereinafter also referred to as "staff" or "staff member"), to take part in bullying or cyberbullying, whether 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 any staff in the work environment.

The District will act to investigate all reports and complaints, either formally or informally made, of bullying 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, a warning, written reprimand, suspension, or termination. The District's action taken for a violation of this policy will be consistent with requirements of applicable collective bargaining agreements, federal and state law and other District policies.

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 staff or student physically or emotionally, damaging a staff or student's property, or placing a staff or student in reasonable fear of personal harm or property damage;
- B. Insulting or demeaning a staff, 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 staff, students, 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.

Staff - Staff includes school employees, members of the Board of Trustees, contractors, agents, volunteers, or persons subject to the supervision and control of the District whether paid or unpaid.

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

REPORTING PROCEDURE

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 shall report the alleged acts immediately to an appropriate official designated by this policy. An individual who knows or believes a staff member has been the victim of bullying under this policy may report the alleged acts to an appropriate official designated by the policy. 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 responsible supervisory personnel, District Human Resource Director, or Superintendent.

- A. Upon receipt of a report, the responsible supervisory personnel shall notify the District Human Resource Director, or the Superintendent within 2 working days. The responsible supervisory personnel 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 responsible supervisory personnel to the Human Resources Director. If the report was not given in written form, the responsible supervisory personnel 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. If the complaint involves the responsible supervisory personnel, the complaint shall be made or filed directly with the Human Resources Director or the Superintendent by the reporting party or complainant.

- B. The Board of Trustees hereby designates the District Human Resources Director to receive reports or complaints of bullying under this policy. If the complaint involves the Human Resources Director, the complaint shall be filed directly with the Superintendent.
- C. If a report or complaint involves the Superintendent, the complaint shall be filed directly with the Chair of the Board of Trustees.
- D. Submission of a good faith complaint or report of bullying shall not affect the reporter or complainant's employment, 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 or termination.

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 responsible supervisory personnel, 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 staff member 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, or school personnel pending completion of an investigation of bullying.

The investigation will be completed as soon as practicable. The designated investigator shall make a written report to the Human Resources Director or Superintendent upon completion of the investigation. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

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.

The District will inform 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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Sweetwater District Number One, Sweetwater County, Wyoming