

## ANTI-BULLYING POLICY/HARASSMENT OF STUDENTS Adopted Fall 2009

Bullying and harassment of students is not tolerated by the Avon School District. The school district is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Therefore, the school district prohibits harassment or bullying.

Bullying and harassment are repeated instances of intentional harmful behavior initiated by one or more students and directed toward another student or students which creates an objectively hostile school environment including, but not limited to the following:

1. Physical-Harmful action or threat of harmful action against another person;
2. Verbal, Written or Electronic-threatening, unkind, abusive or hurtful communication to a person or about a person;
3. Emotional-taunting or other conduct intended to upset, exclude, or embarrass a person;
4. Sexual-conduct or communication based on actual or perceived trait or characteristic of a person because of gender and/or initiation of unwarranted or unwelcome sexual advances;
5. Racial-rejection, exclusion, isolation, or embarrassment of a person because of ethnicity.

This policy applies while students are on school property, while in school-owned or school-operated vehicles, while attending or engaged in school-sponsored activities, or while using school equipment.

If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures up to, and including, suspension and expulsion.

Retaliation against a person, because the person has filed a bullying or harassment complaint or assisted or participated in a harassment investigation or proceeding, is prohibited. An individual who knowingly files a false harassment complaint and a person who gives false statements in an investigation shall be subject to discipline by appropriate measures, as shall a person who is found to have retaliated against another in violation of this policy. A student found to have retaliated or filed a false complaint in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. The building principal, school counselor or principal's designee will be responsible for investigating all complaints by students alleging bullying or harassment. All documentation associated with a complaint shall be maintained by the building principal.

### **Bullying/Harassment Investigation Procedures**

Students who feel that they have been bullied or harassed should:

1. Communicate to the perpetrator that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual wants assistance communicating with the perpetrator, the individual should ask a teacher, counselor, bus driver, dean of students, or principal to help.
2. If the bullying or harassment does not stop, or the individual does not feel comfortable confronting the perpetrator, the individual should:
  - a. tell a teacher, counselor, bus driver, or principal; and
  - b. write down exactly what happened, keep a copy and give another copy to the teacher, counselor, or principal including:
    - i. what, when, and where it happened;
    - ii. who was involved;
    - iii. exactly what was said or what the perpetrator did;
    - iv. witnesses to the bullying or harassment;
    - v. what the student said or did, either at the time or later;
    - vi. how the student felt; and
    - vii. how the perpetrator responded.
3. Teachers, counselors, bus drivers, or dean of students receiving a report, or who witness bullying or harassment, must report the incident to the building principal by the end of the school day in which the event occurred, but in no case later than the morning of the next school day.

### **Formal Complaint Procedure**

An individual who believes that he/she has been harassed or bullied will notify the principal or dean of students who is the designated investigator. The alternate investigator is the school counselor. The investigator may request that the individual complete the Harassment/Bullying Formal Complaint form (available at the superintendent's or principal's office) and turn

over evidence of the incident, including, but not limited to, letters, tapes, or pictures. Information received during the investigation is kept confidential to the extent possible.

The principal, dean of students, or the alternate investigator, with permission from the principal, has the authority to initiate an investigation in the absence of a written complaint.

### **Investigation Procedure**

The investigator will reasonably and promptly commence the investigation upon receipt of the complaint. The length of the investigation is governed by the facts and complexity of each individual case but should be completed within 30 days of the complaint. The superintendent may approve an extension in special circumstances. The investigator will interview the complainant and the alleged perpetrator. The alleged perpetrator may file a written statement in response to the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator will make written findings and conclusions as to each allegation of bullying or harassment and produce written findings and conclusions. An alternate investigator will provide a copy of the written finds of the investigation to the principal or dean of students.

### **Resolution of the Complaint**

following the completion of the alternate investigator's report, the principal may investigate further, if deemed necessary and make a determination of any appropriate additional steps which may include discipline.

The principal or dean of students will file a written report documenting a disciplinary action taken or any other action taken in response to the complaint. The remedial actions taken by the principal or dean of students, including disciplinary action where appropriate, should be designed to prevent further bullying or harassment. The principal, or designee, will monitor the effectiveness of the remedial actions taken by contacting the complainant at least twice during the month following the investigation resolution. These contacts should be included in the documentation. If further remedial actions are necessary, the case shall remain open with ongoing monitoring and documentation. The complainant, the alleged perpetrator, and the investigator will receive notice as to the conclusion of the investigation. The principal will maintain a log of all complaints, findings, and actions taken and will maintain all documentation related to a complaint investigation for the duration of school years.

### **Points to Remember in the Investigation**

1. Evidence uncovered in the investigation is confidential.
2. Complaints must be taken seriously and promptly investigated.
3. No retaliation will be taken against complainant/individuals involved in the investigation process.
4. Retaliator will be disciplined up to and including suspension and expulsion.
5. The Bullying/Harassment Formal Complaint forms are available in the offices of the superintendent and principal.