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304 BULLYING PROHIBITION

1. PURPOSE

Aurora Charter School strives to provide safe, secure and respectful learning environments for all students in school buildings, on school grounds, school buses and at school-sponsored activities. Bullying, like other disruptive or violent behavior, is conduct that interferes with a student's ability to learn and a teacher's ability to educate.

This policy protects students against bullying and harassment on the basis of actual or perceived race, ethnicity, color, creed, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation, including gender identity and expression, academic status related to student performance, disability, status with regard to public assistance, age, military status, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic defined in Chapter 363A. This policy also protects any student who voluntarily participates in any district function or activity, whether the student is enrolled in the district or not.

2. DEFINITIONS

2.1. Prohibited conduct ("bullying") means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students creating an actual or perceived imbalance of power between the student engaging in bullying and the target of bullying that has or can be reasonably predicted by repeated forms or pattern to have one or more of the following effects:

2.1.1. Placing the student in reasonable fear of harm to the student's person or property.

2.1.2. Causing a substantially detrimental effect on the student's physical or mental health.

2.1.3. Substantially interfering with the student's educational opportunities and performance.

2.1.4. Substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

2.2. Bullying may take various forms, including without limitation, one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be

illustrative and non-exhaustive.

- 2.3. "Cyberbullying" means using electronic information and communication technologies to bully. This may include, but is not limited to a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network, Internet, website or forum, transmitted through a computer, cell phone, or other electronic device.
- 2.4. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of the student who is the target of the prohibited conduct. Remedial response also means a measure to stop and correct retaliation for asserting, alleging, reporting or providing information about prohibited conduct (retaliation) or knowingly making a false report about prohibited conduct (false report), prevent retaliation or false reports from recurring and protect, support and intervene on behalf of the student who is the target of the prohibited conduct.
- 2.5. "Immediately" means as soon as possible but in no event longer than 24 hours.
- 2.6. "District employee" includes school board members, administrators, educators, aids, school counselors, social workers, psychologists, other school mental health professionals, nurses and other school-based/linked medical providers/health professionals, cafeteria workers, custodians, bus drivers, athletic coaches, extracurricular activities advisors, paraprofessionals, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district and its students.

3. PROHIBITIONS

- 3.1. Bullying of a student or group of students is prohibited:
 - 3.1.1. During any school-sponsored or school-sanctioned programs, activities, events or trips.
 - 3.1.2. In school buildings, school property, on school buses or other school district-provided transportation, and at designated locations for students to wait for buses and other school district-provided transportation.
 - 3.1.3. Through the transmission of information from a school district computer or computer network, or other electronic school equipment.
 - 3.1.4. When communicated through any electronic technology or personal electronic device while on school property, on school buses or other school-provided transportation, at bus stops, and at school-sponsored or school-sanctioned events or activities.
 - 3.1.5. Off campus communication and use of electronic technology which seriously disrupts any student's education.
- 3.2. Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited. False accusations or reports of bullying against another student are also prohibited.

4. RESPONSE

- 4.1. School director or designee (hereinafter director/designee) is the person responsible for receiving reports of bullying at the building level. They will ensure this policy and its procedures are fairly and fully implemented and serve as the

primary contact on policy and procedural matters implicating both the district or school and department. If the complaint involves the director/designee, the complaint shall be made or filed directly with the Director.

- 4.2. When investigating a complaint, director/designee may take into account the following factors:
 - 4.2.1. The developmental ages and maturity levels of the parties involved.
 - 4.2.2. The levels of harm, surrounding circumstances, and nature of the behavior.
 - 4.2.3. Past incidences or past or continuing patterns of behavior.
 - 4.2.4. The relationship between the parties involved.
 - 4.2.5. The context in which the alleged incidents occurred. Investigation of a bullying incident shall be initiated within three school days of receipt of a report and be completed within 10 school days, unless the director/designee grants in writing an additional five-day extension due to extenuating circumstances. *See Attachment A for a template investigation process.*
- 4.3. **Consequences** - Many student conflicts can be resolved immediately and do not require reporting or creation of an incident report. Schools must respond to bullying in a manner tailored to the individual incident, considering the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Appropriate responses and consequences are outlined in either the Student Handbook or in *Attachment B*.
- 4.4. **Appeal** - Any party who is not satisfied with the outcome of the investigation may appeal to the district's human rights officer within 10 school days of notification of the director/designee's decision. The human rights officer will conduct a review of the appeal and, within 10 school days of receipt of the appeal, will affirm, reverse or modify the findings of the report. The human rights officer shall notify the party requesting the appeal and the director that its decision is final and shall document that notification in the incident report.
- 4.5. **District Employees** - When it is determined that a district employee was aware prohibited conduct was taking place but failed to report it, the employee will be considered to have violated this policy. The principal shall consider employee discipline for such violations, making reference to any applicable collective bargaining agreement. Remedies for offending contractors should be imposed according to their district contracts.
- 4.6. **Reprisal** - The school district will take appropriate action against any student or district employee who retaliates against any person who reports alleged bullying or against any person who testifies, assists or participates in an investigation, or against any person who testifies, assists or participates in a proceeding or hearing relating to such bullying. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment or intentional disparate treatment.

5. NOTICE AND DISSEMINATION OF REQUIREMENTS

- 5.1. The school district will give annual notice of this policy to students, parents or guardians, and district employees, and this policy shall appear in the student handbook and posted in an electronic format in the languages appearing on its district/school website. This policy should also be:
 - 5.1.1. Posted in the district and school building administrative offices and

throughout each school building in areas accessible to students and district employees.

5.1.2. Included in each school's student handbook on school policies.

5.1.3. Be given to each school district employee and independent contractor at the time of entering into the person's employment contract.

6. **PROFESSIONAL DEVELOPMENT AND EDUCATION**

6.1. **Staff** - Professional development will be offered annually to build the skills of all district employees to implement this policy. The content of such professional development shall include, but not be limited to:

6.1.1. Developmentally appropriate strategies to prevent incidents of bullying and to intervene immediately and effectively to stop them in a manner that does not stigmatize the victim.

6.1.2. Information about the complex interaction and power differential that can take place between and among an actor, target and witness to the bullying.

6.1.3. Research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk, and any specific interventions that may be particularly effective for addressing bias-based bullying.

6.1.4. Recognizing, responding to and reporting bullying.

6.1.5. Information about the incidence and nature of cyberbullying.

6.1.6. Information about Internet safety issues as they relate to cyberbullying.

6.1.7. A review of the district's reporting requirements related to bullying and cyberbullying.

6.2. **Student Education** - Each school shall incorporate into the school curriculum developmentally appropriate programmatic instruction to help students identify, prevent and reduce bullying and create a safe learning environment. The superintendent or designee shall determine the scope and duration of the units of instruction and topics covered but should include evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct to engage all students in creating a safe and supportive school environment. ***See Attachment C for more information on student instruction.***