HARASSMENT, INTIMIDATION OR BULLYING

DEFINITIONS

A. District and/or Board Property

Any Board-owned, controlled, or leased property or vehicle is considered District or Board property.

B. Harassment, Intimidation, and/or Bullying

Any intentional conduct including verbal, physical, and/or written or electronic communication, i.e., cyberbullying, which:

1. creates a hostile educational environment by substantially interfering with a student’s educational benefits, opportunities, or performance and/or with a student’s physical or psychological well-being and (a) is motivated by an actual or perceived personal characteristic including race, national origin, color, sex, sexual orientation, gender identity, religion, physical attribute, socio-economic status, familial status, physical or mental ability/disability or (b) threatens or seriously intimidates a student; and

2. occurs on District/Board property, at a school- or District-sponsored activity or event, on a school or activity bus or vehicle; or

3. substantially disrupts the orderly operation of a school or schools.

C. The following definitions provide additional guidance for evaluating the behavior and appropriate consequence, while recognizing that some behaviors may fall into one or more categories.

1. Harassment: Includes actual or perceived negative actions, which offend, ridicule, or demean another individual with regard to race, national origin, color, sex, sexual orientation, gender identity, religion, physical attribute, socio-economic status, familial status, and/or physical or mental ability/disability.

2. Sexual Harassment: Any deliberate and/or repeated unwelcome behavior of a sexual nature whether verbal, non-verbal, in writing, or physical.

3. Intimidation: Subjecting a person to intentional action, which seriously threatens or creates a sense of fear and/or inferiority.

4. Bullying: Behavior or a pattern of behavior demonstrated when a person repeatedly uses power in an intentional manner including verbal, physical, or written conduct and/or intentional electronic communication against one or more students.
5. **Cyberbullying**: A communication or communications transmitted by means of an electronic device including the use of social media sites, cellular telephone, landline telephone, computer, tablet, laptop, or any other electronic communication device.

6. **Retaliation**: An act of reprisal or getting back at an individual for a comment or act s/he has committed.

7. **School- or District-Sponsored Activity**: An activity or event that is sponsored, approved, conducted, planned, and/or supervised by District personnel regardless of whether the activity or event takes place on or off of District/Board property or occurs during or outside of normal school and/or business hours.

**Guidelines**

A. District staff, who witness or receive reports of harassment, intimidation, and/or bullying must take prompt and appropriate action.

B. District staff, who fail to appropriately report harassment, intimidation, and/or bullying, may be subject to disciplinary action, up to and including dismissal from employ.

C. Retaliation against any individual, staff, or student, who reports a valid act of harassment, intimidation, and/or bullying, is prohibited.

**Types of Intimidation or Bullying**

A. Direct intimidation or bullying is from aggressor to victim such as, but not limited to, physical (hitting, kicking, etc.), verbal (name-calling, teasing, etc.), non-verbal (rejecting, terrorizing, defaming, etc.), or sexual (assault, battery, rape, voyeurism, etc.).

B. Indirect intimidation or bullying is from aggressor to victim indirectly or through others such as, but not limited to, physical (getting another to assault someone), verbal (gossiping, spreading rumors, etc.), and non-verbal (deliberate exclusion from a group, purposefully and repeatedly ignoring another, etc.).

C. Cyberbullying includes, but is not limited to, acts where the use of electronic communication is used to harm, harass, intimidate, or threaten one or more persons in a deliberate, repeated, and/or hostile manner; posting of negative comments on a social media site; sending defamatory or malicious e-mails, texts, messages, tweets, etc.; sexting including the sending of explicit materials, photographs, or videos; and/or impersonating another individual and sending negative messages; and other forms of online abuse.

**Types of Harassment**

A. **Sexual Harassment**

   1. using sexually offensive language communicated verbally or in writing including through electronic means;

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2. displaying pictures, objects, posters, photographs, cartoons, drawings, or clothing of a sexual nature or making gestures of a sexual nature;

3. staring or leering at parts of the body; comments, gestures, or jokes of a sexual nature; offensive touching including grabbing or pinching; and/or blocking or impeding an individual’s physical movements;

4. taunting or ridiculing someone because of a perceived or actual sexual orientation; or

5. engaging in unwelcome sexual conduct including asking for or demanding sexual favors.

B. Harassment

Any type of intimidation or bullying, which is directed against someone because of race, national origin, color, sex, sexual orientation, gender identity, religion, physical attribute, socio-economic status, familial status, and/or physical mental ability/disability.

TRAINING AND PREVENTION

A. The Superintendent or Designee shall:

1. conduct annual professional development for appropriate District and school administrators to increase their awareness of the prevalence, causes, and consequences of harassment, intimidation, and bullying and to increase the use of positive supports to prevent the same.

