



Student Policy #21

STUDENT HARASSMENT, DISCRIMINATION, INTIMIDATION, AND BULLYING PREVENTION POLICY

It is the policy of Chico Country Day School ("CCDS") to create and maintain a learning environment where students and employees are treated with dignity, decency and respect. It is also the policy of CCDS to maintain an environment that encourages and fosters appropriate conduct among all persons and respect for individual values. Accordingly, CCDS is committed to enforcing this Harassment, Discrimination, Intimidation and Bullying Prevention Policy at all levels in order to create an environment free from all forms of discrimination, harassment, intimidation, and bullying.

Non-Discrimination Policy

CCDS prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race or ethnic, gender (including gender identity, gender expression), sex (including sexual harassment), pregnancy, childbirth, breastfeeding, and pregnancy-related medical conditions, sexual orientation, religion, color, national origin, ancestry, physical or mental status, marital status, registered domestic partner status, age (40 and above), genetic information, political belief or affiliation, a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, or local law, ordinance, or regulation in any program or activity it conducts or to which it provides significant assistance.

Harassment is defined as intimidation or abusive behavior toward a student/employee that creates a hostile environment, and that can result in disciplinary action against the offending student or employee. Harassing conduct can take many forms, including verbal acts and name-calling, graphic and written statements, or conduct that is physically threatening or humiliating.

Harassment under Title IX (sex), Title VI (race, color, or national origin), and Section 504 and Title II of the ADA (mental or physical disability) is a form of unlawful discrimination that will not be tolerated by CCDS.

This nondiscrimination policy covers admissions or access to, or treatment in, CCDS' programs and activities. The lack of English language skills will not be a barrier to admission to or participation in CCDS' programs or activities.

Any inquiries regarding this nondiscrimination policy or the filing of discrimination/ harassment complaints may be directed to the Dean of Students and/or Director of Education. Complaints alleging unlawful discrimination, harassment, intimidation or bullying based on the characteristics described above are eligible to be investigated pursuant to the Uniform Complaint Procedure.

Sexual Harassment Policy

CCDS is committed to maintaining a learning environment that is free from sexual harassment. Sexual harassment is a form of gender discrimination in that it constitutes differential treatment on the basis of gender, gender identity or expression, or sexual orientation, and, for that reason, is a violation of state and federal laws and a violation of this policy.

Any student who believes that she or he has been a victim of sexual harassment should bring the problem to the attention of the Dean of Students and/or Director of Education so that appropriate action may be taken to resolve the problem. CCDS prohibits retaliatory behavior against anyone who files a sexual harassment complaint or any participant in the complaint investigation process. Any such complainant is further advised that civil law remedies may also be available to them. Complaints will be promptly investigated in a way that respects the privacy of the parties concerned. Complaints alleging unlawful discrimination, harassment, intimidation or bullying based on gender, sex, gender identity or expression, or sexual orientation are eligible to be investigated pursuant to the CCDS' Uniform Complaint Procedure.

The California Education Code Section 212.5 defines sexual harassment as any unwelcome sexual advances, requests for sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting, under the following conditions:

- Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- Submission to, or rejection of the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- Submission to, or rejection of, the conduct by the individual is used as the basis for any decisions affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Sexual harassment may include, but is not limited to:

- Unwelcome verbal conduct such as suggestive, derogatory comments, sexual innuendoes, slurs, or unwanted sexual advances, invitations, or comments; pestering for dates; making threats; or spreading rumors about or rating others as to sexual activity or performance.
- Unwelcome visual conduct such as displays of sexually suggestive objects, pictures, posters, written material, cartoons, or drawings; graffiti of a sexual nature; or use of obscene gestures.
- Unwelcome physical conduct such as unwanted touching, pinching, kissing, patting, hugging, blocking of normal movement, assault; or interference with work or study directed at an individual because of the individual's sex, sexual orientation, or gender.
- Threats and demands or pressure to submit to sexual requests in order to keep a job or academic standing or to avoid other loss, and offers of benefits in return for sexual favors.

