

DEFINITIONS OF BULLYING AND HARASSMENT FROM 2004 & 2007 VERMONT LEGISLATURE

BULLYING - 16 V.S.A. 11(32) - also known as "Act 117 of 2004"

"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."

HARASSMENT - 16 V.S.A. 11(26)(A):

"an incident or incidents of ..."

1. verbal, written, visual, or physical conduct

2. based on or motivated by an **actual or perceived protected category**
(9 categories - see below)

3. that has the purpose or effect of ... <limiting a student's educational performance or access>

(actual legal terms are: "*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.*")

Examples:

Conduct between Students

"Quid Pro Quo" ("this for that," adult to student, sexual harassment,)

"Hostile Environment"

9 Protected Categories:

"based on or motivated by a **Student or Student's Family Member's actual or perceived...**"

Race

Color

Marital status

Sexual orientation

Creed (religion)

National origin

Sex

Disability

Gender Identity (*added 2007*)