

STUDENTS

Prohibition of Harassment, Intimidation, Bullying, and Cyber Bullying

The Kennewick School District is committed to a safe and civil educational environment for all students, employees, parents/legal guardians, volunteer and patrons, that is free from harassment, intimidation, bullying, and cyber bullying. “Harassment, intimidation, bullying, or cyber bullying” means any written message or image, verbal, or physical act, including but not limited to, one shown to be motivated by race, color, religion, ancestry, national origin, gender, sexual orientation including gender expression or identity, mental, physical, sensory disability, or other distinguishing characteristics, when the act is intended to result in any of the following:

- Physically harms a student or damages the student’s property;
- Has the effect of substantially interfering with a student’s education;
- Is severe, persistent, or pervasive that it creates an intimidating or threatening educational environment;
- Has the effect of substantially disrupting the orderly operation of the school.

Nothing in this policy requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation, bullying, or cyber bullying. “Other distinguishing characteristics” can include but are not limited to:

- Physical appearance, clothing or other apparel;
- Socioeconomic status;
- Gender identity;
- Marital status;
- And weight.

Cyber bullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidation, threatening, humiliating, or tormenting another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory electronic mail (e-mail) messages, instant messages, text messages, digital pictures or images, or website postings (including social media) which has the effect of:

1. Physically, emotionally, or mentally harming a student;
2. Placing a student in reasonable fear of physical, emotional, or mental harm;
3. Placing a student in reasonable fear of damages to or loss of personal property; or
4. Creating an intimidating or hostile environment that substantially interferes with a student’s educational opportunities.

The District has no duty to regulate off-campus Internet messages, statements, postings, or acts. However, the District reserves the right to regulate, review, investigate, and discipline students for cyber bullying, or for other disciplinary violations when such Internet statements, postings, or acts threaten violence against another student or otherwise disrupts the learning environment or orderly conduct of the schools, school business, or school activities. This applies to cyber bullying or other violations whether made off-campus with personal digital devices or made on

any school campus, at any school-sponsored event, on school-provided transportation, at any official school bus stop, or using district communications systems or devices. The District's reservation of rights does not impose on the District or any school, a duty to regulate or review off-campus Internet messages, statements, postings, or acts.

Behaviors/Expressions

Harassment, intimidation, bullying, or cyber bullying can take many forms including but not limited to: slurs, rumors, jokes, innuendos, demeaning comments, drawing cartoons, pranks, gestures, physical attacks, threats, or other written, oral, physical, or electronically transmitted messages or images.

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the education environment. Many behaviors that do not rise to the level of harassment, intimidation, bullying, or cyber bullying may still be prohibited by other district policies or building, classroom, or program rules.

Training

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and shall be implemented in conjunction with comprehensive training of staff and volunteers.

Prevention

The district will provide students with strategies aimed at preventing harassment, intimidation and bullying. In its efforts to train students, the district will seek partnerships with families, law enforcement and other community agencies.

Interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the perpetrator, and to restore a positive school climate.

The district will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior and discipline, to law enforcement referrals.

Students with Individual Education Plans or Section 504 Plans

If allegations are proven that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the target of harassment, intimidation or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free, appropriate public education (FAPE). The meeting should occur regardless of whether the harassment, intimidation or bullying incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's

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academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation or bullying incident, the district will provide additional services and supports as deemed necessary, such as counseling, monitoring and/or reevaluation or revision of the student's IEP or Section 504 plan, to ensure the student receives a FAPE.

Retaliation/False Allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying.

It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Compliance Officer

The Superintendent will appoint a compliance officer as the primary district contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The Superintendent is authorized to direct the implementation of procedures addressing the elements of this policy.

Cross-References: [Policy 3200](#) Rights and Responsibilities
 [Policy 3210](#) Nondiscrimination
 [Policy 3240](#) Student Responsibilities and Limitations
 [Policy 3314](#) Exceptional Misconduct
 [Policy 5150](#) Sexual Harassment

Legal Reference: [RCW 28A.300.285](#) Harassment, intimidation, and bullying prevention policies
 [RCW 9A.36.080](#) Malicious harassment
 [WAC 392-190-059](#) Harassment, intimidation and bullying prevention policy and procedure – School Districts.

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