

Book	Policy Manual
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5517.01 - BULLYING

The School Board is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community. Bullying behavior toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes physical, verbal, and psychological abuse as provided herein. The Board will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation. Bullying committed by students toward other students is strictly prohibited. Engaging in bullying conduct described in this rule by use of data or computer software that is accessed through any computer, any computer system, or any computer network is also prohibited.

For purposes of this rule, bullying is defined as overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner including electronically or digitally, physical acts committed, aggression, or any other similar behaviors that are committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the targeted student and create for the targeted student an objectively hostile school environment that:

- A. places the targeted student in reasonable fear of harm to the targeted student's 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, and 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.

This rule may be applied regardless of the physical location of the bullying behavior when a student committing bullying behavior and the targeted student attend a school within the School Corporation and disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of other students to a safe and peaceful learning environment.

Anyone who believes that this rule has been violated or any student who feels he/she has been bullied in violation of this rule should immediately report the conduct to an appropriate staff member such as a teacher, counselor, administrator, or the school administrator who has responsibility for all investigations of student misconduct including bullying. Any staff member, volunteer, or contracted service provider who observes or receives a report of suspected bullying shall notify the school administrator who has responsibility for all investigations of student misconduct within the same day. This report may be made anonymously.

The designated school administrator shall investigate all reports of bullying made pursuant to the provisions of this rule in an expedited manner. 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. Such investigation must include any action or appropriate responses that may be taken immediately to address the bullying conduct wherever it takes place. The parents of the bully and the targeted student(s) shall be notified by a phone call or other appropriate means within two (2) school days after the designated school administrator receives the report of suspected bullying. The parents of the bully and the targeted student(s) will further be notified on a regular, periodic basis of the progress and the findings of the investigation and of any remedial action that has been taken. Parents of students who are disciplined for acts of bullying will be involved in the disciplinary process consistent with the law and School Corporation policy.

The school administrator will be responsible for working with the school counselors and other community resources to provide information and/or follow-up services to support the targeted student and to educate the student engaging in bullying behavior on the effects of bullying and the prevention of bullying. In addition, the school administrator and school counselors will be responsible for determining if the bullying behavior is a violation of law required to be reported to law enforcement and/or the Department of Child Services under Indiana law based upon their reasonable belief. Such determination should be made as soon as possible and once this determination is made, the report should be made immediately to law enforcement.

False reporting of bullying conduct as defined in this rule by a student shall be considered a violation of this rule and will result in any appropriate disciplinary action or sanctions if the investigation of the report finds it to be false. The School will act appropriately to discipline students, staff members, visitors, or volunteers who make false reports of bullying.

A violation of this rule prohibiting bullying may result in any appropriate disciplinary action or sanction, including suspension and/or expulsion.

Failure by a school employee, volunteer, or contracted service provider to report bullying or investigate bullying or any other duty under this rule to carry out such responsibility or duty will be subject to appropriate disciplinary action, up to and including dismissal from employment with the School Corporation.

If a report of suspected bullying is substantiated through an investigation, then the School shall take appropriate intervention and responses as consistent with policy and procedure. The School will take prompt and effective steps reasonably calculated to stop the bullying, remedy the bullying, and prevent the bullying from recurring. Counseling, corrective discipline, and/or referral to law enforcement will be used to 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 bullying. If the acts of bullying rise to the level of serious criminal offense the matter may be referred to law enforcement. The School Corporation shall inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services.

Educational instruction and/or training will be provided to school personnel and volunteers who have direct ongoing contact with students, parents, and students in grades 1 through 12 concerning the identification, prevention, and intervention in bullying and this policy, in accordance with Indiana law.

All schools in the Corporation are encouraged to engage students, staff and parents in meaningful discussions about the negative aspects of bullying. The parent involvement may be through parent organizations already in place in each school.

The Superintendent or designee is authorized to develop administrative procedures for the implementation of the provisions of this rule.

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as bullying. Making intentionally false reports about bullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

For a definition of and instances that could possibly be construed as hazing, consult Policy 5516.

Confidentiality

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.

Safe School Committee

In accordance with State law, there shall be a **Safe School Committee** in each school within this Corporation (see Policy 8400 - School Safety).

Reporting to IDOE

Each school within the School Corporation will record and report to the Superintendent or his/her designee the frequency of bullying incidents in the following categories: verbal bullying, physical bullying, social/relational bullying, and electronic/written communication bullying (or a combination of two or more of the above categories). The Superintendent or his/her designee shall report the number of bullying incidents by category for each school and the entire Corporation for each school term to the Indiana Department of Education by July 1.

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.

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