

Bullying/Harassment/Intimidation

The Board will strive to provide a positive and productive working environment. Bullying, harassment or intimidation between employees or by third parties is strictly prohibited and shall not be tolerated. This includes bullying, harassment or intimidation via electronic communication devices (“cyber bullying”).

Definitions:

- A “hostile” working environment is one in which the offensive speech or conduct of another person or persons is so severe or pervasive as to interfere with an employee’s ability to perform his or her job. To be sufficiently severe, the working environment must be one that a reasonable person would find hostile and abusive. In making its determination, the District shall look at all the circumstances, including the frequency of the offensive speech or conduct; its severity, whether it is physically threatening or humiliating or merely an offensive utterance; and whether it unreasonably interferes with an employee’s work performance. To be considered “hostile,” the speech or conduct must go beyond rudeness or casual joking, reaching a level of harassment, mockery, ridicule and/or unrelenting teasing. Isolated incidents or petty slights are generally not sufficient to create a hostile working environment. In the absence of any of the conditions described above, actions such as the issuance of a lawful directive, a disciplinary action, a negative performance evaluation, a recommendation for the nonrenewal of an employment contract or the denial for a request for an employment benefit may not constitute the basis for a claim under this policy, but may be pursued through other dispute resolution procedures.
- “Third parties” include 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.
- “District” includes District facilities, District premises, and non-District property if the employee is at any District-sponsored, District-approved, or District-related activity or function, such as field trips or athletic events, where the employee is engaged in District business.
- “Harassment, intimidation, or bullying” means any act that substantially interferes with an employee’s opportunities or work performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, or anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member or an interference with school purposes or an educational function, and that has the effect of:
 - Physically harming an employee or damaging an employee’s property;
 - Knowingly placing an employee in reasonable fear of physical harm to the employee or damage to the employee’s property; or
 - Creating a hostile working environment.
- “Electronic communication device” means any mode of electronic communication, including but not limited to computers, cell phones, PDAs, or the internet.

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Reporting

All complaints about behavior which allege facts that, if true, could be reasonably found to violate this policy shall be promptly investigated. The investigation may be suspended or terminated if the employee files a claim in another forum making allegations that are the same or similar to those presented in the complaint. Any employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of harassment, intimidation or bullying in violation of this policy is encouraged to immediately report his/her concerns to the building principal, who has overall responsibility for such investigations. Complaints against the building principal shall be filed with the Superintendent.

Complaints against the Superintendent shall be filed with the Board.

The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken.

Responsibilities

The District Administrator shall be responsible for ensuring that notice of this policy is provided to staff and third parties and for the development of administrative regulations, including reporting and investigative procedures, as needed.

Consequences

Staff whose behavior is found to be in violation of this policy will be subject to discipline up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the District Administrator or the Board.

Individuals may also be referred to law enforcement officials.

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.

Cross Reference: 3325 Bullying, Harassment, Intimidation and Hazing

Legal Reference: 10.55.701(1)(g), ARM Board of Trustees
10.55.801(1)(d), ARM School Climate

Policy History:

Adopted on:

Revised on: 11 July 2016