

PROHIBITING HARASSMENT, INTIMIDATION AND BULLYING (REGULATION)

Statement of legislative Mandate and Purpose

This regulation is a result of the legislative mandate and public policy embodied in the School Bullying Protection Act, 70 O.S. §24-100.2. The Oklahoma Legislature requires school districts to adopt a policy to prevent harassment, intimidation, and bullying in an effort to "create an environment free of unnecessary disruption" and also requires school districts to actively pursue programs for education regarding bullying behaviors.

The Healdton Public Schools' student conduct code prohibits harassment, intimidation, and bullying. This regulation further explains the negative effects of that behavior and seeks to promote strategies for prevention.

Statement of Board Purpose in Adopting Policy

The board of education recognizes that intimidation, harassment, and bullying of students causes serious educational and personal problems, both for the student-victim and the initiator of the intimidation, harassment, and bullying. The board observes that this conduct:

1. Has been shown by national and state studies to have a substantial adverse effect upon school district operations, the safety of students and faculty, and the educational system at large.
2. Substantially disrupts school operations by interfering with the district's mission to instruct students in an atmosphere free from fear, is disruptive of school efforts to encourage students to remain in school until graduation, and just as disruptive of the district's efforts to prepare students for productive lives in the community as they become adults.
3. Substantially disrupts healthy student behavior and thereby academic achievement. Research indicates that healthy student behavior results in increased student academic achievement. Improvement in student behavior through the prevention or minimization of intimidation, harassment, and bullying towards student-victims simultaneously supports the district's primary and substantial interest in operating schools that foster and promote academic achievement.
4. Substantially interferes with school compliance with federal law that seeks to maximize the mainstreaming of students with disabilities and hinders compliance with Individual Educational Programs containing objectives to increase the socialization of students with disabilities. Targets of bullying are often students with known physical or mental disabilities who, as a result, are perceived by bullies as easy targets for bullying actions.
5. Substantially interferes with the district's mission to advance the social skills and social and emotional well-being of students. Targets of intimidation, harassment, and bullying are often "passive-target" students who already are lacking in social skills because they tend to be extremely sensitive, shy, display insecurity, anxiety and/or distress; may have experienced a traumatic event; may try to use gifts, toys, money, or class assignments or performance bribes to protect themselves from intimidation, harassment, or bullying; are often small for their age and feel vulnerable to bullying acts; and/or may resort to carrying weapons to school for self-protection. Passive-target victims who have been harassed and demeaned by the behavior of bullies often respond by striving to obtain power over others by becoming bullies themselves, and are specifically prone to develop into students who eventually inflict serious physical harm on other students, or, in an effort to gain power over their life or situation, commit suicide.

6. Substantially disrupts school operations by increasing violent acts committed against fellow students. Violence, in this context, is frequently accompanied by criminal acts.
7. Substantially disrupts school operations by interfering with the reasonable expectations of other students that they can feel secure at school and not be subjected to frightening acts or be the victim of mistreatment resulting from bullying behavior.

Bullying, harassing, and intimidating behavior often involves expressive gestures, speech, physical acts that are sexually suggestive, lewd, vulgar, profane, or offensive to the education or social mission of this school district, and at times involves the commission of criminal acts. This behavior interferes with the curriculum by disrupting the presentation of instruction and also disrupts and interferes with the student-victim's or bystander's ability to concentrate, retain instruction, and study or to operate free from the effects of intimidation, harassment, and bullying. This results in a reluctance or resistance to attend school.

Definition of Terms

1. Statutory definition of harassment, intimidation, and bullying:

70 O.S. §24-100.3(e) of the School Bullying Protection Act defines the terms "harass, intimidate, or bully," as including, but not limited to, any gesture, written or verbal expression, or physical act that a reasonable person should recognize will:

- A. Harm another student;
- B. Damage another student's property;
- C. Place another student in reasonable fear of harm to the student's person or damage to the student's property; or
- D. Insult or demean any student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student.

