

## Whitharral Independent School District

### NOTICE OF PARENT AND STUDENT RIGHTS: BULLYING, SEXUAL HARASSMENT, DATING VIOLENCE, and SEXUAL VIOLENCE

The Whitharral Independent School District (WISD) is committed to providing a positive learning environment for all students that enhances personal safety and promotes respect, dignity, and equality among students. High standards are expected for both academic achievement and for behavior.

WISD strives to ensure that all of its students and employees are free from bullying, sexual harassment, dating violence, and sexual violence. All charges of bullying, sexual harassment, dating violence, and sexual violence are to be taken very seriously by students, faculty, staff, administration, and parents/guardians. WISD will make every effort to handle and respond to every charge and complaint filed by students and employees in a fair, thorough, and just manner. Every effort will be made to protect the due process rights of all victims and all alleged perpetrators.

Bullying is defined as written or oral expression or physical conduct that a school district's board of trustees or the board's designee determines: 1) To have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or 2) To be sufficiently severe, persistent, or pervasive to create an intimidating, threatening, or abusive educational environment for a student.

Harassment is defined as conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint or maliciously and substantially harms another student's physical or emotional health or safety.

Sexual harassment is conduct that is severe, pervasive, and objectively offensive in such a manner that it can be said to deprive the victim of access to the educational opportunities or benefits provided by the school. It is a form of harassment that includes touching someone in ways that are not wanted, sexual jokes, pressuring someone to have sex, threats or intimidation from a dating partner, or any other form of harassment of a sexual nature that would make a reasonable person uncomfortable.

Dating violence is defined as the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person in a dating relationship. Dating violence is a pattern of coercive behavior that one partner exerts over the other for the purpose of establishing and maintaining power and control.

Sexual violence is defined as sexual assault, sexual abuse, or sexual stalking of a minor child or teenager, including sexual violence committed by perpetrators who are strangers to the victim and by perpetrators who are known or related by blood or marriage to the victim. This definition includes behavior including but not limited to incest, molestation, child abuse, stranger rape, and non stranger rape.

Students who believe they have been harassed, bullied, or otherwise victimized by fellow students or WISD employees are encouraged to promptly report such incidents to the campus principal or other campus professional. To the greatest extent possible, complaints shall be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation.

A student or parent/guardian who has a complaint alleging bullying, harassment, dating violence, or sexual violence may request a conference with the principal or the principal's designee. If the student or parent/guardian IS not satisfied with the response from the campus staff, they may request a conference with the Superintendent or designee, or WISD's Title IX Coordinator.

Complaints will be documented and investigated in accordance with WISD policy and guidelines. Any staff member who observes an incident that involves physical or sexual assault or threats will report the incident immediately to the principal. Any staff member who learns of an incident or threat may submit a Complaint Form on behalf of the victim.

#### Campus Complaint Procedure:

- 1) Students and staff members will complete a Complaint Form available in the school's main office.
- 2) The Complaint Form will be submitted to the principal or designee immediately.
- 3) The principal or designee will investigate complaints by meeting separately with each student involved in the situation. 4) The principal will conference with the victim and parent/guardian to discuss safety and community resources.
- 5) The principal will conference with the alleged perpetrator and parent/guardian to discuss appropriate behaviors and consequences. With the prior consent of the victim, the principal may issue a School-Based Stay-Away Agreement to the alleged perpetrator during the parent/guardian conference.
- 6) Documentation of all Complaint Forms, follow-up actions and Stay-Away Agreements will be available to the General Counsel at all times.

