

Policy No.: 404.05  
Adopted: 6-11-2002  
Revised: 2-19-2015

## **BULLYING/HARASSMENT BY EMPLOYEES**

Bullying/Harassment of employees, students, volunteers or visitors will not be tolerated in the school district. School district includes school district facilities, school district property, or property within the jurisdiction of the school district; while on school-owned or school-operated transportation; while attending or engaged in school activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the district.

Bullying/Harassment includes, but is not limited to, racial, religious, national origin, marital status, disability and sexual harassment. Bullying/ Harassment by board members, administrators, employees, parents, vendors, and others doing business with the school district is prohibited. Employees whose behavior is alleged to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, discharge or other appropriate action. Other individuals whose behavior is alleged to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the superintendent or board.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made wither explicitly or implicitly a term or condition of an individual's employment, education, or participation in school programs or activities;
- Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual's employment or education; or
- Such conduct has the purpose of effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or learning environment.

Sexual harassment as set out above, may include, but is not limited to the following:

- Verbal or written harassment or abuse, or unwelcome communication implying sexual motives or intentions;
- Pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications;
- Unwelcome touching;
- Unwelcome and offensive public sexual display of affection;
- Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's job, promotions, recommendations, etc.

Bullying/Harassment as set forth above may include, but is not limited to the following:

- Verbal, physical or written harassment or abuse;
- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, etc.,
- Demeaning jokes, stories, or activities directed at an individual.

Employees, students, volunteers or visitors who believe they have suffered bullying/harassment shall report such matters to the principal who is the investigator. However, claims regarding bullying/harassment may also be reported to the superintendent who is the alternate investigator.

Policy No.: 404.05  
Adopted: 6-11-2002  
Revised: 2-19-2015

Upon receiving a complaint, the investigator shall confer with the complainant to obtain an understanding and a statement of the facts. It shall be the responsibility of the investigator to promptly and reasonably investigate claims of bullying/harassment and to pass the findings on to the superintendent who shall complete such further investigation as deemed necessary and take such final action as appropriate. Information regarding an investigation of bullying/harassment shall be confidential to the extent possible, and those individuals who are involved in the investigation shall not discuss information regarding the complaint outside the investigation process.

No one shall retaliate against an employee or student because they have filed a bullying/harassment complaint, assist or participated in a harassment investigation proceeding, or hearing regarding a bullying/harassment charge or because they have opposed language or conduct that violates this policy. This policy should be used when an employee is the alleged bully/harasser or the alleged victim. It is strongly recommended the investigator and alternate investigator be of opposite sexes.

Consequences and appropriate remedial action for a school employee found to have falsely accused another as a means bullying/harassment shall be disciplined in accordance with district policies, procedures, and agreements.

It shall also be the responsibility of the superintendent, in conjunction with the investigator and principals, to develop administrative rules regarding this policy. The superintendent or superintendent's designee shall also be responsible for organizing training programs to educate employees, students and other involved with the school district about bullying/harassment and the school district's policy prohibiting bullying/harassment. The training shall include how to recognize bullying/harassment and what to do in case an individual is bullied/harassed. The employee training will be documented in personnel files to ensure a record of training on each employee.

Legal Reference: 42 U.S.C. 2000e et seq. (1994).  
29 C.F.R. Pt. 1604.11 (1996).

Cross Reference: Equal Educational Opportunity  
Equal Opportunity Employment  
Employee Grievances  
Abuse of Students by School District Employees  
Employee Conduct and Appearance  
Bullying/Harassment By Students  
Student Discipline