

MANAGEMENT SUPPORT

PROHIBITION OF HARASSMENT, INTIMIDATION, AND BULLYING

The Omak School District is committed to a safe and civil educational environment for all students, employees, volunteers and patrons, free from harassment, intimidation and bullying. All forms of harassment that go unchallenged leave the wrong impression as to what is acceptable human interaction. Harassment, intimidation or bullying means any intentional written, message or image, including those that are electronically transmitted, a verbal or physical act, including but not limited to one shown to be motivated by any characteristic in RCW 9A.36.080(3), (race, color religion, ancestry, national origin, gender, sexual orientation, or mental or physical disability), or other distinguishing characteristics, when the act:

- Physically harms a student or damages the student or adult's property; or
- Has the effect of substantially interfering with work or education; or
- Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational or work environment; or
- Has the effect of substantially disrupting the orderly operation of the school.

Any staff member, student, parent or volunteer of the Omak School District may seek support or redress in dealing with harassment, intimidation or bullying under this policy.

Nothing in this section requires the affected party to actually possess a characteristic that is a basis for the harassment, intimidation or bullying. Other distinguishing characteristics can include but are not limited to: physical appearance, clothing or other apparel, socioeconomic status, gender identity, and marital status. Harassment, intimidation or bullying can take many forms including: slurs, rumors, jokes, innuendos, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats or other written, oral, physical or electronically transmitted messages or images. Intentional acts refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation or bullying may still be prohibited by other district policies or building, classroom, or program rules.

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and is to be implemented in conjunction with comprehensive training of staff and volunteers, including the education of students in partnership with families and the community. The policy is to be implemented in conjunction with the Comprehensive Safe Schools Plan that includes prevention, intervention, crisis response, recovery, and annual review. Employees, in particular, are expected to support the dignity and safety of all members of the school community.

A. Clarifying forms of harassment:

1. General forms of harassment, intimidation and bullying

In addition to behaviors motivated by characteristics in RCW 9A.36.080(3), general forms of harassment, intimidation and bullying can result from unresolved conflicts or issues of unfairness, whether real or perceived. It includes all forms of harassment, intimidation and bullying not specifically deemed to be illegal under nondiscrimination laws or malicious harassment laws.

Harassment, intimidation and bullying focused on race or disability may be experienced by those who are noticeably different, those who have an accent or those who identify with a particular culture or religion. In addition to coverage under Board Policy 6591, harassment based on racial or disability grounds may be a form of discrimination as addressed in board policy 5010, 5010P ó Nondiscrimination.

2. Sexual Harassment

Harassment based on gender or involving behavior of a sexual nature can be an illegal form of discrimination called sexual harassment and is subject to the provisions in Board Policy 6590, 6590P ó Sexual Harassment.

3. Malicious Harassment

Malicious harassment is a form of criminal behavior and is subject to the laws and provisions of RCW 9A.36.080. Malicious harassment is distinguished from other forms of harassment in that it causes physical injury to the target or another person, causes physical damage to the property or another person or threatens a person or group of persons in a way that causes reasonable fear of harm to person and property.

B. Harassment, intimidation and bullying must not be confused with legitimate comment or evaluation from supervisors on work performance or work related behavior. Feedback on work performance or work related behavior differs from harassment in that feedback is intended to assist staff to improve work performance or the standard of their behavior.

C. Examples of general harassment, intimidation or bullying:

1. Offensive, derogatory or intimidating physical contact or coercive behavior;
2. Insulting and threatening gestures;
3. Interference with a person's workspace, work materials, equipment or property or work duties;
4. Interference with a student's learning space, learning materials, or learning obligations;
5. Unjustified and unnecessary comments or innuendoes about a person's work or capacity for work or learning;
6. Phone calls, letters or messages on electronic mail or computer networks which are threatening, abusive or offensive;

7. Persistent following or stalking;
8. Dismissive treatment or materials expressing unfair or derogatory assumptions about the group to which a person may belong;
9. Continual exclusion of a person or group from normal conversation, work assignments, work related social activities and networks in the workplace;
10. Refusal to talk with or work with a person.

D. Examples of harassment, intimidation and bullying based on racial grounds:

1. Jokes about food preferences, religious practices or social customs;
2. Attributing stereotypical or extreme behavior to a particular racial group.

E. Examples of harassment, intimidation or bullying based on ability:

1. Practical jokes played on people with physical or mental disabilities;
2. Overbearing or abusive behavior towards staff and students with intellectual disabilities;
3. Disparaging remarks about malingering to staff who have made compensation claims;
4. Exclusion or isolation or conversely, being singled out for unwelcome attention because of medically sensitive conditions.

F. Administrator Responsibilities

Building Administrators must be aware of the district's policy on harassment, intimidation and bullying and its application. Administrators are responsible for:

1. Insuring that their own conduct is above reproach and that staff under their supervision comply with district policy;
2. Explaining to staff members, volunteers and students in their building, the policy on harassment, intimidation and bullying;
3. Dealing promptly with any incidents of harassment, intimidation and bullying; and
4. Where a complaint has been made, taking action to insure that the complaint is properly resolved and that there is no repetition of offensive behavior or retaliation against the complainant or others, and
5. Maintaining confidentiality about any complaint.

G. Staff and Student Responsibilities

The fundamental responsibility of staff and students is for their own conduct at work and school. The Omak School District encourages people to speak out appropriately against harassment and discrimination when they witness it. An assertive response to harassment by witnesses shows the recipients they are not isolated and lets harassers know that others do not approve of their behavior.

Depending upon the frequency and severity of the conduct, intervention, counseling, correction, discipline and/or referral to law enforcement will be used to remediate the impact on the victim and the climate, and change the behavior of the perpetrator(s). This includes appropriate intervention, restoration of a positive climate, and support for victims and other impacted by the violation. False reports or retaliation for harassment, intimidation or bullying constitute

