

POLICY AND PROCEDURE: COMPREHENSIVE BULLYING PREVENTION POLICY AND PROCEDURE

La Academia Dolores Huerta Charter Middle School

La Academia Dolores Huerta (LADH) is committed to fostering a safe, respectful and fear-free environment for all members of the school community. It is the responsibility of all LADH community members to promote a positive school experience where students, teachers, staff, and volunteers are honored and respected. Any acts of bullying, cyberbullying, harassment, intimidation, and/or threats of violence on and off campus are strictly prohibited.

DEFINITIONS:

- 1.) Bullying: any severe, pervasive or persistent act or conduct that targets a student, whether physically, electronically or verbally, and that:
 - (a.) may be based on a student's actual or perceived race, religion, color, national origin, ancestry, sex, sexual orientation, gender identify, spousal affiliation, physical or cognitive disability or any other distinguishing characteristic; or an association with a person, or group with any person, with one or more of the actual or perceived distinguishing characteristics; and
 - (b.) can be reasonably predicted to:
 - (1.) place a student in reasonable fear of physical harm to the student's person or property;
 - (2.) cause a substantial detrimental effect on a student's physical or mental health;
 - (3.) substantially interfere with a student's academic performance, attendance, or participation in extracurricular activities; and/or (
 - (4.) substantially interfere with a student's ability to participate in or benefit from the services, activities, or privileges provided by a school or school affiliated entity.
- 2.) Cyberbullying: any bullying that takes place through electronic communication.
- 3.) Electronic communication: a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, electronic tablet, pager or video or audio recording device.
- 4.) Gender identity: a student's self-perception, or perception by another, of the student's identity as a male or female based upon the student's appearance, behavior, or physical characteristics that are in accord with, or opposed to, the student's physical anatomy, chromosomal sex or sex at birth.
- 5.) Harassment: a pattern of conduct that is intended to annoy, seriously alarm or terrorize another person or group of people and that serves no lawful purpose. The conduct must be such that it would cause an individual or group of people to suffer substantial emotional distress and/or place an individual or group of people in fear of their safety.
- 6.) Physical or cognitive disability: a physical or cognitive impairment that substantially limits one or more or a student's major life activities.
- 7.) Progressive discipline: disciplinary action other than suspension or expulsion from school that is designed to correct and address the basic causes of a student's specific misbehavior while retaining the student in class or in school, or restorative school practices to repair the harm done to relationships and other students from the student's misbehavior, and may include:
 - (a.) meeting with the student and the student's parents;
 - (b.) reflective activities, such as requiring the student to write an essay about the student's misbehavior;

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- (c.) counseling;
 - (d.) anger management;
 - (e.) health counseling or intervention;
 - (f.) mental health counseling and intervention;
 - (g.) participation in skill-building and conflict resolution activities;
 - (h.) community service; and
 - (i.) in-school detention or suspension, which is for a constructive purpose and which may take place during lunchtime, recess, after school or during weekends.
- 8.) Regular volunteers: persons, including relatives of students, who commit to serve on a regular basis at a school district, charter school or other educational entity without compensation.
- 9.) Sexual orientation: heterosexuality, homosexuality or bisexuality, whether actual or perceived.

REPORTING:

Any member of LADH community who suspects any form of bullying is strongly encouraged to report it to school personnel and/or the Head Administrator. Reports can be made verbally and/or in written form using the Bullying Reporting Form. Reports may be made anonymously by mailing a completed Bullying Reporting Form to LADH or by submitting a completed form in a sealed envelope addressed to “Head Administrator” to the office. Students, parents/guardians, and/or staff should use the following guidelines when reporting bullying:

- 1.) Any student who believes he/she has been the victim of bullying, cyberbullying, harassment, intimidation, and/or threats of violence by a student or school personnel or any person with knowledge/belief of such conduct that may constitute bullying, cyberbullying, harassment, intimidation, and/or threats of violence towards a student or school personnel should immediately report the alleged acts.
- 2.) The report may be made to any school staff member or to the Head Administrator. If a student is reporting, the staff member will help the student report it to the Head Administrator.
- 3.) All teachers and staff members who witness acts of bullying or receive bullying reports are required to notify school administration within 2 calendar days. Teachers/school staff are required to complete the Bullying Reporting Form and submit it to school administration.
- 4.) Retaliation against the individual who reports bullying, cyberbullying, harassment, intimidation, and/or threats of violence or who participates in/cooperates with an investigation is strictly prohibited.

