

The following definitions and procedures shall be used for reporting, investigating, and resolving complaints of hazing, harassment, intimidation, bullying, and cyber bullying.

Definitions

1. “Third parties” includes, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at inter-district and intra-district athletic competitions or other school events.
2. “District” include district facilities, District premises, District property, buses, electronic technology or electronic communication equipment on District computers, networks, or forums and non-District property if the student or employee at any District-sponsored, District approved or District-related activity or function, such as field trips or athletic events where students are under the control of the District or where the employee is engaged in District business.
3. “Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any District-sponsored activity or grade level attainment, such as forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student: requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate.
4. “Harassment” includes, but is not limited to, any act which subjects an individual or group to unwanted, abusing behavior of a nonverbal, verbal, written, electronic or physical nature on the basis of an actual or perceived characteristic, including but not limited to age, race, religion, color, national origin, disability, gender, gender identity and expression, sexual orientation, physical characteristic, cultural background, socioeconomic status, geographic location, familial status, or weight, sexual orientation, physical characteristic, cultural background, socioeconomic status or geographic location.
5. “Harassment, intimidation, bullying” means any act that substantially interfered with or disrupts the educational environment or impinges on the rights of other students at school a student’s ~~educational benefits,~~ opportunities or performance, that takes place on or immediately adjacent to

- school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, and that has the effect of:
- a. Harming a student or damaging a student's property;
 - b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or
 - c. Is sufficiently severe, persistent, or pervasive so that it creates an intimidating, threatening, abusive, or hostile educational environment.
6. Cyber bullying" includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or website postings, including blogs through the District's computer network and the Internet, whether accessed on campus or off campus, during or after school hours or through any private electronic device done when the student is present at school. In the situation that cyber bullying originated from a non-school computer, but brought to the attention of school officials, any disciplinary actions shall be based on whether the conduct is determined to be reasonably expected to materially and substantially interfere with or disrupt educational environment of the school or impinge on the rights of other students at school and/or in violation of District policy or state law. The Administration shall, at their discretion, contact local law enforcement. "Intimidation" includes, but is not limited to, any threat or act intended to tamper substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis or race, color, religion, national origin, gender identity and expression, or sexual orientation.

Retaliation/False Charges

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Confidentiality

It is recognized that harassment, hazing, intimidation, bullying and cyberbullying is often very distressing for the victim and those who suffer as a result of such actions may be reluctant to make their concerns known. All reasonable steps will be taken to ensure that all inquiries and complaints are dealt with allowing for as much confidentiality as can be provided while at the same time allowing for a thorough and appropriate investigation and reporting, where appropriate.

Policy Distribution

Information about this policy must be distributed to the school community annually, including parents, students, and all school personnel. Information about the District's policies and procedures will be included in student orientation material and in the student handbook.

Complaint Procedures

Building principals and the superintendent have responsibility for investigations concerning hazing, harassment, intimidation, bullying, cyber bullying or menacing. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any student, employee, or third party who has knowledge of conduct in violation of this policy or feels he or she has been a victim of hazing, harassment, intimidation, or cyber-bullying, in violation of this policy shall immediately report his or her concerns.

All complaints will be investigated in accordance with the following procedures:

Step I Any hazing, harassment, intimidation, bullying, cyber bullying information (complaints, rumors, etc.) shall be presented to the building principal or Superintendent. Complaints against the building principal shall be filed with the Superintendent. Complaints against the Superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Appropriate Forms: Incident Report Form and Witness Disclosure Form

Step II The District official receiving the complaint shall promptly investigate or refer the complaint to an appropriate colleague or outside party for investigation. Parents will be notified of the nature of any complaint involving their student. The district official will arrange such meetings as may be necessary with concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The District official(s) conducting the investigation shall notify the complainant and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined. Due to the requirements of the Family Educational Rights and Privacy Act, it will often not be possible to provide complainants and parents with detailed information on disciplinary actions taken against another student.

A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the Superintendent or their designee.

Step III If the complainant is not satisfied with the decision at Step II; he/she may submit a Formal Complaint Form to the Superintendent or designee. Such appeal must be filed within ten working days after receipt of the Step II decision. The Superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Superintendent or designee shall provide a written decision to the complainant's appeal within ten working days.

