

PROHIBITION OF HARASSMENT, INTIMIDATION, BULLYING, HAZING AND/OR INITIATION

DATES (Adopted/Revised)	GUIDE WORDS
Adopted July, 2007	Harassment Intimidation Bullying Hazing Initiation

The Pocatello/Chubbuck School District expects that all staff and students shall act in accordance with the vision and mission of the district to nurture and sustain a working and learning environment which provides for the health, safety and welfare of all. To this end the environment is to be safe and civil and free from any form of harassment, intimidation, bullying, hazing and initiation. Harassment is inclusive of those areas protected by federal law, such as, race, color, religion, ancestry, national origin, gender, sexual orientation or mental or physical disability. Harassment, intimidation and bullying is also inclusive of the definition as stated for Students pursuant to Idaho Code 18-917A.

Reporting:

Should an individual have reason to feel that s/he has been subjected to any form of harassment, intimidation, bullying, hazing and/or initiation the individual is encouraged to firmly and clearly tell the person engaging in the behavior that it is unwelcome, offensive and should cease at once. The individual should report any alleged harassment, intimidation, bullying, hazing and/or initiation to his/her immediate supervisor, principal/assistant principal, any director or any other administrator. Further, any individual who becomes aware of any such conduct involving another employee, student, supervisor, or administrator, whether directly form a student's reporting or any other indirect source, this individual shall follow the same reporting process. All staff are also responsible for directing complainants to the formal complaint process. This reporting is essential so that a prompt investigation is undertaken followed by any appropriate, preventive, corrective and/or disciplinary action. The administrator who receives the information is to report such to the appropriate elementary/secondary director and the human resources director (employees) or the pupil personnel services director (students). Any school employee who receives information about any alleged harassment, intimidation, bullying, hazing and/or initiation and has reason to believe the behavior may be child abuse is obligated by law to report it to law enforcement or the Department of Health and Welfare within 24 hours. Moreover, the administration shall report such behavior to the school's SRO or designated SRO. Any individual that knowingly makes a false claim of harassment, intimidation, bullying, hazing and/or initiation will be subject to corrective action, up to and including suspension, expulsion, discharge or termination.

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Investigation:

An allegation of harassment, intimidation, bullying, hazing, and/or intimidation will be promptly investigated in a confidential manner by the administration or a designee of the administration so as to protect the privacy of all persons involved. The human resource director (employees) or pupil personnel director (students) shall provide the investigating administrator or designee a framework in which to conduct the investigation. Confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate given the circumstances.

Complaints may be investigated and resolved through either the informal or formal complaint process.

Informal Complaint Process:

The informal complaint process is voluntary. Its intent is to bring the parties together with a resolve to stop the alleged harassment, intimidation, bullying, hazing and/or initiation. A formal complaint may be filed at any time before, during or after any informal process is used. The informal complaint process does not have rigid steps. Rather, the process depends on the preferences of the complainant and includes any of the following:

- Talking directly with the harasser stating the behavior is unwelcome and unwanted and must cease.
- Using a neutral party such as a director, principal, assistant principal, supervisor, teacher or student mediator to talk with the harasser to get the alleged behavior to cease.
- Using a mediator to meet with the harasser and complainant.
- Writing a letter to the harasser identifying the incident and how it made the complainant feel.
- Sending a copy of the district's harassment policy to the harasser.

The administrator involved in resolution of an informal complaint shall document the complaint, the process utilized for any resolution, and the results. Resolution of the complaint shall be filed with the appropriate elementary or secondary director and the human resource director (employees) or the pupil personnel director (students). FERPA shall be adhered to through all phases of receiving the complaint, investigating the complaint, and resolving the complaint.

Formal Complaint Process:

This formal complaint process is voluntary. Its intent is to investigate the alleged complaint with a resolve to stop any alleged harassment, intimidation, bullying, hazing and/or initiation. The formal complaint does have rigid steps to be followed. The investigator or designee shall strive to have the complainant trust the investigator. The following process shall be adhered to when addressing a formal complaint.

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- All formal complaints of harassment, intimidation, bullying, hazing and/or initiation shall be filed in writing on the proper form. Formal complaints shall set forth the specific acts, conditions or circumstances alleged to have occurred that may constitute the behavior. This document should include the date of the alleged event(s) as well as the identification of any known witness(es) to the event(s). The investigating administrator or designee may draft the complaint for the complainant, based on the report of the complainant, for the complainant to review and sign.
- Complainants shall not be promised confidentiality at the onset of an investigation.
- Regardless of the complainant's interest (or lack thereof) in filing a formal complaint, the investigating administrator or designee (upon consultation), may conclude that the district needs to file a formal complaint based upon the information provided to the administrator
- The investigating administrator or designee shall investigate all formal, written complaints of alleged harassment, intimidation, bullying, hazing and/or initiation with a resolve to have the alleged behavior cease through the process of resolution.
- When the investigation is completed the investigating administrator shall compile a full written report of the complaint and the results of the investigation. If the matter has not been resolved to the complainant's satisfaction, the report shall be forwarded on appeal to the human resource director (for employees) or the pupil personnel director (for students) who shall take further action to resolve the complaint.
- Corrective measures deemed necessary will be instituted as quickly as possible unless the accused is appealing the imposition of discipline and the District is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.
- As corrective action is taken, only those who have a need to know shall have knowledge of the disposition of the complaint.
- Resolution of the complaint shall be filed with the appropriate elementary or secondary director and the human resource director (employees) or the pupil personnel director (students).
- FERPA shall be adhered to through all phases of receiving the complaint, investigating the complaint, and resolving the complaint.

Resolution:

A timely resolution for each complaint will be reached and communicated to the individual making the claim and any other parties involved. Appropriate action, up to and including suspension, expulsion, discharge, or termination will be taken against any individual engaging in harassment, intimidation, bullying, hazing or initiation.

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Retaliation:

Retaliation against any individual who makes a complaint or brings such objectionable conduct to the administration's attention or who assists or participates in any investigation, proceeding or litigation pertaining to harassment, intimidation, bullying, hazing and/or initiation is prohibited. Any such retaliation constitutes grounds for immediate disciplinary action up to and including suspension, expulsion, discharge, or termination of employment.