

Our Schools Protect Students from HIB

Schools are meant to be safe and inclusive environments where all students are protected from HIB, including in the classroom, on the school bus, in school sports, and during other school activities. In this brochure, you will find the definition of HIB, an explanation of what to do when you see or experience it, and the district's process for responding to it.

What is HIB?

“Harassment, intimidation, or bullying” means any intentional electronic, written, verbal, or physical act including, but not limited to, one shown to be motivated by sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability, or other distinguishing characteristics, when the intentional electronic, written, verbal, or physical act:

- Physically harms a student or damages the student’s property;
- Has the effect of substantially interfering with a student’s education;
- Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- Has the effect of substantially disrupting the orderly operation of the school.

There is no requirement that the affected student actually possess the characteristic that is the basis for the harassment, intimidation, or bullying. **RCW 28A.600.477**

HIB generally involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated. HIB is not allowed, by law, in our schools.

This brochure summarizes Operational Procedure (OP) 3207 “Harassment, Intimidation, & Bullying (HIB) of Students Prohibited”. The complete Operational Procedure is available online on our website at www.yisd7.org under “Policies & Procedures” or in paper form at each school office.

Nondiscrimination Statement: “Yakima School District does not discriminate in any programs or activities on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained dog guide or service animal and provides equal access to the Boy Scouts and other designated youth groups. The following employees have been designated to handle questions and complaints of alleged discrimination: **Civil Rights Compliance Coordinator:** Olivia Martinez, Human Resources Labor Relations Program Manager, 104 N. 4th Ave., Yakima, WA 98902, (509) 573-7028, martinez.olivia@yisd7.org; **Title IX Coordinator (Students):** Omar Santoy, Executive Director of Student Services, 104 N. 4th Ave., Yakima, WA 98902, (509) 573-7260, santoy.omar@yisd7.org; **Deputy Title IX Coordinator (Students):** Erin Thomas, Director of Student Services, 104 N. 4th Ave., Yakima, WA 98902, (509) 573-7261, thomas.erin@yisd7.org; **Deputy Title IX Coordinator (Students):** Shawn Orminski, Assistant Director of Student Services, 104 N. 4th Ave., Yakima, WA 98902, (509) 573-7263, orminski.shawn@yisd7.org; **Title IX Coordinator (Non-Students):** Olivia Martinez, Human Resources Labor Relations Program Manager, 104 N. 4th Ave., Yakima, WA 98902, (509) 573-7028, martinez.olivia@yisd7.org; **Section 504/ADA Coordinator (Students):** Omar Santoy, Executive Director of Student Services, 104 N. 4th Ave., Yakima, WA 98902, (509) 573-7260, santoy.omar@yisd7.org; **ADA Coordinator (Non-Students):** Christopher Miller, Director of Human Resources, 104 N. 4th Ave., Yakima, WA 98902, (509) 573-7066, miller.christopher@yisd7.org. Individuals with disabilities who require assistance or special arrangements to attend a program or activity sponsored by the Yakima School District should contact the appropriate **Americans with Disabilities Act (ADA) Coordinator** 24 hours in advance of the event to inquire about reasonable accommodation. Deaf, deaf-blind, hard of hearing, and/or speech impaired individuals may access Washington Relay Services by calling 7-1-1 or 1-800-833-6388.”

STRENGTHENING COMMUNITY THROUGH EDUCATION

HARASSMENT, INTIMIDATION, & BULLYING (HIB)

Operational Procedure (OP) 3207 Summary



AUGUST, 2024

104 N. 4TH AVENUE • YAKIMA, WA 98902
509.573.7000 • WWW.YSD7.ORG

How can I make a report or complaint about HIB?

Talk to any school staff member (consider starting with whoever you are most comfortable with!). You may use our district's reporting form ([OP 3207.1XE](#)) "HIB Incident Reporting Form" to share concerns about HIB (<https://ysd7.org/hib>) but reports about HIB can be made in writing or verbally. Your report can be made anonymously, if you are uncomfortable revealing your identity, or confidentially if you prefer it not be shared with other students involved with the report. No disciplinary action will be taken against another student based **solely** on an anonymous or confidential report.

If a staff member is notified of, observes, overhears, or otherwise witnesses HIB, they must take prompt and appropriate action to stop the HIB behavior and to prevent it from happening again. Our district also has a HIB Compliance Officer that supports prevention and response to HIB.

