

1 Great Falls School District

2
3 **STUDENTS**

3226

4
5 Hazing/Harassment/Intimidation/Bullying

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7 The Great Falls Public School District is committed to providing a safe, productive and positive
8 learning environment. A safe and accepting school environment is conducive to, and necessary
9 for optimal academic achievement. Like other disruptive behaviors, bullying, harassment,
10 intimidation and hazing negatively impact the learning environment. Bullying, harassment,
11 intimidating and hazing behaviors will not be tolerated. Students, staff and third parties are
12 strictly prohibited from bullying, harassment, intimidation, hazing, or retaliation for reporting
13 such action.

14
15 Definitions

16
17 “Bullying” means any harassment, intimidation, hazing, or threatening, insulting, or demeaning
18 gesture or physical contact, including any intentional written, verbal, or electronic
19 communication (“cyberbullying”) or threat directed against a student that is persistent, severe, or
20 repeated, and that substantially interferes with a student’s educational benefits, opportunities, or
21 performance, that takes place on or immediately adjacent to school grounds, at any school-
22 sponsored activity, on school-provided transportation, at any official school bus stop, or
23 anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of a
24 student or staff member or an interference with school purposes or an educational function, and
25 that has the effect of:

- 26 • Physically harming a student or damaging a student’s property;
- 27 • Knowingly placing a student in reasonable fear of physical harm to the student or damage
28 to the student’s property;
- 29 • Creating a hostile educational environment; or
- 30 • Substantially and materially disrupting the orderly operation of the school.

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32 “Harassment” includes, but is not limited to, any act which subjects an individual or group to
33 unwanted, abusive behavior of a nonverbal, verbal, written (electronic or otherwise), or physical
34 nature, on the basis of any protected class as defined under federal and/or Montana state law.

35
36 “Hazing” means an act against a student or coercing a student into behavior that creates risk of
37 mental or physical harm to a person in order for the student to be initiated into, or affiliated with
38 a student activity, team, club, or organization, or for any other purpose.

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40 “Intimidation” includes, but is not limited to, any threat or act intended to tamper with,
41 substantially damage, or interfere with another person or their property, cause substantial
42 inconvenience, subject another to offensive physical contact, or inflict serious physical injury.

43
44 “Electronic Communication” is defined in 45-8-213, MCA, and includes any communication by
45 any electronic device including but not limited to text messaging, email, or use of social
46 networking.

1 “Retaliation” means an intentional act or communication intended as revenge against a person
2 who has reported or participated in an investigation of bullying, harassment, hazing or
3 intimidation; or to improperly influence the reporting, investigation, or discipline that result from
4 an incidence of bullying, harassment, hazing or intimidation. False charges shall also be regarded
5 as a serious offense and will result in disciplinary action or other appropriate sanctions.
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7 “Third Parties” include, but are not limited to, coaches, school volunteers, parents, school
8 visitors, service contractors or others engaged in District business, such as employees of
9 businesses or organizations participating in cooperative work programs with the District and
10 others not directly subject to District control at inter-District athletic competitions or other school
11 events.
12

13 “District” includes District facilities, District premises, and non-District property in the student
14 or employee is at any District-sponsored, District-approved, or District-related activity or
15 function, such as field trips or athletic events, where students are under the control of the District
16 or where the employees is engaged in District business.
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18 “Designated Investigator” is the principal of the school, the designated Title IX coordinator, or a
19 staff member appointed by the principal responsible for receiving and investigating reports of,
20 bullying, harassment, hazing, and intimidation. An independent investigator may be designated
21 by the Superintendent or designee.
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23 Prohibitions

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25 No student, staff member, or third parties will engage in any of the following:
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- 27 • Bullying, harassment, hazing or intimidation of a student;
- 28 • Retaliation against a student or staff member for reporting or thought to have reported an
29 incident of bullying, harassment, hazing or intimidation; or
- 30 • Coercion of another person to commit bullying, harassment, hazing or intimidation.
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32 Bullying, harassment, hazing or intimidation is strictly prohibited in person or electronically (as
33 defined in 45-8-213, MCA) where the school is responsible for the student:
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- 35 • On school premises; or
- 36 • During any school sponsored program, activity, or function including on a school bus or
37 other school-related vehicle.
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39 Consequences

