Vista Charter School Bullying Prevention and Education Policy

1. Purpose and Scope

Vista Charter School supports a secure and positive school climate that is conducive to teaching and learning and is free from threats, harassment, bullying, and retaliation. This policy implements the bullying-prevention and education requirements applicable to Institute charter schools and is intended to be consistent with the policies and requirements of the Colorado Charter School Institute and the Colorado Department of Education's Model Bullying Prevention and Education Policy.

Bullying, retaliation against a person who reports bullying in good faith or participates in an investigation, and knowingly false accusations of bullying are prohibited.

This policy applies to conduct:

- On School property;
- At School-sanctioned activities or events;
- While students are being transported in a vehicle dispatched by the School;
- During School-sponsored online instruction or activities; and
- Off School property when the conduct has a nexus to the School or a School curricular or noncurricular activity or event, including when it causes or is reasonably foreseeable to cause a substantial disruption of School operations or materially interferes with a student's ability to participate in or benefit from the School's educational program.

2. Definitions

Bullying means any written or oral expression, or physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause physical, mental, or emotional harm to any student.

Bullying is prohibited against any student for any reason, including but not limited to:

- Academic performance;
- Actual or perceived disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, need for special education services, or any other status protected by law; or
- A pattern of bullying behavior directed toward a student on the basis of the student's weight, height, or body size.

A single incident may constitute bullying if it otherwise satisfies this definition. A pattern or repeated conduct is not required except when applicable to the statutory protection concerning weight, height, or body size.

Cyberbullying means bullying carried out through electronic or digital communications, including text messages, email, social media, online platforms, gaming applications, photographs, videos, recordings, or other electronic communications. Cyberbullying may fall within this policy whether the communication originates on or off School property when the conduct falls within the scope stated above.

Conflict means a mutual disagreement or dispute between students in which neither student is using coercion or intimidation to control the other or intentionally cause physical, mental, or emotional harm. Conflict or other inappropriate conduct may violate the School's Student Conduct and Discipline Code even when it does not constitute bullying.

Harassment or Discrimination means conduct governed by the School's separate Nondiscrimination, Harassment and Discrimination Investigation, or Title IX policies. Conduct may

constitute both bullying and unlawful harassment or discrimination. When that occurs, the School shall apply the applicable policies and procedures concurrently or as otherwise appropriate.

Retaliation means an adverse act or communication intended as retribution against a person because the person reported bullying in good faith, supported another person's report, provided information, or participated in an investigation or response under this policy.

A knowingly false accusation made for the purpose of harming another person or influencing an investigation is prohibited. A report is not knowingly false merely because the School is unable to substantiate the allegation or determines that the reported conduct did not constitute bullying.

Nothing in this policy shall be interpreted to infringe a right guaranteed by the First Amendment to the United States Constitution or to prevent the lawful expression of religious, political, or philosophical views.

3. Reporting

Any student who believes the student has experienced or witnessed bullying, retaliation, or other conduct prohibited by this policy is strongly encouraged to report the conduct immediately.

A report may be made orally or in writing to any School administrator, counselor, teacher, or other employee. A parent, guardian, employee, or other person may also make a report.

Any School employee who receives a report of bullying or observes conduct that may constitute bullying shall promptly report the information to the Head of School or designee.

The School shall respond to a report regardless of whether the reporter uses a particular form or identifies the conduct as "bullying." A delay in reporting does not, by itself, prevent the School from responding.

4. Investigation and Response

Upon receiving a report, the Head of School or designee shall:

1. Take immediate and appropriate steps to protect the safety of the students involved and prevent continuation or escalation of the reported conduct;
2. Promptly and impartially investigate the report;
3. Provide the students involved an appropriate opportunity to identify witnesses and submit relevant information;
4. Determine whether the conduct constitutes bullying or another violation of School policy;
5. Document the finding and the School's responsive actions; and
6. Implement appropriate corrective, supportive, and disciplinary measures.

The School may implement temporary safety or supportive measures while an investigation is pending without presuming that any person violated this policy.

To the extent appropriate and permitted by law, the School shall notify the parents or guardians of students directly involved of the investigation's outcome and the School's response. The School shall not disclose confidential student information or discipline imposed upon another student except as permitted by law.

Parents, guardians, and eligible students shall be informed of any right to request review or appeal of the investigatory finding under the School's applicable grievance or discipline appeal procedures.

When reported conduct may constitute protected-class harassment or discrimination, sex-based harassment, or another civil-rights violation, the School shall also refer and respond to the matter under the applicable Nondiscrimination, Harassment and Discrimination Investigation, or Title IX policy.

5. Prevention, Education, and Supports

The Head of School shall develop and maintain a comprehensive bullying-prevention and education program that is applied consistently across students and staff. The program shall include:

- Annual staff training concerning this policy, recognition of bullying and bias-based bullying, appropriate intervention, and positive school-climate practices;
- Age-appropriate student education concerning recognition, prevention, reporting, and response to bullying;
- Procedures for immediate intervention when bullying is observed or reported;
- Support for students targeted by bullying and for witnesses to bullying;
- Interventions intended to change the behavior of students who engage in bullying;
- Positive partnerships with parents, guardians, and community members;
- A School team or designated personnel to advise administration concerning the severity and frequency of bullying;
- Periodic student input or surveys concerning bullying and school climate; and
- Periodic review of this policy and the effectiveness of the School's bullying-prevention practices.

Supportive measures may include counseling, check-ins with designated staff, schedule or seating adjustments, safety planning, restrictions on contact, academic support, increased supervision, and referrals to School or community resources.

6. Corrective and Disciplinary Action

A student who engages in bullying is subject to appropriate corrective and disciplinary action under the School's Student Conduct and Discipline Code. Any student, employee, volunteer, contractor, or other person within the School's authority who retaliates against a student or other person for making a good-faith report or participating in an investigation is subject to appropriate corrective or disciplinary action.

Consequences shall be proportionate to the circumstances and may include reteaching expectations, parent or guardian contact, counseling, behavioral interventions, loss of privileges, schedule changes, no-contact directives, suspension, expulsion, employment action, removal from School activities or property, or referral to law enforcement when appropriate.

In determining the appropriate response, the School shall consider the severity and nature of the conduct, any pattern of behavior, the students' ages and developmental levels, prior conduct, the effect on the targeted student and School community, and other relevant circumstances.

All discipline shall comply with applicable state and federal law, including procedural protections and requirements applicable to students with disabilities. No person shall be disciplined for making a good-faith report merely because the report is not substantiated.

7. Policy Administration

This policy shall be incorporated into the School's Student Conduct and Discipline Code. The School shall provide the code to students upon enrollment, post it or keep it on file at the School, and take reasonable measures to ensure students and staff are familiar with it.

The School shall maintain documentation and report bullying-related disciplinary data to CSI and the Colorado Department of Education as required by law.

Legal References

C.R.S. § 22-2-144 - Model Bullying Prevention and Education Policy
C.R.S. § 22-30.5-505(19) - Institute bullying-prevention policy

C.R.S. § 22-30.5-521 - Institute charter school implementation requirement
C.R.S. § 22-32-109.1 - Safe school plan, conduct code, and definition of bullying
C.R.S. § 22-1-143 - Harassment and discrimination protections and procedures