Step IV If the complainant is not satisfied with the decision at Step III; a written appeal may be filed with the Board. Such appeal must be filed within ten working days after receipt of the Step III decision. The Board shall, within twenty working days, conduct an informal review at which time the complainant shall be given an opportunity to present the complaint and the District's administration to respond if they so desire. The course and conduct of this proceeding shall be informal and shall be at the sole discretion of the Board. The Board shall provide a written decision to the complainant within ten working days following completion of the informal review.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights.

Documentation and Reporting

Documentation related to the incident may be maintained as a part of the student's education records. Additionally, a copy of all hazing, harassment, intimidation, bullying, or cyber bullying complaints and documentation will be maintained as a confidential file in the District Office and reported as required by the State Department of Education.

Legal References

20 USC §§ 1681 - 1682

34 CFR Part 106

IC § 18-917

IC § 18-917A

IC § 33-1631

IC § 33-205

IC § 33-512

IC § 67-5909

Description

Title IX of the Education Amendments of 1972

Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance

Assault And Battery - Hazing

Student Harassment — Intimidation — Bullying

Requirements for Harassment, Intimidation and Bullying Information and Professional Development

Denial of School Attendance

District Trustees - Governance of Schools

Commission on Human Rights - Acts Prohibited

IDAPA 08.02.03.160

Safe Environment and Discipline

Cross References

Policy

5265

Description

[Employee Responsibilities Regarding Student Harassment](#)

ISBA Model Policy References

2335

Digital Citizenship and Safety Education

3085

Sexual Harassment, Discrimination, and Retaliation Policy

3085-P(1)

Sexual Harassment, Discrimination, and Retaliation Policy -
Title IX Sexual Harassment Grievance Procedure,
Requirements, and Definitions

3085-F(1)

Sexual Harassment, Discrimination, and Retaliation Policy -
Notice of Investigation & Allegation Template

3085-F(2)

Sexual Harassment, Discrimination, and Retaliation Policy -
Reporting Form for Students

3260

Bring Your Own Technology Program

3260-F(1)

Bring Your Own Technology Program - Permission Form

3281

Gender Identity and Sexual Orientation

3296

Bullying Awareness Week

3297

Names, Pronouns, and Titles

3330

Student Discipline

4300

Conduct on School Property

Date of Adoption: 3/8/93

Reviewed 10/21/98, 5/10/99

Amended: 1/10/05, 6/13/05, 12/14/09, 9/9/24

**Highland School District #305
INCIDENT REPORT**

Employee/Student: _____

Date and Time of Incident _____

Where Did The Incident Occur? _____

Describe in detail the Incident:

List any witnesses who were present :

Reported To: _____ Date: _____

My signature below verifies that the information I have provided is true, accurate, and complete to the best of my knowledge and belief.

Complainant's Signature

Date

Return to Building Principal, Supervisor, or Superintendent

**Highland School District #305
WITNESS DISCLOSURE FORM**

Name of Witness: _____

Position of Witness: _____

Date and Time of Testimony/Interview: _____

Description of Incident Witnessed:

My signature below verifies that the information I have provided is true, accurate, and complete to the best of my knowledge and belief.

Witness Signature

Date

Return to Building Principal, Supervisor, or Superintendent

| |
|---|
| <p>OFFICE USE: Received by _____ Date: _____ Signature and Title</p> |
|---|

INCIDENT STATUS REPORT

Is the Incident Resolved? Yes ____ No ____

Explain:

Further Action:

Reviewed By: _____ Date: _____

**Highland School District #305
FORMAL COMPLAINT FORM**

Highland School District maintains a policy for prompt resolution of any complaint presented to a district administrator, supervisor, or Board Member. If you have been unsuccessful in resolving a complaint at the informal level and you wish your complaint to be addressed through this complaint procedure, please complete the following information regarding the complaint:

Complainant Name: _____

Home Address: _____

Work Address: _____

Home Phone: _____ Work Phone: _____

Type of Complaint: _____

Specific Complaint: Please provide detailed information including date, time, location, witnesses, and specifics of incident. (Continue on separate page if more space is needed.)

Did you discuss this complaint with the person at the informal level? Yes ___ No ___

If so, where and when did that discussion occur?

My signature below verifies that the information I have provided is true, accurate, and complete to the best of my knowledge and belief.

Complainant Signature

Date

*Return to Building Principal, Supervisor, or Superintendent.
Attach all pertinent forms: Incident Report Form, Witness Disclosure Form, Status Report Form*