2. provide professional development for new employees, who are hired after the start of the school year.

B. The Superintendent or Designee will provide training to appropriate District administrators and school principals and assistant principals regarding investigating reports of harassment, intimidation, and bullying.

C. School-level administrators are expected to create a climate to promote student involvement in bullying prevention efforts, peer support, mutual respect, and a culture that encourages students to report incidents of harassment, intimidation, and bullying to District or school personnel.

D. Each school will provide a range of appropriate support and referral services to students, who have been targets of harassing, intimidating, or bullying behaviors.

E. The Superintendent or Designee will collaborate with families and the community to inform parents about the prevalence, causes, and consequences of harassment, intimidation, and bullying including possible means of preventing the same.
F. The Director of Student Services will collect annual school-specific data on the prevalence of harassment, intimidation, and/or bullying and prepare and submit the required reports to the South Carolina Department of Education or as requested by the Superintendent or his/her designee.

**Reporting Form**

A. Each school principal will make the *Harassment, Intimidation, and Bullying Report* form available in the school’s main office, the counseling area, and media center. S/He must also publish information regarding the availability of the form in the aforementioned areas to students and staff.

B. The Superintendent or Designee is responsible for making the *Harassment, Intimidation, and Bullying Report* form available electronically on the District’s website.

C. Annually, the principal or his/her designee will include the *Harassment, Intimidation, and Bullying Report* form in registration and/or information packets for students or in student handbooks.

**Reports of Harassment, Intimidation, and/or Bullying**

A. A middle or high school student, who believes s/he is a victim of, or a witness to, harassment, intimidation, bullying, and/or cyberbullying should report the incident to an administrator, teacher, or support staff member using the *Harassment, Intimidation, and Bullying Report*. Elementary students may make verbal reports to any District employee in the school or to his/her parents.

B. When a student reports being a victim of, or a witness to, harassment, intimidation, bullying, and/or cyberbullying to a District employee, the staff member must promptly report the allegations to the principal or assistant principal and complete and submit a *Harassment, Intimidation, and Bullying Report*.

C. The *Harassment, Intimidation, and Bullying Report* form may also be submitted to the principal or an assistant principal or to the Director of Student Services at the District Office by a parent, guardian, volunteer, or a close adult relative on the student’s behalf.

D. The principal or principal’s designee must enter the information from each received *Harassment, Intimidation, and Bullying Report* into the official system for documentation of an incident within 5 school days regardless of the outcome of an ensuing investigation.

**INVESTIGATION AND NOTIFICATION TO THE PARENT/GUARDIAN**

A. As soon as practical but no later than 2 subsequent school days of the receipt of a *Harassment, Intimidation, and Bullying Report*, the principal or assistant principal shall begin a thorough inquiry starting with the alleged victim.
B. The principal or assistant principal must notify a parent/guardian of the student making the complaint on that school day or as soon as practical. Similar notice should be provided to the alleged offender as soon as appropriate but no later than 3 school days after the receipt of the report.

C. The principal or assistant principal, in consultation with the Director of Student Services or legal counsel as deemed proper by the Superintendent or Designee, will prepare a written report regarding the steps taken in the investigation, the facts, conclusion, and recommendation for disciplinary action as appropriate.

D. In accord with state law, the principal, or in the absence of the principal, a designee must contact law enforcement immediately upon notice that a person is engaging or has engaged in activities on school property or at a school-sanctioned or school-sponsored activity, which may result or results in injury or serious threat of injury to a person. School administrators should promptly contact the Director of Student Services with any questions regarding this requirement and inform the Superintendent that law enforcement has been notified.

E. The principal or assistant principal will notify the parents/guardians of the victim and the alleged offender in writing regarding the resolution of cases involving harassment, intimidation, and/or bullying. In accord with federal and state laws and regulations, the specific disciplinary measures, if any, taken by the administration against a student offender may not be disclosed.

F. Parents/Guardians may contact the Director of Student Services with questions regarding the reporting and investigation procedures set forth in this administrative rule.

Remediation, Consequences, and Follow-up

A. Consequences and remedial actions for individuals committing acts of harassment, intimidation, and/or bullying, for students engaged in reprisal or retaliation, and/or for individuals found to have made false accusations will be imposed in accord with Board policies and administrative rules.

B. Interventions and counseling will be implemented, as appropriate, based on investigative findings, context, situation, and age.

C. A follow-up conference by the principal, assistant principal, or a school counselor should be held with the victim within 30 school days after the initial report to determine whether harassment, intimidation, and/or bullying has ceased.

CONFIDENTIALITY

The information contained in the Harassment, Intimidation, and Bullying Report and the written report prepared by the administration will not be disclosed except as required by law.