

## Board Policy - Anti-Bullying Policy

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. An act of bullying, by either an individual or group of people in the KIPP Houston community, is expressly prohibited on KIPP Houston property or at school-related functions. This policy applies not only to individuals who directly engage in an act of bullying but also to individuals who, by their indirect behavior, condone or support another individual's act of bullying.

KIPP Houston is committed to protecting its students, employees, and applicants for admission from bullying, harassment, or discrimination for any reason and of any type. KIPP Houston and its Board believe that all students and employees are entitled to a safe, equitable, and harassment-free school experience. Bullying, harassment, violence, or discrimination will not be tolerated and shall be just cause for disciplinary action.

KIPP Houston believes that standards for student behavior must be set cooperatively through interaction among the students, parents, guardians, staff, and community partners of KIPP Houston, producing an atmosphere that encourages students to grow in self-control. The development of this atmosphere requires respect for self and others, as well as for the community property on the part of students, staff, and community members.

The standards of this policy constitute a specific, focused, coordinated, integrated, culturally sensitive system of supports for all students, staff, families and community agencies that will improve relations within each school. It is designed to ensure that every school has staff that have been trained and are supported in their school's efforts to provide awareness, intervention training, and instructional strategies on prevention, including violence prevention, to each staff, parent, and student in the Region and to direct follow-up when incidents are reported and/or occur, which could include Child Protective Services and/or law enforcement involvement as necessary to ensure the safety and wellbeing of all parties.

### *Definitions*

"Bullying" is defined in Section 37.0832 of the Education Code as a single significant act or pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that: (1) has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; (2) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student; (3) materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or (4) infringes on the rights of the victim at school. Bullying includes cyberbullying.

Bullying may involve, but is not limited to:

- Verbal: Hurtful name-calling, teasing, gossiping, making threats, making rude noises, or spreading hurtful rumors.
- Nonverbal: Posturing, making gang signs, leering, staring, stalking, destroying property, using graffiti or graphic images, or exhibiting inappropriate and/or threatening gestures or actions.
- Physical: Hitting, punching, pushing, shoving, poking, kicking, tripping, strangling, hair pulling, fighting, beating, biting, spitting or destroying property.
- Emotional or Psychological: Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, ostracizing, using peer pressure, or rating or ranking personal characteristics.

Cyberbullying is defined by Section 37.0832 of the Education Code as bullying that is done through the use of any electronic communication device, including the use of a cellular or other type of telephone, a computer, a camera,

electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

Cyberstalking means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to that person and serving no legitimate purpose, if the conduct occurs at school or if such off-campus conduct results in a substantial disruption of school activities

Harassment includes, but is not limited to oral, written, psychological, physical (both climate and contact), and other demonstrative actions with regard to race, creed, ethnic origin, religious preference, gender, disability, or sexual orientation that is unwelcome.

Bullying, Cyberbullying and/or Harassment also encompass:

- Retaliation:
  - Against a student by another student for asserting or alleging an act of bullying, harassment, or discrimination.
  - Also includes reporting a baseless act of bullying, harassment, or discrimination that is not made in good faith.
- Pattern of conduct listed in the definition of bullying, harassment, and/or discrimination by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student by:
  - Incitement or coercion;
  - Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of KIPP Houston Public Schools; or
  - Acting in a manner that has an effect substantially similar to the effect of bullying, harassment, or discrimination.

Bullying, Cyberbullying, Harassment and Discrimination (hereinafter referred to as bullying for the purpose of this policy) also encompass, but are not limited to, unwanted harm towards a student in regard to their real or perceived gender or gender identity or expression, race, color, religion, political beliefs, linguistic preference, natural origin, age, disability (physical, mental, or educational), socio-economic background, or ancestry.

“Accused” is defined as any KIPP Houston student, employee, volunteer, contractor, or other person in the school or outside the school at school-sponsored events, on school buses, and at training facilities or training programs sponsored by KIPP Houston who is reported to have committed an act of bullying, whether formally or informally, verbally or in writing.

