

BULLYING AND OTHER FORMS OF AGGRESSIVE BEHAVIOR

General Statement

The Governing Authority is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Governing Authority encourages the promotion of positive interpersonal relations between members of the school community. Aggressive 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. The Governing Authority will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the Community School, including activities on school property, or on school provided transportation, and those occurring off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, or where an employee is engaged in school business.

Aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional wellbeing. This type of behavior is a form of intimidation and 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, bullying/cyber-bullying, intimidating, menacing, coercion, name-calling, taunting, making threats, and hazing.

Reporting

Any student who believes s/he has been or is the victim of aggressive behavior should immediately report the situation to the supervisor, or the School Administration. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Governing Authority official. Complaints against the Administrator should be filed with the Governing Authority President.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports may be made to those identified above.

All complaints about aggressive behavior that may violate this policy shall be promptly investigated.

If the investigation finds an instance of aggressive behavior has occurred, it will result in prompt and appropriate remedial and/or disciplinary action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Governing Authority members. Individuals may also be referred to law enforcement officials.

The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken.

This policy shall not be interpreted to infringe upon the First Amendment rights of students (i.e., to prohibit a reasoned and civil exchange of opinions, or debate, that is conducted at appropriate times and places during the school day and is protected by State or Federal law).

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 aggressive behavior is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Governing Authority policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as aggressive behavior. Making intentionally false reports about aggressive behavior 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.

Definitions

The following definitions are provided for guidance only. If a student or other individual believes there has been aggressive behavior, regardless of whether it fits a particular definition, s/he should report it and allow the administration to determine the appropriate course of action.

Bullying is defined as a person willfully and repeatedly exercising power or control over another with hostile or malicious intent (i.e., repeated oppression, physical or psychological, of a less powerful individual by a more powerful individual or group). Bullying can be physical, verbal (oral or written), electronically transmitted, psychological (e.g., emotional abuse), through attacks on the property of another, or a combination of any of these. Some examples of bullying are:

- A. Physical – hitting, kicking, spitting, pushing, pulling, taking and/or damaging personal belongings or extorting money, blocking or impeding student movement, unwelcome physical contact.
- B. Verbal – taunting, malicious teasing, insulting, name calling, making threats.
- C. Psychological – spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion, or intimidation.
- D. Cyber-bullying – the use of information and communication technologies such as e-mail, cell phone and pager text messages, instant messaging (IM), defamatory personal web sites, and defamatory online personal polling web sites, to support deliberate, repeated, and hostile behavior by an individual or group, that is intended to harm others.

Cyber-bullying includes, but is not limited to the following:

1. posting slurs or rumors or other disparaging remarks about a student on a web site or on weblog;
2. sending e-mail or instant messages that are mean or threatening, or so numerous as to drive-up the victim's cell phone bill;
3. using a camera phone to take and send embarrassing photographs of students;

4. posting misleading or fake photographs of students on web sites.

Harassment includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, marital status or disability (sexual orientation, physical characteristic, cultural background, socioeconomic status, or geographic location).

Intimidation includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin or sexual orientation.

Menacing includes, but is not limited to, any act intended to place a school employee, student, or third party in fear of imminent serious physical injury.

Harassment, intimidation, or bullying means any act that substantially interferes with a student's educational benefits, opportunities, or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, and that has the effect of:

- A. physically harming a student or damaging a student's property;
- B. knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or
- C. creating a hostile educational environment.

Staff includes all school employees and Governing Authority members.

Third parties include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, vendors, or others engaged in Community School business, and others not directly subject to school control at inter-district or intra-district athletic competitions or other school events.

NOTIFICATION

Notice of this policy will be annually circulated to and posted in conspicuous locations in all school buildings and departments within the Community School and discussed with students, as well as incorporated into the teacher, student, and parent/guardian handbooks. State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires will be required to review and sign off on this policy and the related complaint procedure.

Semiannually the administration will provide to the Board President a written summary of all reported incidents of bullying and other forms of aggressive behavior, and will post the summary on its web site to the extent permitted by section 3319.321 and the Family Educational Rights and Privacy Act.

EDUCATION AND TRAINING

In support of this policy, the Governing Authority promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying. The Administrator or designee shall provide appropriate training to all members of the Community School community related to the implementation of this policy and its accompanying administrative guidelines. All training regarding the Governing Authority's policy and administrative guidelines and aggressive behavior and bullying in general, will be age and content appropriate.

The Administrator 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 Administration shall be followed.

PRIVACY/CONFIDENTIALITY

The Community School will respect the privacy of the complainant, the individual(s) against who the complaint is filed, and the witnesses as much as possible, consistent with the Governing Authority's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law.

LEGAL REFS:

ORC 117.53; 2307.44; 2903.31; 3301.22; 3313.666; 3313.667; 3319.073; 3319.321.

Adoption Date: May 3, 2013

Revised Adopted Date: December 14, 2015; May 21, 2018