

## Harassment, Intimidation & Bullying (HIB) Protocols

RCW 28A.300.285



1. For an action to be considered harassment, intimidation or bullying, it needs to meet the following definition found in RCW 28A.300.285:

*Harassment, intimidation, or bullying means any intentional electronic, written, verbal, or physical act, including but not limited to one shown to be motivated because of his or her perception of the victim's race, color, religion, ancestry, national origin, gender, sexual orientation, or mental, physical, or sensory handicap or other distinguishing characteristics, when the intentional electronic, written, verbal, or physical act:*

*(a) Physically harms a student or damages the student's property, or*

*(b) Has the effect of substantially interfering with a student's education, or*

*(c) Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment, or*

*(d) Has the effect of substantially disrupting the orderly operation of the school.*

2. Please note that harassment, intimidation and bullying are closely related, but they are not identical. Also remember that not every mean, unfriendly, inappropriate or otherwise unwanted action is harassment, intimidation or **bullying**.
3. If you believe a child is being **bullied**, contact the school – the child's teacher, the school principal, counselor, another trusted adult – to let them know of the situation.
4. Obtain a copy of the district's anti-bullying policy and procedures and follow the procedures for filing a written complaint. All districts are required to publish their anti-bullying policies and procedures. Schools usually have those policies and procedures available as well in their student handbooks. A model policy and procedure document is located on OSPI's website, and your school's policies should look similar to the model policy.
5. If the act was committed because of perception around a person's race, color, religion, ancestry, gender, sexual orientation or handicapping condition, it might be considered **discriminatory harassment**. If it was particularly vicious, causing significant physical harm to your child or his/her property, the aggressor *may be* guilty of malicious harassment. Contact the police if your child has been the victim of malicious harassment.
6. Once a complaint is submitted, the school is required to conduct an investigation. Parents/families will be notified of the investigation and the results of that investigation.

7. After the investigation, if you think the school has not adequately addressed the issues, file a written complaint with the district HIB Compliance Officer.
8. The Compliance Officer is required to conduct an investigation. Again, parents/families will be notified of the results of that investigation.
9. If you think the Compliance Officer's investigation has still not adequately addressed the issues, file a written complaint with the district superintendent.
10. If you still think that the superintendent has not adequately addressed the issues, file a complaint with a school board member.
11. If you still think that the issues have not been adequately addressed, you may contact your Educational Service District Superintendent or one of the agencies listed below.

There are a number of statewide organizations that may be able to assist if you think a bullying situation is not being adequately addressed by the school system:

1. If you think your child has been discriminated against (that your child has been bullied based on race, color, creed, national origin, sex, sexual orientation, perceived sexual orientation, gender expression, sensory, mental, or physical disability), please contact the OSPI Equity Education Office.
2. You may also want to contact the Washington State Human Rights Commission. The Human Rights Commission has staff throughout the state who are able to meet with you and investigate the bullying complaint.
3. The Washington State Office of the Education Ombudsman is also able to help address parent-school conflicts. Their number is 1.866.297.2597.
4. The US Department of Education, Office of Civil Rights accepts complaints based on race, color, national origin, sex, disability and age and has a regional office in Seattle. 206.220.7900.
5. Team Child Advocacy for Youth helps youth gain access to appropriate educational programs so they can find success in school. They have offices in five counties. 206.322.2444
6. Northwest Justice Project provides free civil legal services to low-income people from thirteen offices and four satellite locations throughout the state of Washington. 360.533.2282 or 1.888.201.1014.
7. The Safe Schools Coalition addresses homophobia and harassment in school based on real or perceived sexual orientation. 1-877-SAFE-SAFE (1-877-723-3723)
8. The Parent-Teacher Association (PTA) has regional offices throughout Washington. The website for the national organization is www.pta.org/index.stm.

9. Community Relations Service, an arm of the U.S. Dept. of Justice, provides conciliation services to help prevent and resolve racial and ethnic conflict. The Northwest Regional Office phone number is 206.220.6700.

NB: In Washington State, each school board may adopt its own discipline policies.

The Office of Superintendent of Public Instruction (OSPI) has not been given the authority to enforce local rules which are adopted by each individual school board.

There are some exceptions:

- If there is a complaint of sexual discrimination, the OSPI Equity Education Office will hear it
- If a student who is being harassed is enrolled in a Special Education program there are federal guidelines to follow regarding complaints. The Special Education Dispute Resolution Office can assist with special education complaints.
- If there is a complaint of misconduct against a school district employee, the OSPI Office of Professional Practices will hear it.

In addition, The School Safety Center provides parents and districts with technical assistance regarding harassment, intimidation and bullying.