“Complainant” is defined as any KIPP Houston student, employee, volunteer, contractor, or other person who formally or informally makes a report of bullying, verbally or in writing.

“Victim” is defined as any KIPP Houston student, employee, volunteer, contractor, or other person inside the school or outside the school at a school-sponsored event, on school buses, who is reported to have been the target of an act of bullying during the school day or during any educational program or activity.

KIPP is required to adopt policies and procedures regarding:

- 1) Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
- 2) Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of a student to or from school or a school-sponsored or school-related activity; and
- 3) Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student’s educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

#### *Reporting an Act of Bullying.*

- At each school, the School Leader /designee is responsible for receiving oral or written complaints alleging violations of this policy, documenting on appropriate forms for compliance, and informing parents and guardians of parties involved.
- Any member of the school community who has credible information that an act of bullying has taken place may file a Bullying Incident Report, whether a victim or a witness.
- Any student (and/or the parent on the complainant's behalf if the complainant is a minor) who believes he/she is a victim of bullying is strongly encouraged to fill out a Bullying Incident Report in the front office of his/her school.
- Reports may be submitted electronically using KIPP's anonymous incident reporting system allowing students or parents to submit any sensitive or urgent student issues quickly to school officials.
- Complaints should be filed as soon as possible after the alleged incident and noted on the incident report. Complaints should be filed within ninety (90) school days after the alleged incident so that the allegation may be appropriately investigated.
- Submission of a good faith complaint or report of bullying will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments at KIPP Houston.

#### *Investigating Bullying Complaints*

- The School Leader or investigative designee shall document all complaints in writing on the Bullying Tracking and Investigation Chart to ensure that allegations are addressed in a timely manner. This process is to be followed with all anonymous complaints as well. Although this Policy encourages students to use the formal, written Bullying Incident Report, school officials should investigate all complaints and reports of harassment, whether or not the complaint is in writing," as stated by the Office for Civil Rights in *Protecting Students from Harassment and Hate Crime: A Guide for Schools, Part II (1999)*.
- If the complaint is about the School Leader, the KIPP Houston Human Resources Department shall be asked to address the complaint.
- The trained School Leader/Investigative Designee will make the determination if a reported act of bullying falls within the scope of KIPP Houston.
- If the reported act is determined to fall within the scope of KIPP Houston (if the complained-of conduct occurred at school or if off-campus conduct meets the definition of bullying or cyberbullying stated above), the School Leader/investigative designee shall follow the Procedures for Investigating Bullying and/or Harassment as outlined below.
- If the reported act is determined to be outside the scope of KIPP Houston (not meeting the definition of bullying or cyberbullying as stated above), and determined an alleged criminal act, the School Leader/investigative designee shall refer to appropriate law enforcement, provide any applicable interventions, and document according to this Policy.
- If the reported act is determined to be outside the scope of KIPP Houston, and determined not a criminal act, the School Leader/investigative designee shall inform parents/guardians of all students involved, provide appropriate interventions and document according to this Policy.

#### *Investigation Procedures for Reported Acts of Bullying Under this Policy*

- The procedures for investigating school-based bullying must include the School Leader/designee and or investigative designee, in the case of student-to-student bullying.
- Investigations may cover acts of cyberbullying even if it is occurring on phones/computers outside of school.
- The investigator may not be the accused or the alleged victim.
- The School Leader/designee or appropriate KIPP Houston administrator shall begin a thorough investigation with the alleged victim and accused within two (2) school days of receiving notification of complaint. The School Leader/designee/administrator must immediately notify parents/guardians of both the victim and the alleged perpetrator of an act of bullying or harassment within two (2) school days of a filed complaint.
- During the investigation, the School Leader/designee or appropriate administrator may take any action necessary to protect the complainant, alleged victim, other students, or employees consistent with the requirements of applicable regulations and statutes.