2. The "Reasonable Person" Standard

In determining what a "reasonable person" should recognize as an act placing a student in "reasonable" fear of harm, staff will determine "reasonableness" not only from the point of view of a mature adult, but also from the point of view of an immature child of the age of the intended victim along with, but not limited to, consideration of special emotional, physical, or mental needs of the particular child; personality or physical characteristics, or history that might cause the child to be particularly sensitive to efforts by a bully to humiliate, embarrass, or lower the self esteem of the victim; and the discipline history, personality of, and physical characteristics of the individual alleged to have engaged in the prohibited behavior.

3. General Display of Bullying Acts

Bullying, for purposes of this section of the regulation, includes harassment and intimidation, and vice versa. According to experts in the field, bullying in general is the exploitation of a less powerful person by an individual taking unfair advantage of that person, which is repeated over time, and which inflicts a negative effect on the victim. The seriousness of a bullying act depends on the harm inflicted upon the victim and the frequency of the offensive acts. Power may be, but is not limited to, physical strength, social skill, verbal ability, or other characteristics. Bullying acts by students have been described in several different categories.

- A. Physical Bullying includes harm or threatened harm to another's body or property, including, but not limited to, what would reasonably be foreseen as a serious expression of intent to inflict physical harm or property damage through verbal or written speech or gestures directed at the student-victim, when considering the factual circumstances in which the threat was made and the reaction of the intended victim. Common acts include tripping, hitting, pushing, pinching, pulling hair, kicking, biting, starting fights, daring others to fight, stealing or destroying property, extortion, assaults with a weapon, other violent acts, and homicide.
- B. Emotional Bullying includes the intentional infliction of harm to another's self-esteem, including, but not limited to, insulting or profane remarks, insulting or profane gestures, or harassing and frightening statement, when such events are considered in light of the surrounding facts, the history of the students involved, and age, maturity, and special characteristics of the students.
- C. Social Bullying includes harm to another's group acceptance, including, but not limited to, harm resulting from intentionally gossiping about another student or intentionally spreading negative rumors about another student that results in the victim being excluded from a school activity or student group; the intentional planning and/or implementation of acts or statements that inflict public humiliation upon a student; the intentional undermining of current relationships of the victim-student through the spreading of untrue gossip or rumors designed to humiliate or embarrass the student; the use of gossip, rumors, or humiliating acts designed to deprive the student of awards, recognition, or involvement in school activities; the false or malicious spreading of an untrue statement or statements about another student that exposes the victim to contempt or ridicule or deprives the victim of the confidence and respect of student peers; or the making of false statements to others that the student has committed a crime, or has an infectious, contagious, or loathsome disease, or similar egregious representations.
- D. Sexual Bullying includes harm to another resulting from, but not limited to, making unwelcome sexual comments about the student; making vulgar, profane, or lewd comments or drawings or graffiti about the victim; directing vulgar, profane, or lewd gestures toward the victim; committing physical acts of a sexual nature at school, including the fondling or touching of private parts of the victim's body; participation in the gossiping or spreading of false rumors about the student's sexual life; written or verbal statements directed at the victim that would reasonably be interpreted as a serious threat to force the victim to commit sexual acts or to sexually assault the victim when considering the factual circumstances in which the threat was made and the reaction of the intended victim; off-campus dating violence by a student that

adversely affects the victim's school performance or behavior, attendance, participation in school functions or extracurricular activities, or makes the victim fearful at school of the assaulting bully; or the commission of sexual assault, rape, or homicide. Such conduct may also constitute sexual harassment – also prohibited by Healdton Public Schools.

Procedures Applicable to the Understanding of and Prevention of Harassment, Intimidation, and Bullying of Students

1. Student and Staff Education and Training

All staff will be provided with a copy of the district's policy on prevention of harassment, intimidation, and bullying of students. All students will be provided a summary of the policy and notice that a copy of the entire policy is available on request. Healdton Public Schools is committed to providing appropriate and relevant training to staff regarding identification of behavior constituting harassment, intimidation, and bullying of students and the prevention and management of such conduct.

Students, like staff members, shall participate in an annual education program that sets out expectations for student behavior and emphasizes an understanding of harassment, intimidation, and bullying of students, the district's prohibition of such conduct, and the reasons why the conduct is destructive, unacceptable, and will lead to discipline. Students shall also be informed of the consequences of bullying conduct toward their peers.