- **District HIB Compliance Officer:**
Omar Santoy,
Executive Director of Student Services,
104 N. 4th Ave., Yakima, WA 98902,
(509) 573-7260, hib@ysd7.org

What happens after I make a report about HIB?

If you report HIB, school staff must attempt to resolve the concerns. If the concerns are resolved, then no further action may be necessary. However, if you feel that you or someone you know is the victim of unresolved, severe, or persistent HIB that requires further investigation and action, then you should request an official HIB investigation.

Also, the school must take actions to ensure that those who report HIB don't experience retaliation.

What is the investigation process?

When you report a complaint, the HIB Compliance Officer or staff member leading the investigation must notify the families of the students involved with the complaint and must make sure a prompt and thorough investigation takes place. The investigation must be completed within 5 school days, unless you agree on a different timeline. If your complaint involves circumstances that require a longer investigation, the district will notify you with the anticipated date for their response.

When the investigation is complete, the HIB Compliance Officer or the staff member leading the investigation must provide you with the outcomes of the investigation within 2 school days. This response should include:

- A summary of the results of the investigation
- A determination of whether the HIB is substantiated
- Any corrective measures or remedies needed
- Clear information about how you can appeal the decision

What are the next steps if I disagree with the outcome?

For the student designated as the "targeted student" in a complaint:

If you do not agree with the school district's decision, you may appeal the decision and include any additional information regarding the complaint to the superintendent, or the person assigned to lead the appeal, and then to the board of directors.

For the student designated as the "aggressor" in a complaint:

A student found to be an "aggressor" in a HIB complaint may not appeal the decision of a HIB investigation. They can, however, appeal corrective actions that result from the findings of the HIB investigation.

For more information about the HIB complaint process, including important timelines, please see the district's HIB webpage (<https://ysd7.org/hib>) or the district's HIB operational procedure ([OP 3207](#)) "Harassment, Intimidation and Bullying of Students Prohibited".

I already submitted an HIB complaint – what will my school do?

Harassment, Intimidation, or Bullying (HIB) can also be discrimination if it's related to a protected class. If you give your school a written report of HIB that involves discrimination or sexual harassment, your school will notify the Civil Rights Coordinator. The school district will investigate the complaint using both the Nondiscrimination operational procedure ([OP 3210](#)) "Discrimination of Students Prohibited" and the HIB operational procedure ([OP 3207](#)) "Harassment, Intimidation and Bullying of Students Prohibited" to **fully resolve your complaint**. If the HIB report involves sexual harassment, the school district will investigate the complaint using the district's Sexual Harassment operational procedure ([OP 3205](#)) "Sexual Harassment of Students Prohibited".

Who else can help with HIB or discrimination concerns?

Office of Superintendent of Public Instruction (OSPI)

All reports must start locally at the school or district level. However, OSPI can assist students, families, communities, and school staff with questions about state law, the HIB complaint process, and the discrimination and sexual harassment complaint processes.

OSPI School Safety Center (For questions about harassment, intimidation, and bullying)

- Website: ospi.k12.wa.us/student-success/health-safety/school-safety-center
- Email: schoolsafety@k12.wa.us
- Phone: 360-725-6068

OSPI Equity and Civil Rights Office (For questions about discrimination and sexual harassment)

- Website: ospi.k12.wa.us/policy-funding/equity-and-civil-rights
- Email: equity@k12.wa.us
- Phone: 360-725-6162

Washington State Governor's Office of the Education Ombuds (OEO)

The Washington State Governor's Office of the Education Ombuds works with families, communities, and schools to address problems together so every student can fully participate and thrive in Washington's K-12 public schools. OEO provides informal conflict resolution tools, coaching, facilitation, and training about family, community engagement, and systems advocacy.

- Website: www.oeo.wa.gov
- Email: oeoinfo@gov.wa.gov
- Phone: 1-866-297-2597

U.S. Department of Education, Office for Civil Rights (OCR)

The U.S. Department of Education, Office for Civil Rights (OCR) enforces federal nondiscrimination laws in public schools, including those that prohibit discrimination based on sex, race, color, national origin, disability, and age. OCR also has a discrimination complaint process.

- Website: <https://www2.ed.gov/about/offices/list/ocr/index.html>
- Email: orc@ed.gov
- Phone: 800-421-3481