

## Student and Staff Nondiscrimination: Harassment and Bullying

No. 411.1  
(A) 8-9-10  
(R) 3-9-15  
(R) 5-9-16

The School District of Lodi shall strive to provide safe, secure, and respectful learning and working environments for all members of its school community in school buildings, at all school sponsored events, and on school buses or other vehicles owned, leased, or used by the District. Harassment and bullying have a harmful social, physical, psychological, and academic impact on the bullies, harassers, victims and bystanders. The District will consistently and vigorously address harassment and bullying so that there is no disruption to the learning or working environments and learning process. All forms of harassment and bullying (student-to-student, adult-to-student, student-to-adult, and adult-to-adult) are unacceptable and are viewed as a violation of this policy. Harassment and bullying of a sexual nature is governed by Policy No. 152, Nondiscrimination: Sexual Harassment.

The Board of Education acknowledges its obligation to comply with all regulations, requirements, and responsibilities defined by state and federal laws.

Federal law prohibits employee discrimination, including harassment, on the basis of: age, sex, race, religion, national origin, color, and disability. In addition, state law prohibits employee discrimination, including harassment, on the basis of: marital status, ancestry, sexual orientation, political or religious orientation, membership in the national guard, state defense force or any reserve component of the military forces of the United States or this state, use or non-use of lawful products off the employer's premises during nonworking hours, conviction record, or arrest record.

Federal law prohibits student discrimination, including harassment, on the basis of sex, race, national origin, color, religion, and disability. In addition, state law prohibits student discrimination, including harassment, on the basis of: ancestry, creed, pregnancy, marital or parental status, sexual orientation, or disability.

For the purposes of this policy, bullying is considered to be a form of harassment and harassment is defined as a person's conscious, willful or deliberate act or attempted act, through the use of words or actions, that is intended to cause physical injury, emotional distress or suffering, or property damage, which interferes with a student's school performance or an employee's work performance or creates an intimidating, hostile or offensive learning or working environment. It may be repeated over time and involve an imbalance of power. The learning and working environments are defined as consisting of every activity under the supervision of the District.

Harassment and bullying may include, but are not limited to, the following:

Physical intimidation or assault; extortion; hazing; oral or written threats; nonverbal or emotional threats or intimidation; taunting; put downs; name calling; threatening looks; cruel rumors; false accusations; social isolation; gestures or actions; and profanity towards or about a person.

In cyberspace, harassment and bullying includes but is not limited to the following misuses of technology: teasing, intimidating, threatening or terrorizing another person or group of people by sending or posting inappropriate, harassing or hurtful e-mail messages, instant messages, text messages, digital pictures or images, or website postings, including blogs or any other messages via cyberspace. Employees and students are expected to comply with the District's Internet/E-Mail Acceptable Use Policy.

Any student who believes he or she has been subject to harassment, or bullying, may complain directly to a District employee, building principal or designee, or the District Administrator/Section 504 Coordinator or may file a complaint in accordance with the District's established Discrimination, Sexual Harassment, Harassment and Bullying Complaint Procedure. If in the best interest of the complainant, the parent or guardian of each student involved in a harassment incident will be notified of the incident at the discretion of school officials. Any employee who believes he or she has been subject to harassment, or bullying, may complain directly to his or her immediate supervisor or may file a complaint in accordance with the District's established Discrimination, Sexual Harassment, Harassment and Bullying Complaint Procedure.

Filing a complaint or otherwise reporting harassment and bullying in good faith will not reflect upon the individual's status nor will it affect his or her grades or benefits provided by the District. The District shall respect the confidentiality of both the complainant and the accused consistent with the District's legal obligations and with the necessity to investigate allegations of harassment and bullying and to take corrective and/or disciplinary action as necessary when this conduct has occurred.

Any student or parent or guardian who becomes aware of or witnesses harassment and bullying has an obligation to report it and will be assisted by District employees in reporting the harassment and bullying to the proper authorities. District employees are expected to assist with the implementation of this policy and any employee who becomes aware of or witnesses harassment and bullying has an obligation to report it to the building principal or District Administrator/Section 504 Coordinator.

The District does not tolerate acts of retaliation against persons filing complaints. Further, retaliation against employees and students filing discrimination and harassment complaints is strictly prohibited by federal and state law. No District employee or student shall attempt to restrain, interfere with, coerce, discriminate and/or take reprisal action against any complainant and his/her witnesses or any other person in connection with a complaint or the procedure related to the investigation and resolution of a complaint.

Students who engage in harassment and bullying in violation of this policy and/or retaliation against an individual for reporting harassment and bullying shall be subject to school disciplinary

measures consistent with District policies and procedures up to and including suspension, expulsion, and a referral to law enforcement officials for possible legal action.

Employees found to have participated in harassing and bullying behavior, retaliation against an individual for reporting harassment and bullying, or having become aware that harassing and bullying was taking place and failed to report the behavior, are considered to be in violation of the prohibition expressed by the policy. They may be subject to disciplinary action consistent with the collective bargaining agreement or disciplinary action established by policy or practice. The district administrator or designee will ensure that administrative rules are developed to implement this policy.

In situations in which the harassment, bullying or cyber bullying originated off school property or from a non-school computer, but is brought to the attention of school officials, disciplinary action may be taken if the conduct is determined to be substantially disruptive of the learning and/or working environment such that it impedes the day to day operations of a school.

Cross Reference: Policy 411 Equal Educational Opportunities  
Policy 411 Rule – Discrimination Complaint Procedure  
Policy 411 – Exhibit – Discrimination/Harassment Complaint Form  
Policy 411.2 Nondiscrimination: Sexual Harassment  
Policy 447 – Student Discipline

Legal Reference: Wis. Stat. § 118.13  
Wis. Stat. § 118.46  
Wis. Admin. Code PI § 9  
Title VI, Civil Rights Act of 1964  
Title IX, Education Amendments of 1972  
Section 504, Rehabilitation Act of 1973  
Americans with Disabilities Act