B. Healdton Public Schools' Safe School Committee

The safe school committee has the responsibility of studying and making recommendations regarding unsafe conditions, strategies for students to avoid harm at school, student victimization, crime prevention, school violence, and other issues that interfere with an adversely affect the maintenance of safe schools.

With respect to student harassment, intimidation, and bullying, the safe school committee shall consider and make recommendations regarding professional staff development needs of faculty and other staff related to methods to decrease student harassment, intimidation, and bullying and understanding and identifying bullying behaviors. In addition, the committee shall make recommendations regarding: identification of methods to encourage the involvement of the community and students in addressing conduct involving bullying; methods to enhance relationships between students and school staff in order to strengthen communication; and fashioning of problem-solving teams that include counselors and/or school psychologists.

In accomplishing its objectives, the committee shall review traditional and accepted harassment, intimidation, and bullying prevention programs utilized by other states, state agencies, or school districts. (See also policy BDFC.)

Student Reporting

Students are encouraged to inform school personnel if they are the victim of or a witness to acts of harassment, intimidation, or bullying.

Staff Reporting

An important duty of the staff is to report acts or behavior that the employee witnesses that appears to constitute harassing, intimidating, or bullying. Employees, whether certified or noncertified, shall encourage students who tell them about acts that may constitute intimidation, harassment, or bullying to complete a report form. For young students, staff members given that information will need to provide direct assistance to the student.

Staff members who witness such events are to complete reports and to submit them to the employee designated by the assistant superintendent to receive them. Staff members who hear of incidents that may, in the staff member's judgment, constitute harassment, intimidation, or bullying, are to report all relevant information to the assistant superintendent or his/her designee.

Parental Responsibilities

Parents/guardians will be informed in writing of the district's program to stop intimidation, harassment, and bullying. An administrative response to a reported act of intimidation, harassment, or bullying may involve certain actions to be taken by parents. Parents will be informed of the program and the means for students to report bullying acts toward them or other students. They will also be told that to help prevent bullying at school they should encourage their children to:

1. Report bullying when it occurs;
2. Take advantage of opportunities to talk to their children about bullying;
3. Inform the school immediately if they think their child is being bullied or is bullying other students;
4. Watch for symptoms that their child may be a victim of bullying and report those symptoms; and
5. Cooperate fully with school personnel in identifying and resolving incidents.

PROHIBITING HARASSMENT, INTIMIDATION AND BULLYING (INVESTIGATION PROCEDURES)

The following procedures will be used by any person for the filing, processing, and resolution of a reported incident of harassment, intimidation, bullying, or threatening behavior. The procedures are to be followed by the administration of the school district in an effort to determine the severity of the incident and the potential to result in future violence.

Definitions

1. "Harassment, intimidation, and bullying" means any gesture, written or verbal expression, electronic communication, or physical act that a reasonable person should know will harm another student, damage another student's property, place another student in reasonable fear of harm to the student's person or damage to the student's property, or insult or demean any student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student. Harassment, intimidation, and bullying include, but are not limited to, gestures, written, verbal, or physical acts, or electronic communications.

"Electronic communication" means the communication of any written, verbal, or pictorial information by means of an electronic device, including, but not limited to, a telephone, a cellular telephone or other wireless communication device, or a computer.

"Threatening behavior" means any pattern of behavior or isolated action, whether or not it is directed at another person, that a reasonable person would believe indicates potential for future harm to students, school personnel, or school property.

Procedures

The procedure for investigating reported incidents of harassment, intimidation, and bullying or threatening behavior, is as follows:

1. The matter should immediately be reported to the building principal. If the bullying involved an electronic communication, a printed copy of the communication as well as any identifying information such as email address or web address shall be provided to the building principal. As much detailed information as possible should be provided to the building principal in written form to allow for a thorough investigation of the matter.
2. Upon receipt of a written report, the building principal shall contact the superintendent and begin an investigation to determine the severity of the incident and the potential for future violence.
3. If, during the course of the investigation, it appears that a crime may have been committed the building principal and/or superintendent shall notify local law enforcement and request that the alleged victim also contact law enforcement to report the matter for potential criminal investigation.
4. If it is determined that the school district's discipline code has been violated, the building principal shall follow district policies regarding the discipline of the student.
5. Upon completion of the investigation, the principal or superintendent may recommend that available community mental health care options be provided to the student, if appropriate. If such a recommendation is made, the administration shall request disclosure of any information that indicates an explicit threat to the safety of students or school personnel.

