

STUDENT HARASSMENT AND BULLYING

- I. The harassment or bullying of any student by another student or District employee is contrary to the Board of Education's commitment to provide a physically and psychologically safe environment in which to learn, and it will not be tolerated.
- II. "Bullying" is intentional verbal or non-verbal behavior which is designed to intimidate, humiliate, or harm another person, and which negatively impacts the educational environment or the other person's physical, emotional, or psychological well-being. For example, bullying may include, but is not limited to, physical contact or the threat of physical contact, threats or intimidation, name-calling or taunting, social exclusion or isolation, and cyberbullying. Bullying may involve an imbalance of power and is typically behavior that is repeated over time. Bullying may be motivated by an actual or perceived distinguishing characteristic, such as age, national origin, race, ethnicity, religion, sex, sexual orientation, physical attributes, physical, mental, emotional or learning disability, or social or economic status; however, behavior does not need to be based on a legally protected characteristic or other specific characteristic in order to constitute bullying.
- III. "Cyberbullying" includes, but is not limited to, the use of information and communication technology (e.g., cell phones, computers, websites, social media, and e-mail) to bully another person. Cyberbullying is prohibited regardless of whether it is done on school property or at a school-sponsored or school-supervised event or activity.
- IV. "Harassment" is behavior towards a student that is based, in whole or in part, on the student's sex, race, color, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, physical, mental, emotional, or learning disability, or any other reason prohibited by state or federal law that substantially interferes with the student's school performance or creates an intimidating, hostile, or offensive school environment. Harassment may include a wide spectrum of behavior, including but not limited to: physical or verbal abuse; racial, ethnic, or religious insults or slurs; and sexual harassment.
- V. "Sexual Harassment" is unwelcome sexual conduct which: substantially interferes with the student's school performance; creates an intimidating, hostile, or offensive school environment; or gives the student the impression that consenting to the conduct will lead to an advantage or benefit for the student, and rejecting the conduct will lead to a tangible disadvantage or loss of benefit. Sexually harassing behavior may include, but is not limited to: unwanted touching or sexual advances; requests for sexual favors or acts; sexual gestures; sexual jokes, stories, or innuendos; and deliberate display of sexually explicit materials that is not necessary for educational purposes. Sexually harassing behavior may include behavior directed at a member of the same sex.
- VI. Any student who engages in bullying or harassment in violation of this Policy, or retaliates against another person because of a bullying or harassment report or participation in an

- investigation into a bullying or harassment report, shall be subject to discipline, up to and including suspension and expulsion and referral to law enforcement agencies, if appropriate.
- VII. Any District employee who engages in bullying or harassment in violation of this Policy, or retaliates against another person because of a bullying or harassment report or participation in an investigation into a bullying or harassment report, shall be subject to discipline, up to and including termination and referral to law enforcement agencies, if appropriate.
- VIII. District employees are required to report any incident(s) of bullying or harassment that they witness or are otherwise made aware of. Students are strongly encouraged to report such incident(s).
- IX. If a student believes he or she has been bullied or harassed in violation of this Policy, the student should file a complaint pursuant to the Student Harassment and Bullying Complaint Procedures in Administrative Guideline 5517.
- X. Building principals shall be responsible for notifying students, parents/guardians, and employees of this Policy and the Complaint Procedures annually.

Legal reference:

Sections 118.13, 947.013, Wis. Stats.
42 U.S.C. 2000d
42 U.S.C. 2000e et seq.
29 U.S.C. 621 et seq.
29 U.S.C. 794
42 U.S.C. 12101 et seq.
20 U.S.C. 1681 et seq.
Civil Rights Act, 42 U.S.C. 1983

Cross reference:

Administrative Guideline 2260 – Complaint Procedures
Administrative Guideline 5517 – Student Harassment and Bullying Complaint Procedures

Adopted: 6/18/01

Revised: 10/8/07; 6/14/10; 3/12/15; 7/13/15

The Port Washington-Saukville School District does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies: Director of Special Services, Port Washington-Saukville School District, 100 W. Monroe Street, Port Washington, WI 53074 - Duane.Woelfel@pwssd.k12.wi.us