

Series 4000 Students**Section 4100****Policy 4102 Harassment, Intimidation, Bullying Prohibition****4102.1 PURPOSE**

4102.1.1 The School Board of Harrison County, West Virginia, is committed to protecting its students from harassment, intimidation, or bullying for any reason and of any type. The School Board believes that all students are entitled to a safe, secure, positive, productive, nurturing, equitable, and harassment-free educational environment. Therefore, the purpose of this policy is to prevent all forms of harassment, intimidation, or bullying, to protect the educational environment, to assure the prompt and efficient response to such incidents, and to deter future incidents from occurring. The Harrison County Board of Education shall not tolerate acts of harassment, intimidation, or bullying on school property, on a school bus, at a school bus stop, or at school sponsored events. Conduct that constitutes harassment, intimidation, or bullying, as defined herein, is strictly prohibited.

4102.2 DEFINITIONS**4102.2.1 Harassment, Intimidation, and Bullying****As identified in WV Code 18-2C-2 and 18-2C-3**

(a) As used in this article, “harassment, intimidation, or bullying” means any intentional gesture, or any intentional electronic, written, verbal, or physical act, communication, transmission or threat that:

(a) (1) A reasonable person under the circumstances should know will have the effect of any one or more of the following:

(A) Physically harming a student;

(B) Damaging a student’s property;

(C) Placing a student in reasonable fear of damage to his or her person; or

(D) Placing a student in reasonable fear of damage to his or her property;

(b) (2) Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening or emotionally abusive educational environment for a student; or

(3) Disrupts or interferes with the orderly operation of the school.

(b) As used in this article, an electronic act, communication, transmission or threat includes but is not limited to one which is administered via telephone, wireless phone, computer, pager or any electronic or wireless device whatsoever, and includes but is not limited to transmission of any image or voice, email or text message using any such device.

4102.3 CYBERBULLYING

4102.3.1 Cyberbullying means harassment, intimidation, or bullying, in any form, which is directed toward any student, school district employee or administrator through the use of internet, electronic mail, mobile telephone, or any other technology or digital device, whether initiated on or off school property as referenced in Harrison County Schools Policy #4101.10.3.

- a. Has the purpose or effect of substantially or unreasonably interfering with an individual’s working or educational environment; or
- b. Otherwise adversely affects an individual’s working or educational opportunities.

4102.4 PROHIBITION

4102.4.1 RESPONSIBILITY

The Harrison County Board of Education and its Superintendent are responsible for administering this policy.

4102.4.1.1 The Harrison County Board of Education prohibits the harassment, intimidation, or bullying of any student on school property, on a school bus, at a school bus stop, or at extra-curricular events.

4102.4.1.2 Any individual, group, or organization affiliated with the Harrison County Board of Education, in any capacity, including without limitation the mentoring, “co-op”, shadowing, internships, or volunteers programs, or as chaperones, sponsors, or vendors, shall abide by this policy.

4102.5 REPORTING

4102.5.1 Any student who believes he or she has been or is currently the victim of or has witnessed any prohibited behaviors should immediately report the situation, preferably to a staff member at his or her respective school and/or to any school district employee. The employee must report to the school administrator as soon as reasonably possible.

4102.5.2 All complaints about bullying behavior that may violate this policy shall be investigated by the school administration as soon as reasonably possible.

4102.5.3 If the investigation finds an instance of bullying behavior has occurred, it will result in prompt and appropriate disciplinary action as outlined in Policy #4101 of the Harrison County Schools Policy and Administrative Regulations Guide. Individuals may also be referred to law enforcement officials.

4102.5.4 The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken.

4102.6 PROTECTION FROM RETALIATION

4102.6.1 The School District shall discipline or take appropriate action against any student who retaliates against, or attempts to retaliate against any person who reports or files a complaint of harassment, intimidation or bullying or otherwise participates in an investigation or inquiry concerning said allegation. Retaliation may include but is not limited to any form of threat, intimidation, reprisal or discrimination.

