

## MENOMINEE INDIAN SCHOOL DISTRICT

411.1

### STUDENT HARASSMENT AND BULLYING

The Menominee Indian School District is committed to maintaining an educational environment free from student harassment and bullying. The District recognizes that harassment and bullying diminish the educational environment for students subjected to such behavior from other students of school staff. All members of the MISD community are responsible for doing their part to address harassment or bullying incidents in the school environment.

"**Student harassment**" means behavior toward students based, in whole or in part, on sex, race, religion, national origin, color, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability or handicap which substantially interferes with a student's school performance or creates an intimidating, hostile or offensive school environment. Harassment or intimidation can arise from a broad range of physical or verbal behavior, which can include, but may not be limited to, the following: physical or mental abuse, racial insults, ethnic or religious slurs, unwelcome sexual advances and touching, sexual comments or jokes, sexually explicit derogatory statements or discriminating remarks.

All students are responsible for assuring that the schools are free from sexual harassment. Because of the District's strong disapproval of offensive or inappropriate sexual behavior at school, all students must avoid any action or conduct which could be viewed as sexual harassment, including:

- unwelcome sexual advances;
- requests for sexual acts or favors; or
- other verbal or physical conduct of a harassing nature.

"Student Bullying" means any harassing behavior directed towards a student by another student, regardless of whether the conduct is motivated by the student's protected status or not. Bullying behavior may include verbal or physical behavior of a demeaning, violent or otherwise unwelcome and offensive nature directed towards a student.

Any student who has a complaint of sexual harassment, harassment or bullying, at school by anyone, including students, District employees, or visitors, must bring the problem to the attention of school employee. District staff shall refer any complaints to the school principal, or, if the complaint involves the school principal, to the District Administrator. There shall be no retaliation against students who file reports under this policy.

All harassment and bullying complaints shall be promptly handled consistent with the District complaint-handling process outline in Policy #411 Rule, except that special privacy safeguards shall be applied in handling sexual harassment complaints. All students should be aware that the privacy of the charging party and the person accused of sexual harassment shall be maintained as confidentially as possible under the circumstances.

The District shall retain documentation of all allegations and investigations and shall take appropriate corrective action, including disciplinary measures when justified, to remedy all violations of this policy. Where District officials believe the alleged conduct may involve criminal behavior, law enforcement officials shall be notified. Student information shall remain confidential, in accordance with Board policy, and appropriate corrective action will take place. Students found to have violated this policy shall be subject to discipline, which may include suspension or expulsion from the District.

LEGAL REF.: Sections 118.13 Wisconsin Statutes 120.13(1)  
P1 9, Wisconsin Administrative  
Code

Title VI, Civil Rights Act of 1964  
Title IX Education Amendments of 1972  
Section 504, Rehabilitation Act of 1973  
Americans with Disabilities Act  
Individuals with Disabilities Education Act  
Civil Rights Act of 1991

CROSS REF.: 411-Rule, Student Discrimination Complaint  
Procedures  
347, Student Records

Policy #411.1  
Page 3

APPROVED: March 1992

Revised: April 1992  
January 1999  
July 17, 2006  
February 7, 2007