

## **TISA Policy and Guidelines for Prohibiting Harassment, Intimidation, Aggression and Bullying on School Property, at School-Sponsored Functions and on Buses 2017-2018**

### **New Mexico Statute Reference**

Legislation (6.12.7 NMAC) requires each school district and charter to adopt a policy prohibiting harassment, intimidation and bullying on school property, at school-sponsored functions and on buses.

### **Zero Tolerance Anti-Aggression Policy Statement**

The Taos Integrated School of the Arts maintains a Zero Tolerance Policy which prohibits acts of harassment, intimidation, bullying, or aggression of any kind whether by a student, parent, teacher, or any other person on school property, at school-sponsored functions, or on school buses. The Governing Council has determined that a safe and civil environment in school and at school-sponsored functions is necessary for students to learn and achieve high academic standards. Harassment, intimidation bullying, violence, or any other aggressive behaviors disrupts both a student's ability to learn and the school's ability to assure a safe and productive education environment. Further, TISA strives to create an atmosphere of mutual respect in which we teach our students to be kind towards one another as well as respectful towards adults while avoiding any and all actions that could be interpreted as disrespectful or otherwise potentially harmful.

**Definition of Harassment, Intimidation, Bullying or Aggression** – “Harassment, intimidation, bullying or aggression” means any gesture or written, verbal or physical act that is reasonably perceived as being harmful, potentially harmful, insulting, demeaning, or embarrassing to any student or group of students.

TISA finds these sorts of actions especially egregious if reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory handicap, or by any other distinguishing characteristic.

These acts may have the effect of harming a student or damaging the student's property, or placing a student in reasonable fear of harm to his/her person or damage to his/her property. These acts may have the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

Examples of bullying behaviors include but are not limited to: name calling, teasing, spreading rumors, gossiping, undesired text messages, pushing or shoving with the intent to harm or intimidate, taking personal possessions, verbal threats, offensive hand gestures, suggestive body language, inappropriate sexual comments (whether or not addressed to a specific person), profane language, ostracizing or intentionally excluding someone from a group, etc. For additional examples and further discussion on bullying, visit [www.stopbullying.gov](http://www.stopbullying.gov).

### **Rude vs. Mean vs. Bullying: Defining the Differences**

**Though these behaviors are not tolerated by TISA, it should be noted the differences between these behaviors and that administration will take appropriate action toward these behaviors.**

**Rude = Inadvertently saying or doing something that hurts someone else.**

From kids, rudeness might look more like burping in someone's face, jumping ahead in line, bragging about achieving the highest grade or even throwing a crushed up pile of leaves in someone's face. On their own, any of these behaviors could appear as elements of bullying, but when looked at in context, incidents of rudeness are usually spontaneous, unplanned inconsideration, based on thoughtlessness, poor manners or narcissism, but not meant to actually hurt someone.

**Mean = Purposefully saying or doing something to hurt someone once (or maybe twice).**

The main distinction between "rude" and "mean" behavior has to do with intention; while rudeness is often unintentional, mean behavior very much aims to hurt or depreciate someone. Kids are mean to each other when they criticize clothing, appearance, intelligence, coolness or just about anything else they can find to denigrate. Meanness also sounds like words spoken in anger — impulsive cruelty that is often regretted in short order. Make no mistake; mean behaviors can wound deeply and adults can make a huge difference in the lives of young people when they hold kids accountable for being mean. Yet, meanness is different from bullying in important ways that should be understood and differentiated when it comes to intervention.

**Bullying = Intentionally aggressive behavior, repeated over time, that involves an imbalance of power.** Experts agree that bullying entails three key elements: an intent to harm, a power imbalance and repeated acts or threats of aggressive behavior. Kids who bully say or do something intentionally hurtful to others and they keep doing it, with no sense of regret or remorse — even when targets of bullying show or express their hurt or tell the aggressors to stop.

Bullying may be physical, verbal, relational or carried out via technology.

**Consequences for Violations of Anti-Aggression Policy** - After investigating complaints of bullying the teacher and/or Director will provide consequences and appropriate remedial actions for any student, parent, staff member, or other person who commits one or more acts of harassment, intimidation, aggression, or bullying which are at the discretion of the teacher and/or Director. These may range from positive behavioral interventions up to and including suspension, expulsion, and/or being banned from the campus.

TISA's "zero tolerance" policy means that any reported or observed act of harassment, intimidation, aggression, or bullying will be addressed regardless of severity and consequences will vary depending on factors involved in each incident.

**Factors for Determining Consequence**

- Age, Developmental and maturity levels of parties involved
- Degrees of harm
- Surrounding circumstances
- Nature and severity of the behaviors
- Incidences of past or continuing patterns of behavior
- Relationships between the parties involved
- Context in which the alleged incidents occurred

**Examples of Consequences** (including but not limited to)

- Admonishment
- Temporary removal from the classroom
- Classroom or administrative detention
- Out-of-school suspension
- Legal action and expulsion

**Reporting** - The Governing Council requires the Director to be responsible for receiving complaints alleging violations of this policy. All school employees are required to report observed and/or alleged violations of this policy to the principal or the principal's designee. All other members of the school community, including students, parents, volunteers and visitors, are encouraged to report any act that may be a violation of this policy.

**Response to the Reporter of Incidents** - The Governing Council prohibits reprisal or retaliation against any person who reports an act of harassment, intimidation, bullying, or aggression by any person including students, parents, or other related or unrelated individuals. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity and circumstances of the act, in accordance with case law, Federal and state statutes and regulations and district policies and procedures.

**False Reports** - The Governing Council prohibits any person from falsely accusing another as a means of harassment, intimidation or bullying. The consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment. Intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted by law.

#### **DUE PROCESS PROCEDURES:**

**Emergency Suspension** – An emergency suspension occurs when a student is removed from school without prior use of due process procedures. An emergency suspension is allowed if the student's continued presence at school poses a danger to person or property or an ongoing threat of disruption to the academic process. The due process procedures for a short-term suspension must be provided to the student as soon as practicable following the student's removal from school pursuant to an emergency suspension. The student's parent(s) should be notified of the suspension as soon as reasonably possible.

**Short Term-Suspension** - A short-term suspension is a suspension for a period of time less than or equal to ten (10) school days. Before a short-term suspension is imposed, the director shall inform the student of the alleged misconduct and describe generally the evidence known at that time to support the allegations of misconduct. The director shall invite the student to discuss the student's version of the situation. This is so the student has an opportunity to dispute the allegations of misconduct. The administrator shall then determine if a short-term suspension should be imposed and shall inform the student of his or her decision. If the student is suspended, the student's parent(s) shall be notified of the suspension by telephone. No appeal is available for a short term suspension.

**Long Term Suspension** - A long-term suspension is a suspension that exceeds ten (10) school days in duration. It may extend up to One (1) full year in duration. If a long-term suspension is

warranted, the student will be short term suspended for 10 days, following all due process procedures, pending a recommendation that the student be given a long term suspension or be expelled from school.

A certified letter will be mailed to the parent or guardian containing the following information: the charges and the rule or regulation violated; the extent of the punishment considered; the date, time and place of the formal hearing; that the student may be represented by counsel, and the name of the hearing officer.

A formal, long term hearing will be scheduled and conducted by a hearing officer. Upon the conclusion of a hearing by the hearing officer in which a decision of long term suspension or expulsion is made, the decision may be appealed to the Governing council.