

Policy #: 411.1

SCHOOL DISTRICT OF WEBSTER

Date Adopted: September 21, 1993

Date Revised:

Policy Title: Student Harassment

I. SCOPE:

This policy applies to the conduct of all pupils of the District while at school, on any school premises, or while under the supervision of a school authority, or for conduct while not at school, but at some event which is a school sponsored activity.

For purposes of this policy a "school authority" is defined as any administrative, certified or support staff member of the District, and includes non-certified coaches employed by the School District and those delegated by the District to run its transportation of pupil services.

For purposes of this policy a "school authority" shall include, but not be limited to, school field trips, athletic contests, musical, artistic and intellectual events wherein the School District is a participant, no matter where those trips, contests or events are held, including the period of transportation to and from those trips, contests and events and the transportation to and from school.

II. PURPOSE:

The purpose of this policy is to provide, as far as possible, a safe, pleasant, nondiscriminatory and human atmosphere for learning for the District's pupils.

III. DEFINITION OF STUDENT HARASSMENT:

"Student harassment" means behavior towards pupils based, in whole or in part, on sex, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability which substantially interfere with a pupil's school performance or creates an intimidating, hostile or offensive school environment.

IV. PENALTY:

When a substantiated case of harassment has occurred, the penalty will be determined by the building principal.

Any pupil whose conduct, whether intentional or unintentional, results in harassment of another pupil, will be subject to proper discipline including possible suspension or expulsion proceedings per Section 120.13(1), Wis. Stat.

V. REPORTING BY STAFF:

It is the policy of the District that all staff members of the School District, including teachers and support staff are asked to be watchful for cases of pupil harassment and to report those cases to the appropriate building principal. The principal shall submit a report of each occurrence, which has come to his/her attention to the District Administrator within five (5) school days of the date of learning of the incident for his her information.

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VI. COMPLAINT PROCEDURE:

Any person aware of an incident of pupil harassment may file a complaint as follows:

- Step 1: Any complaint shall be presented in writing or orally to the appropriate building principal. If the complaint is submitted in writing, it must include the specific nature of the harassment and corresponding dates and also include the name, address and phone number of the complaining individual. The building principal shall provide written acknowledgement of receipt of a written complaint.
- Step 2: The building principal shall thoroughly investigate the complaint, notify the person(s) accused of pupil harassment and permit a response to the allegation, and arrange a meeting to discuss the complaint with all concerned parties within three (3) school days after receipt of the written complaint, if deemed necessary. The person investigating shall give a written answer to the complaint.
- Step 3: If the building principal believes that the harassment complained of is proven, he/she shall impose proper discipline to the offending pupil or where serious enough, refer the matter to the Board of Education for further action pursuant to Section 120.13(1), Wis. Stat.
- Step 4: If the complainant is not satisfied with the answer received from the building principal, the complainant may appeal the answer to the District Administrator. The District Administrator shall investigate the complaint, take appropriate action as necessary, and provide a written answer to the complainant.
- Step 5: If the complainant is not satisfied with the answer received from the District Administrator, the complainant may file an appeal with the Board President who shall arrange for the Board to review and discuss the matter. The Board shall take appropriate action as necessary and shall provide a written answer to the complainant.

For any complainant who receives a negative determination by the School Board, the District shall notify the complainant of his/her right to appeal to the State Superintendent and of the procedure for making the appeal.

VII. CONCLUSION:

The District has an affirmative duty to maintain an environment where learning can take place without the threat of pupils being harassed by other pupils. The type of conduct set forth above will not be tolerated.

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Cross Reference:

Legal Reference:

WISCONSIN STATUTES

- [Section 118.13](#) [student nondiscrimination]
- [Section 120.13\(1\)](#) [school board power to set conduct rules and discipline students]
- [Section 947.013](#) [harassment prohibited]

WISCONSIN ADMINISTRATIVE CODE

- [PI 9.02\(9\)](#) [student harassment defined]
- [PI 9.03\(1\)](#) [student nondiscrimination policy prohibiting harassment required]

FEDERAL LAWS

- [Title IX, Education Amendments of 1972](#) [sex discrimination in educational programs, includes sexual harassment]