Bullying Prevention Policy

CCDS will not tolerate bullying or any behavior that infringes on the safety of any student. A student shall not intimidate or harass another student through words or actions for any reason including race, religion, personal appearance, and sexual preference such that the actions substantially interferes with a student's educational experience; creates an intimidating or threatening educational environment; or disrupts the orderly operation of the school, and/or the overall educational environment.

Definition: Bullying can be defined as aggressive behavior that involves an imbalance of real or perceived physical or psychological power among those involved. Typically the behavior is repeated over time and includes the use of hurtful words and/or acts.

Indicators of Bullying Behavior: Bullying behaviors may include, but are not necessarily limited to, the following:

- Verbal – Hurtful name-calling, teasing, gossiping, making threats, making rude noises, or spreading hurtful rumors.
- Nonverbal – Posturing, making gang signs, leering, staring, stalking, excluding, 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/Psychological – Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, ostracizing, using peer pressure, or rating or ranking personal characteristics.
- Cyber Bulling – Any bullying, harassment or intimidation when such is accomplished utilizing electronic communication media or electronic signaling devices. Such media includes, but shall not be limited to, e-mail messages, text messages, instant messages, social networking sites; internet based video sites and postings of blogs. See below for the CCDS' Cyberbullying Policy.

CCDS reserves the right to regulate, review, investigate and discipline students for bullying, harassment, intimidation and/or cyber-bullying, or any other disciplinary violations when such activities threaten violence against another student, are related to school activities, or otherwise disrupt the learning environment or orderly conduct of the school, school business or school activities even if such activities occur after school hours and/or off campus.

CCDS expects student and/or staff to immediately report incidents of bullying to a **teacher, Dean of Students, or Director of Education**. Students may also request that their name be kept in confidence to the extent allowed by law. Staff members are expected to immediately intervene when they see a bullying incident occur. Each complaint of bullying should be promptly investigated and resolved in accordance with school policy.

To prevent bullying on campus, CCDS implements restorative practices and provides intervention strategies to staff and students. CCDS may provide students with instruction in the classroom or other school settings that promotes communication, social skills, and assertiveness skills – aligned with the CCDS Life Skills.

Cyberbullying Policy

CCDS will not tolerate behavior that infringes on the safety of any student, including the bullying, harassment, intimidation, and cyberbullying of any student. Students who engage in cyberbullying may be subject to disciplinary action up to and including suspension and expulsion.

What is Cyberbullying?

Cyberbullying is bullying that takes place using electronic communication technology such as cell phones, computers, and tablets, as well as communication tools including social media sites, e-mail, web applications, and text messages. In some cases, cyberbullying is a single child sending a hurtful text to another child. But it can also be a group of students posting hurtful things about another student on a social media website. Examples of cyberbullying include:

- Sending mean emails, texts or instant messages to students.
- Threatening or intimidating another student online or in a text message.
- Posting hurtful statements about a student on social media platforms.
- Pretending to be another person by creating a fake online profile.
- Taking an embarrassing or sexually explicit photo of a student and/or sharing it without permission.
- Sending repetitive neutral messages to a student in a harassing manner.

Victims of cyberbullying may experience many of the same effects as children who are bullied in person, such as impacted academic performance, low self-esteem, or depression. However cyberbullying can seem more extreme to its victims for several reasons:

- Cyberbullying can be harsher. Often kids say things online that they wouldn't say in person.
- Cyberbullying can have a greater impact on children as they can receive bullying communications at home. Being bullied at home can take away the place children feel most safe.
- Cyberbullying's impact can be devastating due to how easy it is to share bullying communications. Children are able to send emails or make posts on social media about a student and it can be easily shared with classmates and a larger public audience. The student who is targeted may feel publically humiliated since the viewing audience is virtually limitless.

CCDS can discipline students for any acts that occur *on-campus* (e.g., student sends bullying texts to another student during school hours). A student may also be disciplined for *off-campus* cyberbullying if it meets the definition of bullying above and substantially disrupts another student's instructional environment.