4102.7 PARENT NOTIFICATION

4102.7.1 The principal or principal's designee shall notify the parent or legal guardian of any student involved in an incident that may violate this policy. The parent shall be notified as promptly as possible preferably on the same day an investigation is initiated. Notification shall be consistent with student privacy rights set forth under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

4102.8 CONFIDENTIALITY

4102.8.1 All information collected during the investigatory process and resolution of complaints is confidential.

4102.8.1.1 Confidential information may include but is not limited to:

- The filing of a complaint
- The identity of subjects, investigators, and/or witnesses identified in the complaint
- Any action taken as a result of such complaint

4102.8.1.2 Only those individuals necessary to investigate and resolve a complaint shall receive information regarding that complaint.

4102.8.1.3 All information related to a reported incident is exempt from the disclosure provision of the Freedom of Information Act set forth in W.Va. Code 29B1-1, et seq. Violating the confidentiality of any incident invoking this policy may result in disciplinary action, up to and including termination of employment or expulsion.

4102.9 DOCUMENTATION PROCEDURE

4102.9.1 The victim of harassment, intimidation or bullying, anyone who has witnessed such conduct, or anyone who has credible information that such conduct has occurred or is occurring, should immediately notify a staff member or any school district employee.

4102.9.1.1 **FORM -H-1** is used to report the initial alleged complaint of harassment, intimidation or bullying. Complainants are encouraged to complete Form H-1; however, the complainant is not required to do so. Completion of Form H-1 is mandatory for school personnel if the complainant fails to do so or fails to do so in a legible manner.

4102.9.1.2 **FORM -H-2** shall be completed by the administrator of the school or his or her designee. Any proven incident of prohibited behavior will be documented and reported through the WVEIS, West Virginia Education Information System.

4102.9.1.3 **FORM- H-2** shall be completed by the principal or designee. A copy shall be mailed to the parent or guardian of the primary parties of the incident as to whether the report is substantiated or unsubstantiated.

4102.9.2 Any reported incident of harassment, intimidation or bullying whether substantiated or unsubstantiated shall be documented on FORM-H-2 and submitted to the Title IX Coordinator, Harrison County Board of Education, Route 3, Box 43-B, Clarksburg, WV 26301. This information will be reported annually to the West Virginia Department of Education beginning July 01, 2012.

Approved by Harrison County Board of Education

Effective Date:



HARRISON COUNTY PUBLIC SCHOOLS

HARASSMENT, INTIMIDATION, AND BULLYING INCIDENT REPORT FORM

This form is used to report conduct which may violate Policy 4102, Harassment, Intimidation, and Bullying. Form H-1 must be completed by complainant or school personnel.

Today's Date: _____

Date of incident: _____

Time of incident: _____

Location of incident: _____

Name of person allegedly harassed: _____ School: _____

Sex: M F

Grade: _____

Age: _____

Name of alleged harasser: _____ School: _____

Sex: M F

Grade (if known): _____

Age (if known): _____

Name of person completing this form (if different from above): _____

Please circle: Student Teacher Other School Staff Administrator Parent Other

Description of incident:

Names of witnesses, if any:

Disciplinary action may be taken for false reporting.



HARRISON COUNTY PUBLIC SCHOOLS

HARASSMENT, INTIMIDATION, AND BULLYING INCIDENT REPORT FORM

This form is used to inform the complainant about the outcome of the investigation(s) into conduct which may violate Policy 4102, Harassment, Intimidation, and Bullying.

School: _____

Date: _____

Principal: _____

Complainant: _____

Conclusion of investigation: Check one and fill in all blank spaces as necessary. (Authorized official school use only)

- The alleged allegations made in this complaint have been substantiated as factual and appear to constitute a violation of the Harassment, Intimidation, and Bullying Policy.
- The alleged allegations made in this complaint have been substantiated as factual; however, they do NOT appear to constitute a violation of the Harassment, Intimidation, and Bullying Policy.
- The alleged allegations made in this complaint were unable to be substantiated.
- Other conclusion(s): _____

Principal/Designee: _____

Date: _____

PROTECTION FROM RETALIATION: *The school district shall discipline or take appropriate action against any student who retaliates against, or attempts to retaliate against any person who reports or files a complaint of harassment, intimidation or bullying or otherwise participates in an investigation or inquiry concerning said allegation. Retaliation may include but is not limited to any form of threat, intimidation, reprisal or discrimination.*

Copy to: Administrative Assistant of Discipline
Office of Title IX