

## **POLICY: HARASSMENT, INTIMIDATION, OR BULLYING**

The Board of Trustees of KCNA expects students to treat each other with civility and respect and will not tolerate acts of harassment, intimidation, or bullying. Like other disruptive or violent behaviors, this conduct interferes with the rights and abilities of students to learn and KCNA's ability to educate its students in a safe and productive environment. Bullying is unwanted behavior that may involve a real or perceived power imbalance.

### **The Board prohibits acts of harassment, intimidation, or bullying against any student.**

"Harassment, intimidation or bullying" are defined as any gesture or any written, verbal or physical act, inclusive of the use of cell phones, electronic communication devices, or other electronic devices, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on school property, at any school-sponsored function, on a school bus, or off school grounds, that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

- A) a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property; or
- B) has the effect of insulting or demeaning any student or group of students in such a way as to cause disruption in, or interference with, the orderly operation of the school; or
- C) creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student

### **Reporting Procedure**

1. Report to School Leader: All acts of harassment, intimidation, or bullying shall be reported verbally to the School Leader on the same day when an individual – student, employee, or contractor – witnesses or receives reliable information regarding an incident.
2. Report to Parents: The School Leader shall inform the parents or guardians of all students involved in the reported incident and may discuss, as appropriate, the availability of counseling or other intervention services. The school shall take into account the circumstances of the incident with communicating with parents in order to protect the student.
3. Reported in Writing: All acts of harassment, intimidation, or bullying shall be reported in writing to the School Leader within two school days of when the individual witnessed or received reliable information about the incident.

## Investigation Procedure

Within one school day of receipt of a written report of an incident, the School Leader may initiate an investigation at his or her discretion after consulting with the anti-bullying specialist (ABS). The School Leader shall assume all allegations are true in making this determination. If the school refuses to conduct an HIB investigation contrary to the parent/guardian's request then the parent/guardian may appeal to the Board of Trustees. Any investigation shall be conducted by ABS (and additional personnel appointed by the School Leader, if necessary). The investigation shall be completed at the latest within 10 school days of receipt of the written report. The results of the investigation shall be reported to the Board of Trustees no later than the date of the Board meeting next following completion of the investigation. Information presented to the Board shall include, but shall not be limited to, training established, discipline imposed, or any other action taken or recommended by the School Leader.

The school shall investigate all allegations of HIB incidents at Approved Private Schools for Students with Disabilities (APSSD). The sending district shall take the lead in the investigation when the incident occurs on the sending district's school bus, at a school-sponsored function, and/or off school grounds. APSSD shall cooperate with the sending district in the investigation.

## Right to a Hearing

Parents/guardians of students who are parties to the investigation shall be entitled to receive information about the investigation. This information shall be provided within 5 school days after the results of the investigation are reported to the Board. A parent/guardian may request a hearing before the Board after receiving the information, which shall be held within 10 days of the request during executive session. Any hearing must be requested within 60 calendar days after the parent/guardian receives written notice of the outcome of the investigation. At the hearing, the Board may hear from the school anti-bullying specialist about the incident, recommendations for discipline or services, and any training programs instituted.

## Board Decision

At the next Board of Trustees meeting following its receipt of the report, the Board shall issue a decision, in writing, to affirm, reject or modify the School Leader's decision.

## Consequences and Remedial Action for a Student who Commits an Act of Bullying

Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation, or bullying shall be determined by the School Leader and may range from positive behavioral interventions up to and including suspension or expulsion. In considering what response is appropriate, the School Leader shall consider the nature and circumstances of the act, the degree of harm to all individuals involved, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred.

## Retaliation/False Accusations

Any employee of the district, student, volunteer, or member of the public who witnesses or has reliable information that any student has been subject to harassment, intimidation or bullying as defined in this policy must report the incident to the appropriate school official designated by the administration. The Board will not tolerate any act of reprisal or retaliation against any person who reports an act of harassment, intimidation, or bullying. Individuals are also prohibited from falsely accusing another as a means of retaliation or as a means of harassment, intimidation, or bullying.

### Consequences:

- **Students:** The appropriate remedial action shall be determined, in each particular case, by the School Leader after consideration of the nature, severity and circumstances of the act. The consequences for a student found to have retaliated against another for reporting an act or falsely accusing another of harassment, intimidation or bullying, may range from positive behavioral interventions up to and including suspension or expulsion. When considering remedial actions the nature of a student's disability, if any, shall be considered. APSSD shall consult with the sending district's IEP teams, as appropriate, when considering remedial actions.
- **School Employees:** Consequences and appropriate remedial action shall be determined by the School Leader in accordance with School policies, procedures and agreements.
- **Visitors or Volunteers:** Consequences and appropriate remedial action shall be determined by the School Leader after consideration of the nature, severity and circumstances of the act, including reports to appropriate law enforcement officials when appropriate.

This policy shall be incorporated into the student handbook and posted on the district's website. It shall also be distributed annually to school staff, parents/guardians, and students.