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3 **STUDENTS**

4
5 Bullying/Harassment/Intimidation/Hazing

6
7 The Board will strive to provide a positive and productive learning and working environment. Bullying,
8 harassment, intimidation, or hazing, by students, staff, or third parties, is strictly prohibited and shall not
9 be tolerated.

10
11 Definitions

- 12
13 1. “Third parties” include but are not limited to coaches, school volunteers, parents, school visitors,
14 service contractors or others engaged in District business, such as employees of businesses or
15 organizations participating in cooperative work programs with the District, and others not directly
16 subject to District control at inter-district and intra-District athletic competitions or other school
17 events.
- 18 2. “District” includes District facilities, District premises, and non-District property if the student or
19 employee is at any District-sponsored, District-approved, or District-related activity or function,
20 such as field trips or athletic events, where students are under the control of the District or where
21 the employee is engaged in District business.
- 22 3. “Hazing” includes but is not limited to any act that recklessly or intentionally endangers the
23 mental or physical health or safety of a student for the purpose of initiation or as a condition or
24 precondition of attaining membership in or affiliation with any District-sponsored activity or
25 grade-level attainment, including but not limited to forced consumption of any drink, alcoholic
26 beverage, drug, or controlled substance, forced exposure to the elements, forced prolonged
27 exclusion from social contact, sleep deprivation, or any other forced activity that could adversely
28 affect the mental or physical health or safety of a student; requires, encourages, authorizes, or
29 permits another to be subject to wearing or carrying any obscene or physically burdensome
30 article, assignment of pranks to be performed, or other such activities intended to degrade or
31 humiliate.
- 32 4. "Bullying" means any harassment, intimidation, hazing, stalking, humiliation, or threatening,
33 insulting, or demeaning gesture or physical contact, or destruction of property, including any
34 intentional written, verbal, or electronic communication (“cyberbullying”) or threat directed
35 against a student that is persistent, severe, or repeated, and that substantially interferes with a
36 student’s educational benefits, opportunities, or performance, that takes place on or immediately
37 adjacent to school grounds, at any school-sponsored activity, on school-provided transportation,
38 at any official school bus stop, or anywhere conduct may reasonably be considered to be a threat
39 or an attempted intimidation of a student or staff member or an interference with school purposes
40 or an educational function, and that has the effect of:
- 41 a. Physically harming a student or damaging a student’s property;
 - 42 b. Knowingly placing a student in reasonable fear of physical harm to the student or
43 damage to the student’s property;
 - 44 c. Creating a hostile educational environment, or;
 - 45 d. Substantially and materially disrupts the orderly operation of a school.
- 46 The above list is meant to be illustrative and non-exhaustive.
- 47
48 5. “Electronic communication device” means any mode of electronic communication,
49 including but not limited to computers, cell phones, PDAs, or the internet.

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3 Reporting
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5 All complaints about behavior that may violate this policy shall be promptly investigated. Any
6 student, employee, or third party who has knowledge of conduct in violation of this policy or feels he/she
7 has been a victim of hazing, harassment, intimidation, or bullying in violation of this policy is encouraged
8 to immediately report his/her concerns to the building principal or the District Administrator, who have
9 overall responsibility for such investigations. A student may also report concerns to a teacher or
10 counselor, who will be responsible for notifying the appropriate District official. Complaints against the
11 building principal shall be filed with the Superintendent. Complaints against the Superintendent or
12 District Administrator shall be filed with the Board. Complaints can be made in person, or by the
13 following contact methods:
14

15 By Mail:

16 Attn: Principal | District Administrator | Board,
17 1750 Ray of Hope Lane
18 Billings, MT 59106-3599,
19

20 By phone: (406) 656-2198
21

22 Electronic contact form: <https://ya.ybgr.org/contact>
23
24

25 Investigations
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27 YA will make all reasonable efforts to complete investigations within 10 school days after the date of the
28 report was received. The actual amount of time may vary depending on the scope of the complaint, parties
29 involved, and other factors in the investigation process. Additional persons may be involved with the
30 investigation as deemed necessary by the district. Appropriate school administration will be notified
31 within 1 business days of receipt of the report. Investigations will follow any applicable state and federal
32 laws. Parents/guardians who are parties to the investigation will be afforded an opportunity to discuss the
33 investigation, findings, and actions following the investigation.
34

35 If a report is found to be outside the jurisdiction of the district the person(s) making the report will be
36 notified and district will provide information about services within the community for counseling, support
37 services, and/or other programs.
38

39 Interventions
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41 In response to bullying, the district may take actions including but not limited to:

- 42 a. Referral to school therapist or psychologist for services
- 43 b. Referral to community-based services
- 44 c. School counseling
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46 Assessment
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48 Reports of bullying will be tracked and reported in monthly review of performance indicators. Analysis
49 will include at a minimum: frequency, locations, types of incidents, bystander interventions or
50 participation, and community observations. Trends may be identified in order to try and target specific
51 interventions or changes to policy or procedures. This data will be made available upon request.

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4 Exhaustion of administrative remedies

5 A person alleging violation of any form of harassment, intimidation, hazing, or threatening, insulting, or
6 demeaning gesture or physical contact, including any intentional written, verbal, or electronic
7 communication, as stated above, may seek redress under any available law, either civil or criminal, after
8 exhausting all administrative remedies. Bullying is contrary to Montana Code Annotated (State Law) 20-
9 5-208.

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11 Responsibilities

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

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16 When an employee has actual knowledge that behavior in violation of this policy is sexual harassment,
17 the employee must contact the Title IX Coordinator. The Title IX sexual harassment grievance process
18 will be followed, if applicable, prior to imposing any discipline that cannot be imposed without resolution
19 of the Title IX process.

20
21 Consequences

22 Students whose behavior is found to be in violation of this policy will be subject to discipline up to and
23 including expulsion. Staff whose behavior is found to be in violation of this policy will be subject to
24 discipline up to and including dismissal. Third parties whose behavior is found to be in violation of this
25 policy shall be subject to appropriate sanctions as determined and imposed by the District Administrator
26 or the Board. Individuals may also be referred to law enforcement officials.

27
28 Retaliation and Reprisal

29 Retaliation is prohibited against any person who reports or is thought to have reported a violation, files a
30 complaint, or otherwise participates in an investigation or inquiry. Such retaliation shall be considered a
31 serious violation of Board policy, whether or not a complaint is substantiated. False charges shall also be
32 regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

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34 Cross Reference: 3225 Sexual Harassment
35 3225 Sexual Harassment Grievance Procedure
36 3225F Harassment Reporting/Intake Form for Students

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38 Legal Reference: § 20-5-207, MCA “Bully-Free Montana Act”
39 § 20-5-208, MCA Definition
40 § 20-50-209, MCA Bullying of student prohibited
41 § 20-5-210, MCA Enforcement – exhaustion of administrative remedies
42 10.55.701(2)(f), ARM Board of Trustees
43 10.55.719, ARM Student Protection Procedures
44 10.55.801(1)(d), ARM School Climate

45 Policy History:

46 Adopted on: 9/21/2003

47 Reviewed on:

48 Revised on: 5/19/2014, 6/15/2015, 10/28/2020, 1/19/2022