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41 Any student disciplined will be afforded due process as required by District policy for action
42 taken by school administration or the Board of Trustees.
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44 Students whose behavior is found to be in violation of this policy will be subject to discipline up
45 to and including expulsion. Staff whose behavior is found to be in violation of this policy will be
46 subject to discipline up to and including dismissal. Third parties whose behavior is found to be in

1 violation of this policy shall be subject to appropriate sanctions as determined and imposed by
2 the Superintendent or designee, or the Board. Individuals may also be referred to law
3 enforcement officials.

4 5 Intervention

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7 All staff members shall intervene when witnessing potential bullying, harassment, hazing or
8 intimidating behavior. If the staff member witnesses or receives a report of unresolved bullying,
9 harassment, hazing or intimidation the staff member will report the matter pursuant to Reporting
10 below.

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12 If it is determined that staff was aware of bullying, harassment, hazing or intimidation and did
13 nothing to intervene; discipline or remedial action may be invoked.

14 15 Reporting

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17 All complaints about behavior that may violate this policy shall be promptly investigated. Any
18 student or third party who has knowledge of conduct in violations of this policy or feels he/she
19 has been a victim of hazing, harassment, intimidation, or bullying in violation of this policy is
20 encouraged to immediately report his/her concerns to the building principal or the
21 Superintendent or designee who have overall responsibility for such investigations. All
22 employees are required to immediately report to their direct supervisor. A student may also
23 report concerns to a teacher or counselor, who will be responsible for notifying the appropriate
24 District official. Complaints against the building principal shall be filed with the Superintendent.
25 Complaints against the Superintendent or designee shall be filed with the Board.

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27 All parties shall be notified of the findings of the investigation and, as appropriate, that remedial
28 action has been taken.

29 30 Exhaustion of Administrative Remedies

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32 A person alleging violation of any form of harassment, intimidation, hazing, or threatening,
33 insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or
34 electronic communication, as stated above, may seek redress under any available law, after
35 exhausting all administrative remedies.

36 37 Responsibilities

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39 The Superintendent or designee shall be responsible for ensuring notice of this policy is provided
40 to students, staff, and third parties and for the development of administrative regulations,
41 including reporting and investigative procedures, as needed.

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43 When an employee has actual knowledge that behavior in violation of this policy is sexual
44 harassment, the employee must contact the Title IX Coordinator. The Title IX sexual harassment
45 grievance process will be followed, if applicable, prior to imposing any discipline that cannot be
46 imposed without resolution of the Title IX process.

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Retaliation and Reprisal

Retaliation is prohibited against any person who reports or is thought to have reported a violation, files a complaint, or otherwise participates in an investigation or inquiry. Such retaliation shall be considered a serious violation of Board policy, whether or not a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Notification and Training

The District policy and procedures will be included in the student handbook for all grade levels and posted on the District/school webpages.

Staff and students will be educated on the policy and procedures, including: recognizing inappropriate behaviors; using appropriate intervention and remediation; and possible consequences and discipline.

Cross References:

Policy 3215	Students: Uniform Complaint Procedure
Policy 3225	Sexual Harassment of Students
Policy 3225F	Sexual Harassment Reporting – Intake Form for Students
Policy 3310	Student Discipline
Policy 4226	Community Relations: Hazing, Harassment, Intimidation, Bullying
Policy 5226	Personnel: Hazing, Harassment, Intimidation, Bullying

Legal References:

§ 20-5-207, MCA	“Bully-Free Montana Act”
§ 20-5-208, MCA	Definition
§ 20-5-209, MCA	Bullying of Student Prohibited
§ 20-5-210, MCA	Enforcement – Exhaustion of Administrative Remedies
§ 45-8-213, MCA	Privacy and Communications
10.55.701(2)(f)	ARM Board of Trustees
10.55.719, ARM	Student Protection Procedures
10.55.801(1)(d), ARM	School Climate

Policy History:

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