

411 DISCRIMINATION, HARASSMENT AND BULLYING PROHIBITED

1. The School District of Wisconsin Rapids is committed to equal educational opportunity for all district students.
2. The Wisconsin Rapids Public School District will not deny any person admission to, participation in, or the benefits of any curricular, extra-curricular, pupil services, recreational or other program or activity because of a person's gender, race, national origin, ancestry, creed, religion, pregnancy, marital or parental status, sexual orientation, gender identity, gender expression, or physical, mental, emotional or learning disability. The District specifically prohibits staff members, students and volunteers from discriminating against, harassing or bullying others based upon any of the characteristics described in this paragraph. This policy does not; however, prohibit the District from placing a student in a school, class, program or activity based on objective standards of individual performance or need.
 - a. For purposes of paragraph one, 'discrimination' means any action, policy or practice, including bias, stereotyping and pupil harassment, that is detrimental to a person or group of persons and differentiates or distinguishes among persons, or that limits or denies a person or group of persons opportunities, privileges, roles or rewards based, in whole or in part, on gender, race, national origin, ancestry, creed, religion, pregnancy, marital or parental status, sexual orientation, gender identity, gender expression, or physical, mental, emotional or learning disability, or any other characteristic identified in paragraph one, above, or that perpetuates the effects of past discrimination.
 - b. For purposes of paragraph one, 'Harassment' means behavior towards students or staff members based, in whole or in part, on gender, race, national origin, ancestry, creed, religion, pregnancy, marital or parental status, sexual orientation, gender identity, gender expression, or physical, mental, emotional or learning disability, or any other characteristic identified in paragraphs 1 and (a), above, that substantially interferes with a student's school performance or a staff member's work performance or creates an intimidating, hostile or offensive school and/or work environment.
 - c. For purposes of paragraph one, 'Bullying' is defined as deliberately hurtful behavior that is repeatedly performed, where it is difficult for those being bullied to defend themselves. The three main types of bullying are: Physical, which involves harmful actions against a person's body, verbal, which involves speaking to a person or about a person in a way that is unkind and hurtful to that person, and nonverbal, which involves the types of behaviors that upset, exclude, or embarrass another person including cyber bullying.
3. Cyber bullying is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate in a deliberate, repeated or hostile and unwanted manner under a person's true or false identity. Any communication of this form which disrupts or prevents a safe and positive educational environment may be considered cyber bullying. Cyber bullying is unacceptable and a violation of the district's technology acceptable use policy and procedures.
4. The District offers fair and equal employment opportunities, and prohibits discrimination, harassment and bullying based on an employee's or applicant's age, race, creed, religion, disability, marital or parental status, gender, sexual orientation, gender identity, gender expression, national origin, ancestry, citizenship, arrest record, conviction record, pregnancy, membership in the national guard, state defense force or any other reserve component of the military forces of the United States or Wisconsin, or use or nonuse of lawful products off District premises and away from District-sponsored activities, as required by law.

5. Discrimination and harassment can arise from a broad range of physical or verbal behavior which can include, but is not limited to, the following:
 - a. Physical or mental abuse;
 - b. Racial, ethnic or religious insults or slurs;
 - c. Unwelcome sexual advances or touching;
 - d. Sexual comments, jokes, stories or innuendos;
 - e. Display of sexually explicit or otherwise offensive posters, calendars or materials;
 - f. Making sexual gestures with hands or body movements;
 - g. Intentionally standing close or brushing up against a student or employee;
 - h. Inappropriately staring at a student or employee or touching his or her clothing, hair or body; and
 - i. Asking personal questions about a student or employee's sexual life.
6. Bullying can arise from a broad range of behaviors which can include but is not limited to the following:
 - a. Physical aggression;
 - b. Social alienation;
 - c. Verbal aggression;
 - d. Intimidation;
 - e. Racial and ethnic harassment;
 - f. Sexual harassment.
7. These activities are offensive and inappropriate. This is a serious issue not just for the District, but also for each individual. The District specifically prohibits discriminatory, harassing or bullying conduct. District staff members may be held individually liable for harassment or for knowingly allowing students to harass or bully others, and may be subject to the penalties imposed upon employers under state or federal law. The District's policy prohibiting harassment and bullying applies to all students, staff members, and volunteers in all schools, buildings, property and educational environments, including any property or vehicle owned, leased, or used by the school district. This includes public transportation regularly used by students to go to and from school. Educational environments include, but are not limited to, every activity under school supervision.
8. Any District staff member who engages in harassment, discrimination or bullying, or retaliates against another person because of a harassment/discrimination or bullying report or participation in an investigation, is subject to immediate discipline, up to and including discharge. Any student who engages in harassment, discrimination or bullying, or retaliates against another person because of a harassment/discrimination or bullying report or participation in an investigation, is also subject to immediate discipline, up to and including suspension and expulsion from the District. Any volunteer who engages in harassment discrimination or bullying, or retaliates against another person because of a harassment/discrimination or bullying report or participation in an investigation, may be prohibited from volunteering for the District in any capacity.
9. If any student, staff member or volunteer is aware of a possible violation of this policy, he or she must respond immediately and not ignore the problem. Students, staff members and volunteers should follow the reporting procedures outlined in policy 411R. It is important that students, staff members and volunteers inform designated administrators about inappropriate conduct as soon as possible, because the District cannot do anything to remedy the problem if the District does not know that the problem exists.
10. This policy prohibiting discrimination and harassment applies to the acceptance and administration of gifts, bequests, scholarships and other aids, benefits, or services to students from private agencies, organizations or persons. It also applies to school sponsored food service programs, the selection of instructional and library media materials, and the methods, practices and materials used for testing, evaluating and counseling students.
11. This policy does not, however, prohibit the use of special testing or counseling materials or techniques to meet the individual needs of students. Furthermore, this policy does not prohibit separate locker rooms, showers and toilets for males and females, although the District will maintain comparable separate facilities. Finally, this policy does not prohibit separate programs in interscholastic athletics for males and females, although the District will provide programs that are comparable in type, scope and District support.

LEGAL REF.: Wisconsin Statutes Section §118.13 – Pupil Discrimination Prohibited
Wisconsin Statutes Section §118.46 – Policy on Bullying
PI 9 Wisconsin Administrative Code – Pupil Nondiscrimination
PI 41 Wisconsin Administrative Code – Accommodation of Religious Beliefs
Wis. Stat. §111.321 – Prohibited Bases of Discrimination
Wis. Stat. §111.322 – Discriminatory Actions Prohibited
Wis. Stat. §111.325 – Unlawful to Discriminate
Title VI of the Civil rights Act of 1964
Title IX, Educational Amendments of 1972
Section 504 of the Rehabilitation Act of 1973
Americans with Disabilities Act of 1990
Individuals with Disabilities Education Act Amendments of 1997
Civil Rights Act of 1991

CROSS REF.: 411R1 Rule, Student Discrimination and Harassment Complaint Procedures
411R2 Rule, Bullying Complaint Procedures
411 Exhibit, Bullying Complaint Procedure Form
333, Parent Rights and the Curriculum
386, Religion in the Schools
431 Rule, Student Attendance Procedures

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