INVESTIGATION:

The Head Administrator or their designee is required to accept and fully investigate all reports of bullying, cyberbullying, harassment, intimidation, and/or threats of violence. Although not required, school personnel will make every effort to inform parents/guardians of the victim and the accused of any report of bullying prior to the investigation taking place. In cases where it is determined that the immediate removal of the accused student is necessary for the protection of

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the victim, other students, school staff, or other individuals on school grounds school personnel will remove the student pending the completion of an investigation.

1.) Process:

The totality of the circumstances, the nature of the conduct, the student's history, and the context in which the alleged bullying occurred will be investigated. The investigation will consist of:

- (a.) interviews with the complainant, the accused individual(s), and any others who may have first-hand knowledge of the alleged incident(s);
- (b.) collecting and reviewing of relevant evidence.

2.) Confidentiality:

The right to confidentiality, both of the complainant and the accused, will be preserved consistent with applicable laws. Absolute confidentiality cannot be guaranteed as it may be necessary to discuss the complaint with witnesses or with others who may have information about the complaint.

3.) Outcome:

The investigation will be completed within 10-calendar days from the receipt of the complaint. The Head Administrator will complete a written that will include but not limited to a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. At the conclusion of the investigation, parents/guardians will be notified of the incident, and the parent/guardian of the student alleged to have committed bullying will also be notified of the consequences for the student's actions. To the extent permitted under the Family Educational Rights and Privacy Act (FERPA), school personnel will protect the privacy of the students involved. A copy of the completed report will be maintained in the Head Administrator's office.

4.) Appeal Process:

Involved parties who are not satisfied with the investigation process or results may initiate an appeal contacting the Head Administrator. The appeal process will begin with a prompt investigation into the situation.

OUTCOMES

1.) Safety Support Plan:

A Safety Support Plan will be developed for students identified as targets of bullying/repeated bullying with the goal of protecting the student from future acts of bullying. The Plan will be developed by a team consisting of but not limited to the student's parent/guardian, Head Administrator or appointee, and the student's teacher(s). The plan should include preventative measures school personal can implement; strategies the student can implement when they feel bullying may or has occurred; and safe school spaces.

2.) Consequences:

Verified bullying will result in intervention and progressive discipline by the Head Administrator. The extent to which disciplinary action will be exposed will be determined by the Head Administrator. Possible consequences include counseling; skill-building; and/or in-school detention or suspension. Repeated or severe offenses will warrant increasingly serious consequences, up to and including suspension or expulsion.

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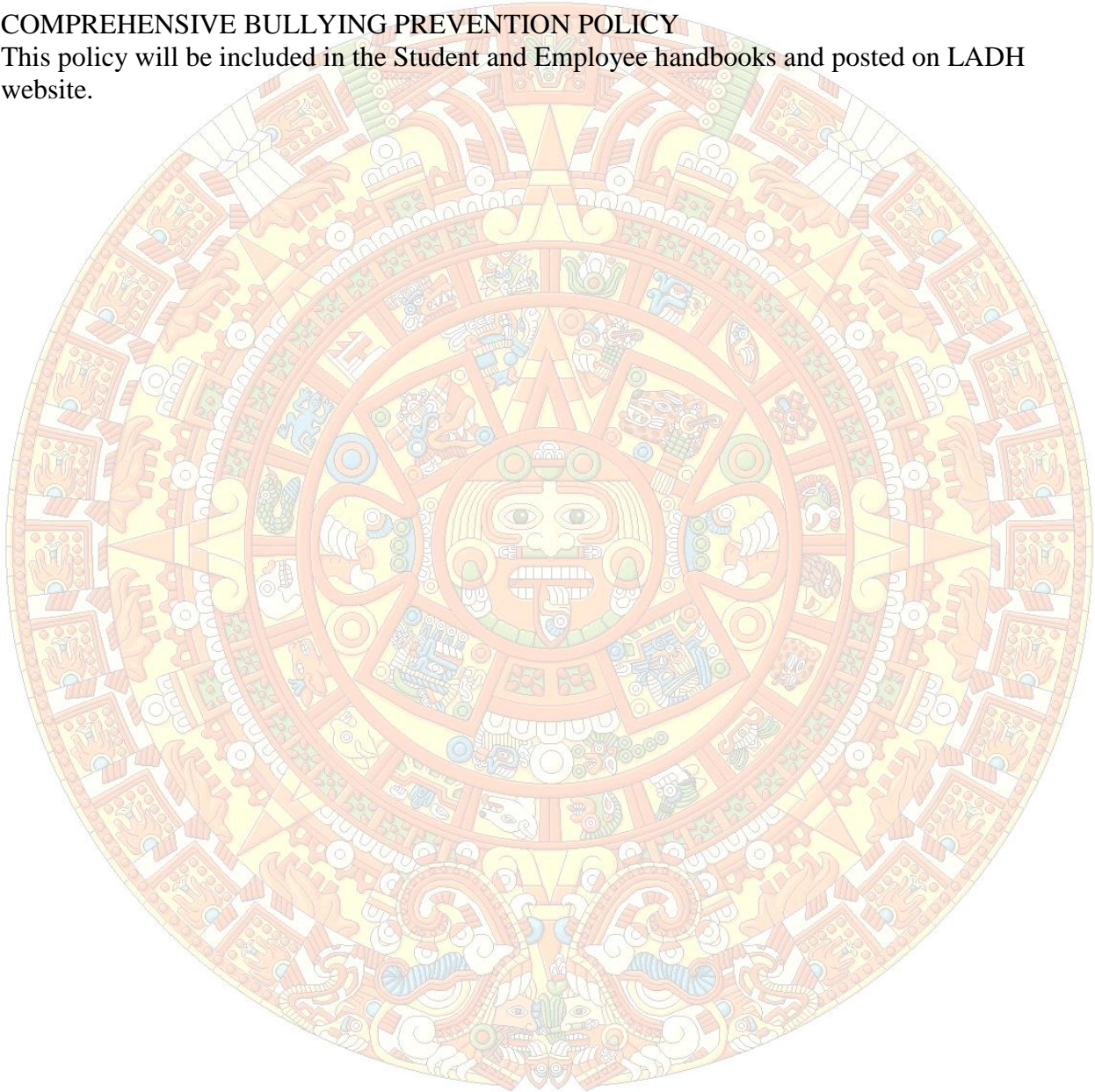
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RETALIATION