For example, a student who uses a home computer to post insulting statements about another student on a social media website is engaging in cyberbullying. As a result, the target student may be subject to additional harassment at school, making it more difficult for him/her to participate in educational activities. Any student who makes that kind of post will be subject to disciplinary action, as well as any other students who are responsible for harassing the target student.

CCDS staff recognizes students' First Amendment rights and will consult with legal counsel if they have questions about the school's ability to discipline a student for actions conducted off-campus.

Parent Interactions with Staff

CCDS' education programs greatly benefit from volunteer support of our parent community. This support takes many forms, including helpful parent feedback.

CCDS expects that parents/guardians will communicate with CCDS staff in a respectful and non-harassing manner. If parents/guardians direct harassing, malicious, obscene, threatening, or intimidating communications towards any member of the CCDS community (e.g., staff, parents, and students), they may have their electronic and/or telephonic access to school staff and CCDS social media accounts (e.g., Facebook groups and pages) restricted at the discretion of the Director of Education or designee.

Cyberbullying Resources

- Parents are encouraged to provide guidance to children on appropriate behavior using technology, which may include:
 - Never give out personal information online, whether in instant message profiles, chat rooms, blogs, social media sites, or personal websites.
 - Never tell anyone but your parents your password, even friends.
 - If someone sends a mean or threatening message, don't respond. Save it or print it out and show it to an adult.
 - Don't put anything online that you wouldn't want your classmates to see, even in email.
 - Don't send messages or make posts when you're angry. Before clicking "send," ask yourself how you would feel if you received the message.
 - Help other students who are bullied online by not joining in and showing bullying messages to an adult.
 - Always be as polite online as you are in person.
- Know the sites your children visit and their online activities. Ask where they're going, what they're doing, and who they're doing it with.
- Learn about the sites and applications your children use, so you can better monitor their use.
- Discuss cyberbullying with your children and ask if they have ever experienced it or seen it happen to someone.
- For older students who have social media accounts, ask for their passwords, and if necessary tell them you'll only use them in case of emergency.
- For older students who have social media students, ask to "friend" or "follow" your kids on social media sites or ask another trusted adult to do so.
- Tell your children that you won't blame them if they are cyberbullied. Emphasize that you won't take away their computer privileges—this is one of the main reasons students don't tell adults when they are cyberbullied.

The following are links to websites that feature additional information and resources, which may be helpful to our families:

- National Crime Prevention Council: <http://www.ncpc.org/topics/cyberbullying/stop-cyberbullying>
- StopBullying.Gov: <https://www.stopbullying.gov/cyberbullying/index.html>

- Cyberbullying Research Center: <http://cyberbullying.org/resources>
- CyberBullyHelp: <http://cyberbullyhelp.com/>
- Safe Kids - <http://www.safekids.com/>
- AThinOnline.Org: <http://www.athinline.org/>

Reporting Cyberbullying

Students are expected to immediately report incidents of bullying—including cyberbullying—to a teacher, Dean of Students, Director of Education or designee.

CCDS staff should immediately report any instances of cyberbullying to Dean of Students. The Dean of Students is responsible for investigating incidents of cyberbullying, notifying parents/legal guardians, and issuing discipline consistent with the CCDS' policies. Parents and students can rely on CCDS staff to promptly investigate each complaint in a thorough and confidential manner. CCDS may discipline students who commit a prohibited act of cyberbullying following the procedures laid out in the charter and disciplinary policies.

If any student who believes he/she was cyberbullied by another student, or the parent of the complainant student, feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent should contact the Director of Education. CCDS prohibits retaliatory behavior against any complainant or any participant in the complaint process.

If cyberbullying is of a very serious nature, such as threats of physical violence or sharing explicit photographs of another student, CCDS staff must immediately inform the Dean of Students. The Dean of Students is responsible for notifying law enforcement in response to these serious incidents.