- Documented interviews of the alleged victim, alleged perpetrator, and witnesses are conducted privately, separately, and are confidential to the extent possible. Each individual will initially be interviewed separately and only with permission of victim and family will the alleged perpetrator and victim to be interviewed together.
- To the extent possible, the name of the complainant will not be revealed by the investigator without permission of complainant or the complainant's family or if the complainant's safety is jeopardized.
- In general, student complainants and/or alleged victims will continue attendance at the same school and pursue their studies as directed while the investigation is conducted and the complaint is pending resolutions. However, the School Leader/designee/administrator may implement any appropriate measures deemed necessary by the administrator to ensure the safety of all students involved. In the event a valid court order conflicts with this policy, the order of the court will prevail.
- During the investigation where a KIPP Houston employee is accused, the School Leader/designee/administrator may recommend to Human Resources any action necessary to protect the complainant, the alleged victim, or other students or employees. Examples of this could include: removal of student from classroom, leave of absence while under investigation, etc.
- Within ten (10) school days of the notification as to the filing of the complaint, there shall be a written decision on the Bullying Tracking and Investigation Chart by the School Leader/investigative designee/administrator.

#### *Resolving an Act of Bullying*

- Informal Resolution: The administrator, along with the alleged victim and the accused/student, may agree to informally investigate an alleged bullying incident among parties. A Bullying Incident Report form may have already been filed, or will be completed during the investigation by the parties involved.
  - Interviews of the victim, alleged perpetrator, and witnesses are conducted privately separately, and are confidential to the extent possible.
  - Each individual (victim, alleged perpetrator, witnesses) will be initially interviewed separately.
  - A joint voluntary mediation meeting between the two parties shall be held upon agreement of all parties, and each party's agreement to Informal Resolution must be in writing on the Bullying Tracking and Investigation Chart.
  - If a mutual resolution is accepted, the incident and the resolution must be documented on the complaint form and the appropriate data system. No further action is needed.
  - If a mutual resolution has not been achieved, a formal written appeal for a formal resolution must be filed within five (5) work days after the informal meeting and submitted to the School Leader or appropriate KIPP Houston supervisor.
- Formal Resolution: the alleged victim/complainant/student/or parent on behalf of the student may file a written complaint with the School Leader/designee or appropriate KIPP Houston administrator by utilizing the KIPP Houston Public Schools Bullying Incident Report and Bullying Tracking and Investigation Chart Forms.
  - According to the level of infraction, parents/guardians will be promptly notified within two (2) school days of a submission of any actions being taken to protect the victim via written notice, telephone, or personal conference. The frequency of notification will depend on the seriousness of the bullying incident.
  - Documented interviews of the victim, alleged perpetrator, and witnesses are conducted privately separately, are confidential to the extent possible, and are recorded on the Bullying Incident Report Form.
  - Each individual (victim, alleged perpetrator, witnesses) will be initially interviewed separately.
  - A joint voluntary mediation meeting between the two parties can be held if parties agree.
  - Counseling services are available through the school counselor and/or social worker for any student involved in an incident of bullying including the victim, any witness, and the student who engaged in bullying.
  - If bullying is found: all evidence is collected, all documentation is recorded and filed in the school and district specified data system. Disciplinary actions are decided by the administrator or designee with appropriate supervisor input based on circumstance. Discipline of a student with a disability

for bullying shall comply with applicable requirements of federal law, including the Individuals with Disabilities Education Act (IDEA). Disciplinary consequences shall not be imposed on a student who, after investigation, is found to be a victim of bullying, on the basis of that student's use of reasonable self-defense in response to the bullying.

- If no bullying is found: all documentation is kept and filed. Monitoring of victims and complainants and any additional supports needed is implemented. Whether bullying is found or not, all parties will be notified in writing of the final decision and their right to appeal. This is filed with the other incident documents.
- All documents shall be filed in the school's Bullying Incident Folder, and student files.
- Any retaliation against a student who reports an incident of bullying is prohibited. Upon the recommendation of the administrator, the board of directors may, in response to an identified case of bullying, decide to transfer a student found to have engaged in bullying to another classroom at the campus. In consultation with the student's parent and when applicable, the student may also be transferred to another campus. The parent of a student who has been determined by KIPP to be a victim of bullying may request that his or her child be transferred to another classroom or campus, if applicable.