

## ANTI-BULLYING

- A. The individual committing the bullying behavior and any of the intended targets of the bullying behavior are students attending a school within the Corporation; and
- B. The bullying behavior results in a substantial interference with school discipline or an unreasonable threat to the rights of others to a safe and peaceful learning environment.

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. Computer, computer system, or computer network also is prohibited. This policy applies regardless of the physical location and/or time of day when:

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 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 behaviors based on the targeted individual's race, color, national origin, sex, gender, religion, or disability may be investigated and processed according to the Non-Discrimination/Anti-Harassment Policy.

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 rights protected under the First Amendment to the United States Constitution or Article I, Section 31 of the Constitution of the State of Indiana or both.
- 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 more adults.
- E. Participating in an activity undertaken at the prior written direction of the student's parent.
- F. Engaging in interstate or international travel from a location outside Indiana to another location outside Indiana.

Bullying" as defined by this policy and state law, does **not** include actions involving employees. Any behaviors committed by, towards or among MVCSC employees should be reported to the employee's supervisor, building principal, or Superintendent and may be addressed under the Anti-Harassment or other applicable policies and rules.

Any student who believes he/she has been or is currently the victim of bullying should immediately report the situation to the building principal or assistant principal or the Superintendent. The student also may report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board official. This report may be made anonymously. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President. A parent may file a complaint on behalf of a student in the same manner.

Every student is encouraged, and every employee is required, to report any situation that they believe to be bullying behavior directed toward a student. Reports may be made to those identified above. Any employee, 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. Employees who fail to report bullying or who fail to conduct an investigation when assigned that duty are subject to disciplinary action, up to and including discharge.

### **Intervention/Responses**

If a report of suspected bullying is substantiated through an investigation, then The Corporation shall take appropriate intervention and responses as consistent with policy and procedure. The Corporation will take prompt and effective steps reasonably calculated to stop the bullying, remedy the bullying, and prevent the bullying from recurring. Consistent with other legal obligations, the Corporation will prioritize the safety of the target of the bullying including transferring the bully or target to another school within the Corporation. 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 serious criminal offense the matter may be referred to law enforcement. The 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.

All complaints about bullying behavior that may violate this policy shall be promptly investigated according to the following timeline: Parents of the targeted student and the reported bully will be notified of the nature of any complaint involving their child within one (1) instructional day of the administrator's or Board official's receipt of the complaint. The administrator/Board official will arrange such meetings as may be necessary with the targeted student and reported bully within two (2) instructional days after receipt of the complaint. The entire investigation, including interviews of the targeted student, the reported bully, and all witnesses, and completion of the written report, shall ordinarily occur within ten (10) instructional days after receipt of the information or complaint.

If, during an investigation of reported acts of bullying and/or harassment, the investigation believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on sex, race, color, national origin, religion, or disability, the investigator will report the act of bullying and/or harassment to one (1) of the Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy A100 Anti-Harassment and Non-Discrimination

If the investigator finds an instance of bullying behavior has occurred, prompt and appropriate action or responses shall be taken to address the bullying behavior whenever it occurs, including as appropriate, disciplinary action, up to and including expulsion for students, discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Board members. Bullying acts shall be reported to law enforcement officials immediately upon determining that a report to law enforcement is necessary.

### Parental Involvement

Parents are encouraged to be involved in the process of minimizing bullying. Parents may review any materials used in any bullying prevention or suicide prevention program employed by the Corporation . 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 appropriate means of communication. 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. Parents of students who are disciplined for acts of bullying will be involved in the disciplinary process consistent with the law and Corporation policy.

The parents of the targeted student and the reported bully shall be notified of the alleged bullying incident at the beginning of the investigation, the findings of the investigation at the conclusion of the investigation, and, as appropriate, whether any remedial action has been taken, to the extent disclosure is permitted by law. In addition to discipline, remedial action may include support services for the targeted student and bullying education of the bully, among other actions.

### **Prohibition on Retaliation**

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 making intentionally false reports may result in disciplinary action as indicated above.

## **Confidentiality**

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

## **Education**

The School Board will provide training and/or instruction on anti-bullying prevention and policy to all students in Grades 1-12, as well as employees, in accordance with Indiana law.

## **Safe School Committee**

In accordance with State law, there shall be a **Safe School Committee** in each school within this Corporation (see Policy G200 Environmental Health & Safety Issues).

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.

## **Reporting to IDOE**

Each school within the Corporation will record and report to the Superintendent or his or 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 or 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.

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

Adopted/Revised: January 28, 2019