

Academy of Accelerated Learning

Anti-Bullying Policy

AAL hereby adopts a no-tolerance bullying policy. For purposes of this policy, the term bullying includes cyberbullying.

Defined: Bullying, as herein contemplated, means a single significant act or a 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 satisfies the applicability requirements below and 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 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; and

Cyberbullying includes bullying that is done using any electronic communication device, including a cellphone or any other type of telephone, a computer, a camera, electronic mail, instant messaging, a social media application, an Internet website, or any other Internet-based communication tool. Bullying can occur on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the school district. As well as:

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 students to or from school or 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.

This policy is designed to ensure that every school has staff members who 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 student, staff, and parent in the District and to direct follow up when incidents are reported and/or occur.

AAL shall incorporate information regarding the policy against harassment or bullying into the Student Code of Conduct, the student handbook, and appropriate training programs.

AAL prohibits bullying, including cyberbullying. Any acts of bullying that are reasonably perceived as being motivated either by any actual or perceived characteristic, such as race; ethnicity; color; religion; ancestry; national origin; gender; sex; sexual orientation; gender identity and expression; marital status; socioeconomic background; social/family background; immigration status; linguistic preference; political beliefs; mental, physical, or sensory disability,

difference, or impairment; or by any other distinguishing characteristic or because of one's association with a particular person or group of person are strictly prohibited.

AAL prohibits retaliation by a student or employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

Any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

Any employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or superintendent.

When an allegation of bullying is reported, the principal shall notify the parent of the alleged victim on or before the third business day after the incident is reported. The principal shall also notify the parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

The principal shall conduct an appropriate investigation based on the allegations in the report. The principal shall promptly take interim action calculated to prevent bullying and ensure safety during the course of an investigation, if appropriate.

The principal shall prepare a final, typed report of the investigation. The report shall include a determination of whether bullying occurred and, if so, whether the victim used reasonable self-defense. The report shall be maintained in an electronic and/or hard copy version.

The principal shall promptly notify the parent of the victim and the parent of the alleged bully by sending a determination letter of whether the student was engaged in bullying or not engaged.

If the results of an investigation indicate that bullying occurred, AALI shall promptly respond by taking appropriate disciplinary action in accordance with AALI's policy and laws of the state and may take corrective action reasonably calculated to address the conduct. AALI may notify law enforcement in certain circumstances.

AAL will discipline for bullying of a student with disabilities comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

AAL may look into all options available to the district for the victims of bullying, including but not limited to counseling options.

On the request of a parent, legal guardian, or adult student who is a victim of bullying, the Superintendent or designee shall transfer the victim to:

1. Another classroom at the campus to which the victim was assigned at the time the bullying occurred; or
2. A campus in the District other than the campus to which the victim was assigned at the time the bullying occurred.

The Superintendent or designee may transfer the student who engaged in bullying to:

1. Another classroom at the campus to which the victim was assigned at the time the bullying occurred; or
2. A campus in the District other than the campus to which the victim was assigned at the time the bullying occurred, in consultation with a parent or other person with authority to act on behalf of the student who engaged who engaged in bullying.

The transfer of a student with a disability who receives special education services and who engaged in bullying may be made only by a duly constituted ARD committee under Education Code 37.004.

To the greatest extent possible, AAL, its employees and agents shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation or where required and necessary to comply with an Open Records Request.

This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices. Education Code 11.252.

Laws and Bills Affected

Senate Bill 179

Education Codes: §5.001; §33.006; §37.218; §37.0151; §37.0052

Health & Safety Codes: §37.0832; §161.325

Penal Codes: §42.07

Civil Practices & Remedies Codes: §129A.001-§129.005