

5517.01 - BULLYING

Definition:

"Bullying" is defined as overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner (including digitally or electronically); physical acts committed; aggression; or any other behaviors committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the targeted student, creating for the targeted student an objectively hostile school environment that:

- A. places the targeted student in reasonable fear of harm to his or her person or property;
- B. has a substantially detrimental effect on the targeted student's physical or mental health;
- C. has the effect of substantially interfering with the targeted student's academic performance; or
- D. has the effect of substantially interfering with the targeted student's ability to participate in or benefit from the services, activities, or privileges provided by the school.

Bullying does not include, and should not be interpreted to impose any burden or sanction on, the following:

- A. participating in a religious event;
- B. acting in an emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial danger;
- C. participating in an activity consisting of the exercise of a student's freedom of speech rights;
- D. participating in an activity conducted by a nonprofit or governmental entity that provides recreation, education, training, or other care under the supervision of one (1) or more adults;
- E. participating in an activity undertaken at the prior written direction of the student's parent; or
- F. engaging in interstate or international travel from a location outside Indiana to another location outside Indiana.

Bullying is **prohibited** by the District. Students who commit any acts of bullying are subject to discipline including but not limited to suspension, expulsion, arrest, and/or prosecution.

Applicability:

The District prohibits bullying in all forms. This policy may be applied regardless of the physical location in which the bullying behavior occurred, whenever the individual committing the bullying behavior and any of the intended targets of the bullying behavior are students attending a school within the School District and disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of others to a safe and peaceful learning environment. The District prohibits bullying through the use of data/computer software that is accessed through any computer, data/computer system, or data/computer network.

This type of behavior is a form of harassment, although it need not be based on any of the legally protected characteristics, such as sex, race, color, national origin, marital status, or disability. It would include, but not be limited to, such behaviors as stalking, intimidating, menacing, coercion, name-calling, taunting, making threats, and hazing.

Education:

The District will provide training and/or instruction on anti-bullying prevention and policy to all students in grades 1 through 12, as well as staff, in accordance with Indiana law.

Counseling, corrective discipline, and/or referral to law enforcement, if the behavior rises to the level of criminal activity, may be used to react to and change the behavior of the perpetrator. This includes appropriate intervention(s), restoration of a positive climate, and support for victims and others impacted by the violation.

Educational outreach and training will be provided to school personnel, parents, and students concerning the identification, prevention, and intervention in bullying.

All schools in the District are encouraged to engage students, staff and parents in meaningful discussions about the negative aspects of bullying.

To the extent appropriate and/or legally permitted, confidentiality will be maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations.

Reporting:

Students, parents, or school personnel who suspect that repeated acts of bullying are taking place should report the matter to the school principal or designee. School personnel will investigate all reports of bullying.

Anyone who believes that a student has possibly been or is the victim of bullying is encouraged to **immediately** report the situation to an appropriate staff member such as a teacher, school counselor, or administrator. All staff, volunteers, and contracted service providers who observe or receive a report of suspected bullying shall notify a designated school administrator in charge of receiving reports of suspected bullying within the same day. If a staff member does not know who to make a report to, he or she should report directly to the building principal or Superintendent. Reports to the Department of Child Services and/or law enforcement must be made as required by law, such as when a staff member believes that a student is the victim of abuse or neglect. Any person who makes a report of bullying and requests to remain anonymous will not be personally identified as the reporter or complainant to extent permitted by law. The District will act appropriately to discipline staff members, volunteers, or contracted service providers who receive a report of bullying and fail to initiate or conduct an investigation of a bullying incident and for persons who falsely report an incident of bullying. The District will act appropriately to discipline students, staff members, visitors, or volunteers who make false reports of bullying.

Investigation:

Once a report of suspected bullying is received by the designated school administrator, an expedited investigation shall follow. The investigation should be facilitated by the designated school administrator or other appropriate school staff. Information relating to the investigation will be gathered using means including, but not limited to: witness interviews, request for written witness statements, record identification and review, and an assessment of whether bullying occurred. The investigation will be initiated within one (1) school day of the report to the designated school administrator and will ordinarily be completed within ten (10) school days.

Intervention/Responses:

If a report of suspected bullying is substantiated through an investigation, then the District shall take appropriate intervention and responses as consistent with policy and procedure. The District will take prompt and effective steps reasonably calculated to stop the bullying, remedy the bullying, and prevent the bullying from recurring. Interventions and responses include, but are not limited to: separating the bully and the target; follow-up school counseling for the target; bullying education for the bully; and prompt disciplinary action against the bully. These steps should not penalize the target of the bullying. Disciplinary actions against the bully may include, but are not limited to: suspension and expulsion for students; discharge for employees; exclusion for parents, guests, volunteers, and contractors; and removal from any office for governing body members. Also, if the acts of bullying rise to the level of criminal offense the matter will be referred to law enforcement. The District shall inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services.

Parental Involvement:

Parents are encouraged to be involved in the process of minimizing bullying. Parents should report suspected acts of bullying to an appropriate school official. In addition, parents of students suspected of bullying will be notified with a phone call or through other means of appropriate communication. Parents of students who are disciplined for acts of bullying will be involved in the disciplinary process consistent with the law and School District policy. Conversely, parents of students suspected of being the target of acts of bullying will also be notified with a phone call or through other means of appropriate communication. Parent notifications will occur in an expedited manner within two (2) school days after the designated school administrator receives the report of suspected bullying.

Reporting to IDOE:

Each school within the District will record and report to the Superintendent or his or her designee the frequency of bullying incidents as well the category defining the type of bullying (categories for reporting purposes to the IDOE will be selected in accordance with the most recent IDOE guidance and requirements). The Superintendent or his or her designee shall report the number of bullying incidents by category for each school and the entire District for each school term to the Indiana Department of Education in accordance with the most recent guidelines and requirements.

The Superintendent is directed to develop administrative guidelines to implement this policy. Guidelines shall include reporting and investigative procedures, as needed. The complaint procedure established by the Superintendent shall be followed.

I.C. 5-2-10.1, 20-20-8-8, 20-30-5-5.5, 20-33-8-0.2, 20-33-8-13.5, 20-34-6-1

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