

## **Harassment, Bullying, Hazing and Misconduct**

*Bullying, Harassment, Hazing and Misconduct on or off campus at any school supported activity or under circumstances in which it can be shown to have a negative impact on a student's ability to successfully access school and community shall not be tolerated and will result in significant consequences which may include suspension or expulsion as well as, under appropriate circumstances, reports to local law enforcement authorities.*

**Harassment:** Vermont Statutes at 16 V.S.A. §11(26)(A) defines harassment as follows:

- (A) "Harassment" means an incident or incidents of verbal, written, visual or physical conduct based on or motivated by a student's or a student's family member's actual or perceived race, creed, color, national origin, marital status, sex, sexual orientation, gender identity, or disability that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student's educational performance or access to school resources or creating an objectively intimidating, hostile, or offensive environment.
- (B) "Harassment" includes conduct which violates subdivision (A) of this subdivision (26) and constitutes one or more of the following:
  - (i) Sexual harassment which means conduct that includes unwelcome sexual advances, requests for sexual favors and other verbal, written, visual, or physical conduct of a sexual nature when on or both of the following occur:
    - (I) Submission to that conduct is made either explicitly or implicitly a term or condition of a student's education.
    - (II) Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting the student.

- (ii) Racial harassment, which means conduct directed at the characteristics of a student's or student's family member's actual or perceived race or color, and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts on manner of speech and negative references to racial customs.
- (iii) Harassment of members of other protected categories, which means conduct directed at the characteristics of a student's or a student's family member's actual or perceived creed, national origin, marital status, sex, sexual orientation, gender identity, or disability and includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, taunts on manner of speech, and negative references to customs related to any of these protected categories.

*The school recognizes harassment as actual or incited offensive behavior on or off campus, which directly or indirectly by verbal, written, visual, electronic or physical conduct, threatens, torments, irritates or insults and which is motivated by a student or student's family's actual or perceived race, creed, color, national origin, marital status, sex, sexual orientation, gender identity or disability and which results in compromising the student's ability to function successfully in school and the community.*

**Bullying:** Vermont Statutes at 16 V.S.A. §11(32) defines bullying as follows:

"Bullying" means any overt act or combination of acts directed against a student by another student or group of students and which:

- (A) is repeated over time;
- (B) is intended to ridicule, humiliate, or intimidate the student; and
- (C) occurs during the school day on school property, on a school bus, or at a school-sponsored activity, or before or after the school day on a school bus or at a school-sponsored activity.

*The school recognizes bullying as verbal, emotional or physical abuse effected by one individual or several individuals acting in concert. It consists of predatory and persistent intimidation which includes abusive and/or insulting behavior designed to induce fear, humiliation and reduce independent thought or actions and isolate the target from mainstream participation, compromising the student's ability to successfully function in the school or community.*

**Hazing:** Vermont Statues at 16 V.S.A. §11(30) defines hazing as follows:

(A) "Hazing" means any act committed by a person, whether individually or in concert with others, against a student in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with an educational institution; and which is intended to have the effect of, or should reasonably be expected to have the effect of, humiliating, intimidating or demeaning the student or endangering the mental or physical health of a student. Hazing also includes soliciting, directing, aiding, or otherwise participating actively or passively in the above acts. Hazing may occur on or off the campus of an educational institution. Hazing shall not include any activity or conduct that furthers legitimate curricular, extracurricular, or military training program goals, provided that:

- (i) the goals are approved by the educational institution; and
- (ii) the activity or conduct furthers the goals in a manner that is appropriate, contemplated by the educational institution, and normal and customary for similar programs at other educational institutions.

(B) The definitions of "educational institution," "organization," "pledging," and "student" shall be the same as those in section 140a of this title.

*The school recognizes Hazing as conduct, directly or indirectly, alone or in concert with others, through verbal, written, visual, electronic or physical means that imposes ritualistic or demeaning behaviors which are meaningless, illegal or antisocial as part of an initiation process.*

**Misconduct:** Vermont statutes at 16 V.S.A. §1161a entitled **Discipline** requires:

(a) Each public and each approved independent school shall adopt and implement a comprehensive plan for responding to student misbehavior. To the extent appropriate, the plan shall promote the positive development of youth. The plan shall include:

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(6) A description of behaviors on and off school grounds which constitute misconduct, including harassment, bullying, and hazing, particularly those behaviors which may be grounds for expulsion. The plan shall include a description of misconduct as listed in subdivisions 11(a)(26)(A)-(C) and (32) of this Title which, although serious, does not rise to the level of harassment or bullying as those terms are defined therein;

*The school recognizes misconduct as language and/or behavior which violates laws and school, community and social rules without regard to consequences of such actions and includes but is not limited to weapon or drug possession on campus or at school functions, inappropriate actions and/or language such as swearing or blasphemy; threats to peace or safety, blackmail, assaults or personal injury, threats to student safety, lies, stealing, cheating and any conditions which compromise the safe operation of or, access, to school.*