Any form of retaliation against the individual who either reports and/or files a written report about bullying, or who actively participates in/cooperates with an investigation is strictly prohibited. Reports of retaliation should be made to the Head Administrator.

COMPREHENSIVE BULLYING PREVENTION POLICY

This policy will be included in the Student and Employee handbooks and posted on LADH website.



Bullying Reporting Form

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PLEASE COMPLETE AND RETURN TO THE SCHOOL OFFICE

Your Name: _____ Date of Incident: _____

Relationship to Victim: _____Self _____Parent/Guardian _____Grandparent _____Faculty/Staff
 _____Other (please list) _____

Did you witness the incident: _____ Yes _____ No if no, Name of person who reported this to you _____

Where did the incident occur: (please be specific) _____

Type of bullying: ☐ Verbal ☐ Non-Verbal ☐ Physical ☐ Cyber-Bullying ☐ Other

Name of person(s) being bullied: _____

Name of person(s) who is/are bullying: _____

Name of person(s) who were bystanders/witnesses: _____

Briefly describe the incident: _____

Has this incident happened before: _____ Yes _____ No, If yes how many times: _____

How long ago did this happen: _____

Circle all behaviors that apply

PHYSICAL: *Harm to another's body or property*

Threatening physical harm

Pinching

Tripping

Scratching

Hitting

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Making threatening gestures
Cornering/blocking
Destroying or defacing property

Biting
Punching
Arson

Extortion
Slapping

Hair pulling
Kicking
Spitting
Theft

EMOTIONAL CONDUCT-*Harm to another's self-worth*

Threatening to secure silence

Name calling

Challenging in public

Racial, Ethnic or Religious slurs or epithets

Taunting

Insulting gestures

Defacing or falsifying schoolwork

Dirty looks

Insulting remarks

Insulting/degrading graffiti

Harassing and/or frightening phone calls, emails, text or phone messages

Unwanted sexually suggestive remarks, images or gestures

RELATIONAL CONDUCT-*Harm to another through damage (or threat of damage) to relationship or feelings of acceptance, friendship or group inclusion*

Using negative body language or facial expressions

Threatening to end a relationship

Ignoring someone to punish or coerce

Starting/spreading rumors

Ostracizing/total group rejection

Playing mean tricks

Insulting publicly

Gossiping

Undermining other relationships

Arranging public humiliation

Exclusion

Describe any physical evidence that exists related to the incident (including physical marks, video/audio, printouts/screenshots of social media and other websites, emails, photos, text messages, etc.) Be advised that photos should be taken and printed off for all evidence contained on cellphones (i.e. text messages, photos, social media activity): _____

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a LADH investigation regarding bullying shall be subject to appropriate disciplinary action. LADH strictly prohibits retaliation (i.e. threats, rumor spreading, ostracism, assault, destruction of property, etc.) by a student or LADH employee against any person who makes a report of bullying in good faith, serves as a witness, or participates in an investigation.

Signature of person making the report

Date

DO NOT WRITE BELOW THIS LINE

Received by

Position

Date