Are You Being Hassled or Harassed?

Name: _____

Date: _____ Approximate Time: _____

Where were you when this incident happened? (Check one.)

- Classroom
 Lockers
 Cafeteria
 Gym
 Locker room
 Bathroom
 Outside
 Bus
 Other _____

What happened? (Check one.)

- Someone teased me.
 Someone took something of mine.
 Someone told me to do something I didn't like.
 I did something wrong.
 Someone started fighting with me.
 I retaliated when someone bothered me.
 Someone put his/her hands on me.
 Someone destroyed my property.
 Someone called me names.
 Someone purposely embarrassed me.
 Someone threatened me.

Who was that someone? (Check one.)

- Another student
 A teacher
 Other _____

What did you do? (Check one.)

- I did something wrong.
 I retaliated when someone bothered me.
 I called him/her names.
 I fought with him/her.
 I threatened him/her.
 I reported this to an adult.
 I destroyed someone's property.
 I started a rumor about someone.
 I told my parent(s).
 I talked about this to a friend.
 I called the SAFE CALL hotline.

How I handled my own actions. (Check one.)

- Poorly
 Well
 Need help
 Could have done a better job
 Okay

Do you need assistance? (Check all that apply.)

- I need to speak to a counselor.
 I need a peer mediation session with this person.
 I need to speak to the principal.
 I need to be in a student assistance group.
 I need help with my anger.
 I need an adult to monitor this area.
 I would like an adult to keep this person away from me.
 Other _____

I would like to see the school prevent bullying or intimidation by...

Please complete this form and give it to your teacher, counselor, or principal.

**HEALDTON SCHOOLS
HARASSMENT/BULLYING INCIDENT REPORT FORM**

Date: _____ Time: _____ Room/Location: _____

Student(s) Initiating Bullying/Harassment:

_____ Grade: _____ Class: _____

_____ Grade: _____ Class: _____

Student(s) Affected:

_____ Grade: _____ Class: _____

_____ Grade: _____ Class: _____

Type of Harassment Alleged:

Racial _____ Sexual _____ Religious _____ Other _____

Check all spaces below that apply. Adult stated or identified inappropriate behaviors as:

- | | |
|--|---|
| <input type="checkbox"/> Name Calling | <input type="checkbox"/> Spitting |
| <input type="checkbox"/> Stalking | <input type="checkbox"/> Demeaning Comments |
| <input type="checkbox"/> Inappropriate Gesturing | <input type="checkbox"/> Stealing |
| <input type="checkbox"/> Staring/Leering | <input type="checkbox"/> Damaging Property |
| <input type="checkbox"/> Writing/Graffiti | <input type="checkbox"/> Shoving/Pushing |
| <input type="checkbox"/> Threatening | <input type="checkbox"/> Hitting/Kicking |
| <input type="checkbox"/> Taunting/Ridiculing | <input type="checkbox"/> Flashing a Weapon |
| <input type="checkbox"/> Inappropriate Touching | <input type="checkbox"/> Intimidation/Extortion |
| <input type="checkbox"/> Other _____ | |

Describe the incident:

Witnesses Present: _____

Physical evidence: Graffiti _____ Notes _____ E-mail _____ Web sites _____ Video/audio tape _____
Other _____

Staff signature _____

Parent(s) contacted: Date _____ Time _____

Administrative response taken:

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ELEMENTARY VALUABLE PROPERTY AT SCHOOL - Do not bring Game Boys, Game Boy games, trading cards, other toys or things of value to school. If a child brings these things to school, they will be collected by the teacher, taken to the office, and kept there until school is out in May.

EXTORTION - The taking of money/property by anyone who uses threats, fear or coercion in order to obtain money/property, but whose conduct falls short of the threat to personal safety required for robbery.

FAILURE or REFUSAL TO SERVE ASSIGNED DISCIPLINE - If the student fails to serve the discipline assigned due to circumstances genuinely beyond the student's control, the student must make up the discipline. If the student "forgets" to serve the discipline, the discipline is doubled. If the student refuses to serve the discipline, the student will receive out-of-school suspension. Upon returning from the suspension, the student must serve the original discipline.

