

MEDFORD AREA PUBLIC SCHOOL DISTRICT

Board of Education Policy Committee Meeting
District Office
124 W. State Street
Medford, WI 54451

August 2, 2023
12:00 p.m. – 1:00 p.m.

AGENDA

Annual Review/Consideration

JBA Student Harassment/Bullying

(Motion to accept)

Annual Review

FILE: JBA

Separate Meeting

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: February 18, 1999
DATE REVISED: April 17, 2003
DATE REVISED: March 21, 2006
DATE REVISED: March 20, 2008
DATE REVISED: September 16, 2010
DATE REVISED: May 17, 2012
DATE REVISED: September 18, 2014
DATE REVISED: September 28, 2020

FILE SECTOR: STUDENTS
POLICY TITLE: STUDENT HARASSMENT/
BULLYING

DATE REVISED: July 25, 2022
DATE REVISED: August 29, 2022
DATE REVIEWED:

Medford Area Public School District (MAPSD) will maintain and ensure a learning environment free from any form of harassment/bullying or intimidation toward and between students. MAPSD consistently and vigorously addresses harassment and bullying so that there is no disruption to the learning environment and learning process.

Types of Harassment

Student harassment - behavior towards students based in whole or in part, on sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability which substantially interferes with a student's school performance or creates an intimidating, hostile or offensive school environment and is considered a form of student discrimination according to state law.

Sexual harassment - any deliberate, repeated or unwanted physical sexual contact, sexually explicit derogatory statement, or sexually discriminatory remark which is offensive or objectionable to the recipient or which causes the recipient discomfort or humiliation or which interferes with the recipient's academic performance. Sexual harassment can take the form of, but is not limited to any unwanted sexual or gender related behavior ranging from leering, pinching, patting, offensive jokes, unwanted flirtations, graphic commentaries about a person's body, verbal comments, display of graphic or written sexual material, overt or implicit threats or bribes and subtle or express pressure for sexual activity. Sexual harassment can be by a person of the same or opposite gender.

Bullying - deliberate or intentional behavior using words or actions, intended to cause fear, intimidation or harm. Bullying is repeated behavior and involves an imbalance of power. The behavior may be motivated by an actual or perceived distinguishing characteristic, such as, but not limited to: age, national origin, race, ethnicity, religion, gender, gender identity, sexual orientation, physical attributes, physical or mental ability or disability and social, economic or family status.

Bullying behavior can be:

- Physical (e.g. assault, hitting or punching, kicking, theft, threatening behavior)
- Verbal (e.g. threatening or intimidating language, teasing or name-calling, racist remarks)
- Indirect (e.g. spreading cruel rumors, intimidation through gestures, social exclusion).

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Cyber bullying - use and employment of network systems (data, video, or voice) to harass, intimidate, or bully. Cyber bullying involves the use of information and communication technologies including but not limited to: email, cellphone and text messages, instant messaging, defamatory personal websites, and defamatory online personal polling websites, to support deliberate, repeated and hostile behavior by an individual or group that is intended to harm others.

Prohibition

Bullying behavior is prohibited in all schools, buildings, property and educational environments, including any property or vehicle owned, leased or used by the school district. This includes public transportation regularly used by students to go to and from school. Educational environments include, but are not limited to, every activity under school supervision.

Procedure for Reporting/Retaliation

All school staff members and school officials who observe or become aware of acts of bullying are required to report these acts to the building administrator or designee. Any other person, including a student who is either a victim of the bullying or is aware of the bullying or any other concerned individual is encouraged to report the conduct to any employee or student services team member who will then make the report to the building administrator or designee.

Reports of bullying may be made verbally or in writing and may be made confidentially. All such reports, whether verbal or in writing, will be taken seriously and a clear account of the incident is to be documented. A written record of the report, including all pertinent details, will be made by the recipient of the report.

The school official receiving a report of bullying shall immediately notify the building administrator or designee who serves as the investigating designee.

