

126CSR99

Behaviors	Definitions – Level 3	Interventions and Consequences
<p>Harassment/ Bullying/ Intimidation</p>	<p>A student will not bully/intimidate/harass another student. According to West Virginia Code <a href="#">§18-2C-2</a>, “harassment, intimidation or bullying” means any intentional gesture, or any intentional electronic, written, verbal or physical act, communication, transmission or threat that:</p> <ul style="list-style-type: none"> <li>• A reasonable person under the circumstances should know will have the effect of harming a student, damaging a student’s property, placing a student in reasonable fear of harm to his or her person, and/or placing a student in reasonable fear of damage to his or her property;</li> <li>• Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or emotionally abusive educational environment for a student; or</li> <li>• Disrupts or interferes with the orderly operation of the school.</li> </ul> <p>An electronic act, communication, transmission or threat includes but is not limited to one which is administered via telephone, wireless phone, computer, pager or any electronic or wireless device whatsoever, and includes but is not limited to transmission of any image or voice, email or text message using any such device.</p> <p>Acts of harassment, intimidation, or bullying that <b>are reasonably perceived as being motivated by any actual or perceived differentiating characteristic, or by association with a person who has or is perceived to have one or more of these characteristics</b>, shall be reported using the following list: race; color; religion; ancestry; national origin; gender; socioeconomic status; academic status; <b>gender identity or expression; physical appearance; sexual orientation;</b> mental/physical/developmental/ sensory disability; or other characteristic.</p> <p>When harassment, intimidation or bullying are of a racial, sexual and/or religious/ethnic nature, the above definition applies to all cases regardless of whether they involve students, staff or the public. Detailed definitions related to inappropriate behavior of this nature are as follows:</p>	<p>Upon receipt of a complaint of racial, sexual and/or religious/ethnic harassment or violence that has been substantiated through investigation, the appropriate school official shall take action appropriate to the status of the offender (student, staff or public guest). Such action for students may include all options listed above. Actions for staff may include but not be limited to, warning, suspension, termination, revocation of licensure, notification of law enforcement and/or human services. Actions for public guests may include but not be limited to removal from school property and school sponsored functions, notification of law enforcement and/or human services.</p>