

A-0350 ACAA BULLYING, INTIMIDATION, AND HOSTILE OR OFFENSIVE CONDUCT

The effective education of our students requires a school environment in which students feel safe and secure. The Board of Education is committed to maintaining an environment conducive to learning in which students are safe from bullying, violence, stalking, threats, name-calling, intimidation, and unlawful harassment.

Definitions

- “Unlawful harassment” means verbal or physical conduct based on a student’s actual or perceived race, color, national origin, gender, religion, or disability and which has the purpose or effect of substantially interfering with a student’s educational performance or creating an intimidating, hostile or offensive environment. Sexual harassment of students and hazing are addressed by separate Board policies. (Please see Policy ACA, Sexual Harassment.)
- “Bullying” or “intimidation” means intimidating or offensive verbal or physical conduct toward a student, including through electronic media, when such conduct is habitual or recurring, including, but not limited to, verbal or physical confrontation, threats, stalking and name-calling.
- “Name-calling,” means the chronic, habitual, or recurring use of names or comments to or about a student regarding the student’s actual or perceived physical or personal characteristics when the student has indicated by his or her conduct, that the names or comments are unwelcome, or when the names or comments are clearly unwelcome, inappropriate, or offensive by their nature.

Prohibitions

- It is the policy of the Board of Education to prohibit violence, threats, name-calling, bullying, unlawful harassment, intimidation, assault, battery, extortion, robbery, vandalism, and other victim-based misconduct that creates an intimidating, hostile, or offensive environment for students, regardless of motive or reason. The Board and Superintendent will not tolerate such victim-based misconduct by students or staff.
- No person shall be subject to reprisals for good faith reporting, or participating in the investigation, of a potential violation of this policy.
- No employee or student may knowingly give false reports or information under this policy.

Reporting

- It is the express policy of the Board to encourage students who are victims of such physical or verbal misconduct to report such claims. Students or their parents may report such conduct to the principal or assistant principal of the school using the Student Complaint Form. (Please see Board Policy Exhibit ACAA-E).
- Any employee who, as a result of personal observation or a report, has reason to believe that a student is a victim of conduct prohibited by this policy, whether the conduct is by another student or by another employee, shall notify his or her principal, or the Superintendent, of such observation or report in writing as soon as possible using the Alleged Policy Violation Report form. (Please see Board Policy Exhibit ACAA-EA).

Investigation

- All reports of physical or verbal misconduct in violation of this policy shall be promptly investigated by

the school principal.

- Principals who receive complaints of a violation of this policy shall investigate such complaints, and shall report the complaints, the scope and elements of their investigations, the findings of their investigations, and actions they propose to take, if any, to the Superintendent for approval within 10 school days of receipt of such complaints, or within (15) days during which the school offices are open for business when school is not in session. Extension of the time line may only be by necessity as determined by the Superintendent. The Superintendent will respond to such submissions within five (5) school days, approving the proposal or directing further or different action.
- In assessing the existence of a violation of this policy and the appropriate discipline, the principal shall consider the nature and extent of the conduct, the age of the student(s) involved, the context in which the alleged conduct occurred, and any prior history of conduct prohibited by this policy on the part of the violator.

Confidentiality

The identities of those reporting violations of this policy and those cooperating in the investigation of alleged violations shall be kept confidential to the extent consistent with the requirements of a full and fair investigation, the due process rights of persons charged with violations, and state and federal law.

Sanctions

- Any employee who is found to have engaged in conduct prohibited by this policy, or to have failed to discharge a duty imposed by this policy, shall be subject to sanctions, including, but not limited to, warning or reprimand, suspension, termination, or discharge, subject to applicable procedural requirements.
- Any student who is found to have engaged in conduct prohibited by this policy shall be subject to discipline, including, but not limited to suspension or expulsion, subject to applicable procedural requirements, and to any applicable limitations imposed by state and federal disabilities law.

Publication

This policy shall be published in the Board's Policy Manual and on the District's website. A summary of this policy shall be published each year in all student and employee handbooks.

Health Education

The Superintendent shall ensure that District health education programs address bullying and related issues encompassed by this policy.

Adopted: May 8, 2014