If a student with a disability, who has an IEP, is being harassed, bullied or is the perpetrator, the Local Educational Agency (LEA) should convene the IEP team to determine whether, as a result of the harassment or bullying, the student's needs have changed and revising the IEP is necessary to ensure the student is receiving meaningful education. The LEA may include building principal, teachers, director of special education and student service, etc.

The right to confidentiality, of both the complainant and of the accused, will be respected consistent with MAPSD's legal obligations, provided it does not interfere with MAPSD's ability to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

Procedure for investigating reports of bullying

The person assigned by the district to conduct an investigation of the bullying report shall, within one school day, begin interviewing the person(s) who are the victim(s) of the bullying and collect whatever other information is necessary to determine the facts and the seriousness of the report. Parents and/or guardians of each pupil involved in the bullying will be notified. The district shall maintain the confidentiality of the report and any related pupil records to the extent required by law.

Sanctions and Supports

Retaliation against anyone reporting or thought to have reported harassment/bullying behaviors is prohibited. Such retaliation shall be considered a serious violation of the policy and shall be independent of whether a charge or informal complaint of harassment/bullying is substantiated. Encouraging others to retaliate also violates the policy.

The administration and staff will inform students that MAPSD does not tolerate harassment/bullying in any form and will take all necessary and appropriate action to eliminate it, including social skills intervention and support, detention, suspension or expulsion.

Employees and volunteers who engage in student harassment/bullying shall be subject to disciplinary action up to and including termination and referral to appropriate authorities. All discipline shall be conducted in conformance with appropriate employee handbooks and existing state and federal law.

Disclosure and Public Reporting

The policy will be distributed annually to all students enrolled in the school district, their parents and/or guardians and employees. It will also be available to organizations in the community having cooperative agreements with the schools. The school district will also provide a copy of the policy to any person who requests it.

Records will be maintained on the number and types of reports made, and sanctions imposed for incidents found to be in violation of the bullying policy.

An annual summary report shall be prepared and presented to the school board, which includes trends in bullying behavior and recommendations on how to further reduce bullying behavior. The annual report will be available to the public.

Prevention

- This policy and procedure will be made available to all employees, students or student's parents at least once a year.
- Discussion of harassment/bullying will be included at an age appropriate level and in the proper context as part of the social emotional curriculum.
- New employees will be provided with the Board of Education (BOE) policy and trained on procedures annually.
- Information will be posted at each building advising employees, students and volunteers of the policy and the procedures for making a report.
- This policy and procedures will be reviewed annually with input from parents/guardians and community members.

CROSS REFERENCE: JB-R, JBA-R, & JOB, Bully Prevention Lab

LEGAL REFERENCE: §115.28(31), 118.13, 118.46, 120.13(1), 947.013, Title VI, Title IX, Education Amendments of 1972, PI9, PI 41, Wis. Admin. Code, Civil Rights Act of 1964 & 1991, Sec. 504, Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, & IDEA Amendments of 2004

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FILE SECTOR: STUDENTS
POLICY TITLE: STUDENT HARASSMENT/
BULLYING APPEAL
PROCEDURES

DATE REVISED: July 25, 2022
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Appeal Process

1. If any party is not satisfied with the report of the building administrator or designee, a written appeal may be submitted to the district administrator indicating the nature of the disagreement. The appeal must be filed within 10 working days after receipt of the building administrator or designee's answer. The building administrator or designee shall schedule a meeting of all parties to the complaint to review the issues presented in the appeal.
2. The district administrator or designee shall provide a written response outlining the findings and disposition of the appeal within 20 working days of the date the appeal is filed or 20 working days after the meeting, whichever is later.
3. If the complainant or the district administrator wishes to pursue the matter further, either party may file an appeal requesting a hearing with the BOE within 10 working days after the decision in Step 2 has been rendered. The BOE will conduct a hearing about the matter and may take appropriate action in order to resolve any misconduct and/or the complaint.
4. The complainant shall be notified of the right to appeal a negative determination by the board of a complaint of harassment/bullying that would constitute student discrimination within 30 days to the Wisconsin Department of Public Instruction.

