

Bullying

New Academy Charter School is committed to providing a safe, positive learning environment for students and employees. New Academy Charter School recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence. New Academy Charter School is committed to creating a safe, caring, and respectful learning environment for all students. Bullying of students occurring in the schools is strictly prohibited and will not be tolerated. For the purposes of the policy, “school” includes school building, school grounds, and school-sponsored social events, trips, sporting events, and Academy vehicles. Reported incidents of bullying will be investigated promptly and thoroughly by school administration. All staff is provided with in-service training regarding our Safe Schools plan, program, and policies as well as our Bullying Prevention programs and activities, updated policies, and Student Code of Conduct.

Definition of Bullying

Bullying is a pattern of aggressive, intentional, or deliberately hostile behavior that occurs repeatedly and over time. Bullying behaviors normally fall into three categories; physical, emotion, and verbal. It may include, but is not limited to, intimidation, assault, extortion, oral or written threats, teasing, putdowns, name-calling, threatening looks/gestures/actions, rumors, false accusations, hazing, social isolation, and cyber-bullying.

1. Bullying Is . . .

- Intentional harm-doing
- Happens repeatedly over time
- Unequal power (size, ability, popularity, money, clothing)
- Verbal: name calling, threatening, rumors and/or malicious teasing
- Physical: hitting, kicking, pushing, spitting, getting someone else to hurt someone.
- Emotional: making faces, isolating others, gestures

Bullying, as defined in this policy, includes cyber bullying which has been reported and documented. Cyber bullying includes, but is not limited to, the following misuse of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures or images, or website postings such as Instagram, Snapchat or Facebook (including blogs) which has the effect of:

- Physically, emotionally or mentally harming a student, or staff member;
- Placing a student or staff member in reasonable fear of physical, emotional or mental harm;
- Placing a student or staff member in reasonable fear of damage to or loss of personal property; or

- Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities or a staff member's work environment.

Preventative Measures:

1. Student Instruction/Awareness – Bullying behaviors are unacceptable. Ongoing instruction is to be provided throughout the curricula and in other instructional programs.
2. Staff Awareness/Action – School personnel shall receive in-service training on anti-bullying policy to ensure a consistent approach is adopted on a school-wide basis. The school administration requires all staff members who observe, suspect, or become aware of an act of bullying to immediately notify an administrator.
3. Student/Parent Action – The school system encourages students and parents who become aware of an act of bullying to immediately report the incident(s) to a school administrator for further investigations. Any student who retaliates against another for reporting bullying will also be subject to consequences.
4. All forms of bullying and cyber bullying by students are prohibited. Anyone who engages in bullying or cyber bullying in violation of this policy shall be subject to appropriate discipline.

In order to minimize bullying and encourage teamwork, our goal is to help students gain skills and knowledge in a safe and positive learning community. The faculty, staff and students achieve this by modeling positive behavior, using common language, improving communication, and encouraging community involvement.

All forms of bullying are unacceptable and, to the extent that such actions are disruptive of the educational process of the School, offenders shall be subject to appropriate staff intervention, which may result in administrative discipline.

Complaint/Investigative Procedure

All students shall be informed of their right to protection against bullying behaviors and the right to file a complaint if they believe they have been the victim of bullying behavior. School administrators are responsible for investigating each complaint, determining if the complaint is legitimate in accordance with the above definition, and taking appropriate corrective action. Any student (be they the victim or the bystander) may initiate a complaint by completing a confidential incident report form. These forms can be received from and returned to an administrator.

Each staff member shall be responsible to maintain an educational environment free of bullying and cyber bullying.

Each student shall be responsible to respect the rights of his/her fellow students and to ensure an atmosphere free from all forms of bullying and cyber bullying.

Students shall be encouraged to report bullying or cyber bullying complaints to any staff member.

Any staff member who receives a bullying or cyber bullying complaint shall gather information or seek administrative assistance to determine if bullying or cyber bullying has occurred. Employees who witness acts of bullying shall respond appropriately to ensure observed acts of bullying cease and to teach students that bullying is not acceptable behavior. If the behavior is found to meet the definition of bullying or cyber bullying, the administrator must complete written documentation.

The administrator or his/her designee will inform the parents or guardians of the victim and also the parents or guardians of the accused.

Intervention/Consequences

Reports of bullying are taken seriously and shall be dealt with quickly and effectively. If a student is found guilty of bullying behavior the consequences shall depend on both the results of the investigation and the severity of the incident. Consequences can be found in the Progressive Discipline Policy.

- The Executive Director or designee shall ensure that this policy and administrative regulations are reviewed annually with students.
- The Executive Director or designees, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the Board.
- Administration shall annually provide the following information with the Safe School Report:
 - Board's Bullying Policy
 - Report of bullying incidents.
 - Information on the development and implementation of any bullying prevention, intervention or education programs.

The Code of Student Conduct, which shall contain this policy, shall be disseminated annually to students.

Education

New Academy Charter School may develop and implement bullying prevention and intervention programs. Such programs shall provide staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.

Confidentiality:

New Academy Charter School recognizes that both the complaining student and the alleged bully have a strong interest in maintaining the confidentiality of the allegations and related information. The privacy of the complaining student, the individual(s) against whom the complaint is filed, and the witnesses will be respected as much as possible, consistent with legal obligations to investigate, to take appropriate action, and to comply with Family Educational Rights and Privacy Act (FERPA) and any discovery or disclosure obligations. As limited by FERPA protections, the administrator may inform the complaining student/parents/guardians of the outcome of the investigation.

Complaint Procedure:

A student shall report a complaint of bullying or cyber bullying, orally or in writing, to a staff member. If a parent initiates the complaint, the appropriate staff member will follow-up with the student and administrator.

The staff member will either gather the information or seek administrative assistance to determine if the alleged bullying or cyber bullying conduct occurred.

After the information has been gathered, the administrator shall be notified of the complaint. The administrator will determine the need for further investigation or the appropriate intervention, which may result in administrative discipline to ensure that the conduct ceases. If the behavior is found to meet the definition of bullying or cyber bullying, the administrator must complete written documentation.

Consequences for Violations

A student who violates this policy may be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include but not limited to:

- Parental conference.
- Counseling within the school.
- Loss of school privileges.
- Transfer to another school building, classroom or school van.
- Detention.
- Suspension.
- Expulsion.
- Counseling/Therapy outside of school.
- Referral to law enforcement officials.

Reprisal

Any student who retaliates against another student for reporting bullying or extortion or for assisting or testifying in the investigation or hearing shall be subject to disciplinary action.

Administrative Discretion

Administration and Board will exercise appropriate discretion in administering this policy, with respect to all bullying. In particular, with respect to cyber bullying and other off campus speech. Administration and Board will exercise discretion to reflect the then current law balancing a student's right to off campus free speech against speech which may cause a substantial disruption of the school environment or result in actual harm to the health, safety, and welfare of members of the school community.