

## PERSONNEL

Bullying/Harassment/Intimidation & Hazing Prevention and Reporting

The Helena Public School District strives to provide a safe and civil working and learning environment. Bullying, harassment, intimidation, between employees or by third parties, are strictly prohibited and shall not be tolerated. This includes bullying, harassment, or intimidation via electronic communication devices (“cyberbullying”).

*Definitions*

The District expressly prohibits any form of harassment, intimidation or bullying including but not limited to the following: any gesture or written, verbal or physical act that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, creed, national origin, gender, sexual orientation, gender identity, age, culture, social origin or condition, marital status, political affiliation or a mental, physical or sensory disability, or by any other distinguishing characteristic.

“Third parties” include but are not limited to students, coaches, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as School District Trustees, 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.

1. “Harassment, intimidation, or bullying” means any act that substantially interferes with an individual’s opportunities, work or learning 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 / third party or an interference with educational function, and that has the effect of:
  - A. Physically harming an individual or damaging an individual’s property;
  - B. Knowingly placing an individual in reasonable fear of physical harm to the individual or damage to the individual’s property; or
  - C. Creating a hostile working environment.
2. “Electronic communication device” means any mode of electronic communication, including, but not limited to, computers, cell phones, PDAs, or the Internet.

*Reporting*

If an employee feels that he or she has been the subject of harassment, intimidation, hazing or bullying or has witnessed or become aware of harassment, intimidation, hazing or bullying in violation of these policies, he or she should immediately report his/her concerns to the building principal or the District Administrator, who has overall responsibility for such investigations. Complaints against the building principal or other supervisors shall be filed with the Superintendent. Complaints against the Superintendent or District Administrator shall be filed with

the Board.

All complaints about behavior that may violate this policy shall be promptly investigated. Upon receipt of the complaint alleging harassment, Human Resources will take appropriate action to prevent the alleged conduct from continuing pending completion of the investigation. All complaints of harassment will be investigated as discreetly and confidentially as possible, but the District cannot promise anonymity to any individual. Employees are required to participate fully in investigations related to harassment, intimidation and bullying. No employee will be retaliated against for making a complaint in good faith or for participating in an investigation regarding a violation of District policy.

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.

All staff have the responsibility to maintain a safe environment. Further, staff have a responsibility to report incidents. Educators and school staff can help prevent harassment, intimidation, hazing or bullying by building strong relationships with students, intervening when signs of bullying are witnessed, or reported and supporting a bullying prevention climate in the school.

## 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.

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

Cross References: 3005 Harassment, Intimidation and Bullying Prevention  
Title IX  
504

Policy History:

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Revised on:

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