Harassment/ Bullying Report Form

Instructions: It is designed to assist any staff member at a school site who may receive a report about harassment/bullying from a student. **THE STUDENT DOES NOT COMPLETE THIS FORM; THE STAFF PERSON TO WHOM THE STUDENT COMPLAINS SHOULD COMPLETE IT.** This form must be promptly forwarded to the building administrator or designee.

Date:	Time:
Name of Victim(s):	Grade:
Name of Perpetrator(s):	Grade:
Name of Witness(es):	Grade:
Does reporter want to stay anonymous?	Yes or No

Student(s) experienced bullying in the following place(s): Check all that apply.

<input type="checkbox"/> Classroom <input type="checkbox"/> Cafeteria <input type="checkbox"/> Bus <input type="checkbox"/> Online <input type="checkbox"/> Other: _____	<input type="checkbox"/> Bathroom <input type="checkbox"/> Locker room <input type="checkbox"/> Bus stop <input type="checkbox"/> School related activity or event	<input type="checkbox"/> Hallway <input type="checkbox"/> Extracurricular activity <input type="checkbox"/> Gym <input type="checkbox"/> Recess
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Student(s) engaged in the following act(s): Check all that apply.

- Electronic devices (e.g., internet, social media platforms, text, email, cyberbullying, etc.)
- Written communication (e.g., handwritten notes, other written documents, email, etc.)
- Physical act or conduct (e.g., pushing, hitting, destruction of property, stalking, etc.)
- Verbal act or conduct (e.g., rumors, lies, name-calling, using derogatory slurs, etc.)
- Social (e.g., purposeful exclusion, causing psychological harm, etc.)
- Items depicting implied hatred or prejudice were worn, possessed or displayed
- Other: _____

Describe the event in detail.

Harassment/ Bullying Investigation Form

Name of Investigator: _____ Name of individual who engaged in bullying behavior: _____ Name of individual who was victimized: _____ Was there an imbalance of power? Yes / No Explain: _____ Was there intent to cause physical, emotional, or social harm? Yes / No Explain: _____ Was the incident based on any of these characteristics? (circle all that apply) Gender / Gender Identity / Race / National Origin / Ancestry / Ethnicity / Religion / Creed / Marital / Parent Status / Sexual Orientation / Disability / Physical Attributes Is this a repeated pattern, or without intervention, likely to be repeated for the individual who engaged in the bullying behavior? Yes / No Explain: _____ Is this a repeated pattern, or without intervention, likely to be repeated for the individual who was victimized? Yes / No Explain: _____ Based on the information, is this report determined to be an incident of bullying? Yes / No Explain: _____ Based on the information, is this report determined to be an incident of harassment? Yes / No Explain: _____	Date of Investigation: _____ Next steps for individual who was victimized: <input type="checkbox"/> Communication and collaboration with parents <input type="checkbox"/> Social skills instruction <input type="checkbox"/> Meet with school counselor, psychologist, etc. <input type="checkbox"/> Increased support by school staff <input type="checkbox"/> Other: _____ Next steps for individual who engaged in bullying behavior: <input type="checkbox"/> Communication and collaboration with parents <input type="checkbox"/> Social skills instruction <input type="checkbox"/> Meet with school counselor, psychologist, etc. <input type="checkbox"/> Increased support by school staff <input type="checkbox"/> Detention <input type="checkbox"/> Suspension <input type="checkbox"/> Expulsion recommendation <input type="checkbox"/> Other: _____ Follow-up (to be completed 2 weeks after intervention implemented) Do the steps implemented for the individual who engaged in bullying behavior appear effective? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain: _____ Do the steps implemented for the individual who was victimized appear effective? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain: _____ Are any additional steps needed? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain: _____
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