

Hutchinson Bullying Policy

Student Conduct: Bullying/Hazing/Harassment/Intimidation/Menacing

From Administrative Policy JDDC: The Board of Education prohibits bullying in any form, including electronic means, on or while using school property, in a school vehicle or at a school sponsored activity or event. The administration shall propose, and the board shall review and approve a plan to address bullying on school property, in a school vehicle or at a school-sponsored activity or event.

The plan shall include provisions for the training and education of staff members and students and shall include appropriate community involvement as approved by the board. Students who have bullied others in violation of this policy may be subject to disciplinary action, up to and including suspension and expulsion. If appropriate, students who violate the bullying prohibition shall be reported to local law enforcement.

The Board is committed to providing a positive and productive learning and working environment. To that end, and in accordance with Kansas law, bullying, including harassment, hazing, intimidation or menacing, by students, District employees and Third Parties on or in District Facilities is strictly prohibited. The Superintendent shall propose, and the Board shall review and approve, a Bullying Prevention Plan (the Plan) to address prevention of bullying in or on any District Facility. Such Plan shall include provisions for the education and training of District students, employees and, to the extent possible, Third Parties, to discourage and prevent bullying and shall include appropriate community involvement as approved by the Board. Students, employees and Third Parties who engage in conduct prohibited by this Policy shall be subject to disciplinary action in accordance with District policies and procedures. (Policy JDDC)

Terms used in this policy but not otherwise defined herein shall have the meanings set forth below:

"Bullying" is defined by K.S.A. 72-8256 as (A) Any intentional gesture or any intentional written, verbal, electronic or physical act or threat that is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for a student or staff member that a reasonable person, under the circumstances, knows or should know will have the effect of:

- (i) Harming a student or staff member, whether physically or mentally;
- (ii) damaging a student's or staff member's property;
- (iii) placing a student or staff member in reasonable fear of harm to the student or staff member; or
- (iv) placing a student or staff member in reasonable fear of damage to the student's or staff member's property;

(B) cyberbullying; or

(C) any other form of intimidation or harassment prohibited by the board of education of the school district in policies concerning bullying adopted pursuant to this section or subsection (e) of K.S.A. 72-8205, and amendments thereto.

(2) "Cyberbullying" means bullying by use of any electronic communication device through means including, but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games and websites.

USD 308 also defines bullying to include conduct which constitutes hazing, harassment, intimidation and menacing as defined in this policy "District Facility" includes the District's schools, vehicles and other facilities owned, leased or used by the District, and other property and facilities at which District students or employees are present in connection with 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 District employees or Third Parties are engaged in District business or activities.

"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 group or organization or District-related activity 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 or that requires or encourages, authorizes or permits another to be subjected to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed or other such activities intended to be degrading or humiliating.

"Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, disability, marital status, academic interest, relative academic success, sexual orientation, physical characteristic, cultural background, or socioeconomic status.

"Intimidation" includes, but is not limited to, any threat or act intended to tamper with, damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin or sexual orientation.

"Menacing" includes, but is not limited to, any act intended or which reasonably may be expected to place a District student, employee, or a Third Party in fear of imminent serious physical injury. A "Third Party" includes, but is not limited to 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 other persons not directly subject to District control in connection with inter-district and intra-district athletic or other competitive events or other school programs or events.

Types of Prohibited Behavior

Behaviors that may be construed as bullying may include, but are not limited to:

- Direct physical contact, such as hitting or shoving
- Written threats
- Damaging a student's property as a means of intimidation
- Verbal assaults, including but not limited to threats of violence, name calling or teasing
- Social isolation or manipulation
- Cyber-bullying, which may include, but is not limited to the use of computers, hand-held PDA devices and cellular telephones to commit harassing behavior by means of:
 - Text messaging
 - E-mail
 - Instant messaging
 - Internet based social networking web sites
 - Blogs
 - Digital photography

Each school has a copy of the district Bullying Prevention Plan.