HARASSMENT (Bullying) - "Harassment, intimidation, and bullying" means any gesture, written or verbal expression, electronic communication or physical act that a reasonable person should know will harm another student, damage another student's property, place another student in reasonable fear of harm to the student's person or damage to the student's property, or insult or demean any student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student. "Harassment, intimidation, and bullying" include but are not limited to, a gesture or written, verbal or physical act. "At school" means on school grounds, in school vehicles, at designated school bus stops, at school-sponsored activities, or at school-sponsored events. "Electronic communication" means the communication of any written, verbal or pictorial information by means of an electronic device, including but not limited to a telephone, cellular telephone or other wireless telecommunication device, or a computer. "Threatening behavior" means any pattern of behavior or isolated action, whether or not it is directed at another person, that a reasonable person would believe indicates potential for future harm to students, school personnel, or school property.

Bullying Prevention Act: (Oklahoma Statutes Section 24-100.3) to include within the definition of "harassment, intimidation, and bullying" "electronic communication" a reasonable person should know will harm another student, the student's property, or place another student in reasonable fear of harm. "Electronic communication" is defined as "any written verbal or pictorial information by means of an electronic device, including, but not limited to, a telephone, a cellular telephone or other wireless device, or computer."

SEXUAL HARASSMENT - "Sexual Harassment" is defined as: unwelcome sexual advances, in the case of students, faculty and volunteers of Healdton School District. Sexual harassment includes all forms of unwelcome conduct of a sexual nature by a student or faculty. Any student or faculty engaging in sexual harassment is subject to any and all disciplinary action which may be imposed under the Healdton School District Grid.

HAZING - All forms of hazing and/or intimidation are prohibited by the school

and school-sponsored activities. (Including as a part of admissions club or organization).

INSUBORDINATION - A student found to be disobedient to the authority of school personnel, and/or failing to follow the directive of the personnel without just cause as determined by the principal shall be subject to the following discipline.

MISINFORMATION - Willfully giving misinformation by commission (lying), or omission (misinforming by remaining silent).

OBSCENITY/PROFANITY - Obscene materials including, but not limited to illustrations (drawings, paintings, photographs, etc.) and oral or written material (books, letters, poems, tapes, CDs, videos, etc.) which are commercially or student produced are prohibited. Profanity, including but not limited to gestures, symbols, verbal, written, etc. are prohibited.

SEARCH AND SEIZURE - Student searches may be made based on a reasonable suspicion of a violation of school rules and/or state or federal law by a student. The search will be made pursuant to the reasonableness, under all circumstances, of the search. The search of the student will be justified at its inception, based on reasonable suspicion and reasonable in scope in light of the age and sex of the student and the nature of the infraction. Contraband and other property unauthorized to be on school property or school-sponsored activities will be seized for evidentiary purposes in a school hearing and/or legal hearing.

THEFT - Return of the property may be made to the parents/guardians of the student.

TOBACCO & TOBACCO PRODUCTS - Possession of tobacco or tobacco-related products by students is prohibited at school or school-sponsored activities pursuant to Oklahoma Law (21 O.S. Section 21-1241, 1242.) Prohibited tobacco products and paraphernalia include, but are not limited to, cigarettes, cigarette lighters, cigarette paper, cigars, snuff, chewing tobacco, cigarette holders, tobacco, tobacco-related containers and packages, etc. Any minor in possession of the above materials being asked by a police officer or teacher where and from whom such materials were obtained who shall refuse to furnish such information shall be guilty of a misdemeanor.

TOBACCO-FREE ENVIRONMENT POLICY 404

Healdton Public Schools is committed to providing a healthy, comfortable, and productive environment for all persons using the school facilities. Healdton Public Schools recognizes that the use of smokeless tobacco, tobacco smoking, and the environmental tobacco smoke (second-hand smoke) has been shown to link illness and disability. Federal law prohibits smoking in any indoor facility or the grounds thereof, which is used to provide educational services to youth. The policy is intended to improve the health and safety of all individuals using the school facilities.

Therefore, smoking, chewing, dipping, or any other use of tobacco by faculty, students, and members of the public is prohibited on, in or upon any school property. Possession of tobacco is prohibited of students on, in or upon any