



## **BULLYING**

Boulder Valley School District prohibits all forms of harassment and bullying in order to foster a school climate conducive to learning, teaching, and working. The purpose of this Policy is to encourage reporting of bullying, to promote consistency of approach in preventing and responding to bullying, and to create a safe, equitable, and positive climate that regards all types of bullying, including on the basis of a protected class, as unacceptable.

### **Definitions**

- **Bullying:** Any conduct or communication that is written, verbal, physical, or visual (specifically including but not limited to cyberbullying and electronic communications) that is intended to coerce, intimidate, or cause any physical, mental, or emotional harm to any student.
- “Harassment” is any unwelcome verbal, written, graphic, visual, physical, or other conduct directed at an individual or group of individuals on the basis of any real or perceived class membership protected by federal and/or Colorado law that is subjectively offensive to the individual alleging harassment and is objectively offensive to a reasonable individual who is a member of the same protected class. The conduct or communication need not be severe or pervasive to constitute discrimination or harassment and is a violation of Board Policy if:
  - Submission to the conduct or communication is explicitly or implicitly made a term or condition of the individual’s participation in a School District program or activity;
  - Submission to, objection to, or rejection of the conduct or communication is used as a basis for decisions affecting the individual; or
  - the conduct or communication has the purpose or effect of unreasonably interfering with the individual’s educational or work performance or creating an intimidating, hostile, or offensive educational or working environment.
- **Retaliation:** An act or communication intended as retribution against an individual who reports an act of bullying, discrimination and/or harassment. Retaliation can also include knowingly making false accusations of bullying, discrimination and/or harassment or acting to influence the investigation of, or the response to, a report of bullying, discrimination and/or harassment.

### **Prohibited Behavior**

Bullying, harassment, and discrimination are prohibited against any student for any reason, including but not limited to any such behavior that is directed toward a student on the basis of academic performance or any basis protected by federal and state law, including disability, race, creed, color, sex, sexual orientation, gender identity/expression, national origin, religion, ancestry, immigration status, the need for special education services, or physical characteristics, whether such characteristic(s) is actual or perceived.

Bullying and other behaviors as defined are prohibited on School District property, at School District or school-sanctioned activities and events, when students are being transported in any school or School District vehicle, or off school property, including on social media, when such conduct has a nexus to school or any School District curricular or non-curricular activity or event.

### **Prevention**

Prevention efforts are most effective when implemented school-wide. Well-designed prevention efforts can reduce, eliminate, and prevent bullying behaviors as well as significantly improve the overall school climate. Effective prevention is designed to accomplish the following:

1. To send a clear message to students, staff, families, and community members that bullying, discrimination, harassment and retaliation against a student who reports bullying, discrimination, or harassment will not be tolerated.
2. To train school staff in taking proactive steps to prevent bullying, discrimination, and harassment from occurring, including but not limited to training on this Policy, how to recognize and intervene, and positive school climate practices.
3. To implement procedures for immediate intervention, investigation, and confrontation of students engaged in harmful behavior.
4. To support positive school climate efforts that clearly define, teach, and reinforce prosocial behavior.
5. To designate a team of persons at each school who collect and monitor data related to bullying, discrimination, and harassment through surveys and discipline data to improve prevention efforts.
6. To implement social emotional learning and prevention at the school or classroom level. The use of prevention programs may vary according to maturity level, grade level, and learning environment.

All students involved in bullying, discrimination and/or harassment --whether they are the targeted student, impacted student, or a witness-- may experience negative outcomes including impacts on mental health, substance abuse, and suicide. Parents/guardians, school staff, and community all play a role in supporting our students when providing for their physical, social and emotional needs.

### **Reporting and Investigation**

All students who believe they have been targets of bullying, harassment, discrimination, hazing, intimidation, or threatening behavior are encouraged to immediately report the situation to a school employee. All students who witness bullying, harassment, and/or discrimination are expected to make all reasonable efforts to seek the help of school staff.

Reports can be made verbally, in writing, or online.

All School District employees who receive reports of and/or witness student bullying, discrimination and/or harassment in any circumstance, shall immediately take appropriate action to stop the behavior. Such behaviors shall be reported to school administration.

Each school administrator shall ensure that reports of bullying are promptly and thoroughly investigated in accordance with applicable law. Schools are directed to attend to the needs of the students, including the target(s) of the behavior and the alleged bully(s), during an investigation.

Violation of this Policy will be assessed by examining the totality of the circumstances, including but not limited to:

- a. Frequency of the conduct or communication, recognizing that a single incident may rise to the level of bullying, harassment or discrimination;
- b. Number of individuals engaged in the conduct or communication;
- c. Type or nature of the conduct or communication;
- d. Duration of the conduct or communication;
- e. Location where the conduct or communication occurred;
- f. Whether the conduct or communication is threatening;
- g. Whether a power differential exists between the individual alleged to have engaged in bullying, harassment, or discrimination and the individual alleging the bullying, harassment, or discrimination;
- h. Any use of epithets, slurs, or other conduct or communication that is humiliating or degrading;
- i. Whether the conduct or communication reflects stereotypes about an individual or group of individuals in a protected class; or
- j. Whether the conduct includes an act of physical violence.

Based on all of the information available, schools must determine whether it is more likely than not that the alleged bullying occurred. Such a determination does not require certainty or irrefutable evidence.

School administrators shall communicate regularly with parents/guardians of all students involved, including alleged targets, alleged bullies, and witnesses. A written summary of the investigation and its findings must be provided to the parent/guardian of any student alleging to have bullied or been bullied within 60 (sixty) days after receiving the report. Upon a showing of good cause, the school administrator may extend the deadline for up to 30 (thirty) additional calendar days. Impacted students and their parents/guardians must receive written notice of the

extension.

## **Supports and Interventions**

Violations of this Policy are detrimental to the welfare and safety of the target as well as disruptive to the school learning environment. Schools are encouraged to consider systemic and individual interventions. In deciding on appropriate responses, the school shall consider the circumstances surrounding the behavior, the severity of the conduct, and whether the conduct represents a pattern. Interventions and discipline for student bullying may include counseling, restorative justice, support planning, in-school suspension, suspension, and/or expulsion. In its sole discretion, the School District may conduct a threat assessment regarding bullying behavior. A referral to law enforcement shall be made when appropriate.

The Board expects that parents/guardians shall be informed about their student's significant behaviors and school interventions, including discipline. Also, the Board expects schools will notify parents about threat assessments and referrals to law enforcement, as appropriate and as soon as possible which may be after the referral has been made.

Resources for students who have experienced bullying are available through:

- Safe2Tell: 877-542-SAFE (7233)
- National Sexual Assault Telephone and Online Hotline: 1-800-656-HOPE (4673)
- Colorado Crisis Services: 1-844-493-8255; Text "TALK" to 38255
- Moving to End Sexual Assault (MESA) Hotline: 303-443-7300; Text "BRAVE" to 20121

## **Appeals**

If parents/guardians/students are not satisfied with the outcome of the school's investigation and resolution, they may pursue additional School District review. Board Policy AC governs the review of allegations concerning discrimination or harassment on the basis of a protected class. Board Policy KE governs the review of all other allegations of bullying.

### **LEGAL REFS:**

C.R.S. § 22-32-109.1 (1)(b) (definition of bullying)

C.R.S. § 22-32-109.1(2)(a)(I)(K) (policy required as part of safe schools plan)

### **CROSS REFS.:**

AC, Nondiscrimination/Equal Opportunity

JB, Equal Educational Opportunities

All JD and JR policies, Student Conduct and Discipline Code

KE, Complaints and Concerns

**End of File: JDHB**