

# Infinity Charter School

SECTION:	STUDENT POLICIES
TITLE:	BULLYING
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## No. 326 – Bullying

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### Purpose

The Board of Trustees (“Board”) of Infinity Charter School (“Charter School”) recognizes the importance of providing all students and employees with a safe school and learning environment in order to promote the educational process. The Board has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Bullying and cyberbullying, like other disruptive or violent behaviors, is conduct that disrupts both a student’s ability to learn and the Charter School’s ability to safely educate its students in a safe environment. Therefore, in order to ensure and promote a safe learning environment, it shall be the policy of the Charter School to maintain an educational environment that is intolerant of bullying and cyberbullying in any form.

Since students learn by example, school administrators, faculty, staff and volunteers are directed to demonstrate appropriate behavior, treat others with civility and respect and to refuse to tolerate bullying and cyberbullying.

### Definitions

**Bullying** and **Cyberbullying** are defined as an intentional electronic, written, verbal or physical act, or a series of acts:

1. directed at another student or students;
2. which occurs in a “school setting”, or occurs outside of school and the Charter School reasonably forecasted that the outside-of-school conduct would materially interfere with or substantially disrupt the educational process or program in the school, and the outside-of-school conduct does in fact materially interfere with or substantially disrupt the educational process or program in the school;
3. that is severe, persistent or pervasive; and
4. that has the effect of doing any of the following:
  - substantially interfering with a student’s education;
  - creating a threatening environment; or
  - substantially disrupting the orderly operation of the school.

Bullying and cyberbullying shall encompass acts that occur outside a school setting if those acts meet the requirements found in (1), (3) and (4) listed above.

**School Setting** shall mean in the Charter School, on Charter School grounds, on Charter School property, using Charter School equipment and technology, on Charter School's server or Charter School's electronic, web-based, Internet or online programs, in Charter School vehicles, at designated bus stops or at any activity sponsored, supervised or sanctioned by the Charter School and any time spent necessarily traveling to and from these locations.

**Cyberbullying.** – means a form of bullying which may occur, in whole or in part, outside of the school setting. Allegations of cyberbullying shall be addressed in accordance with this policy.

### **Delegation of Responsibility**

The CEO or designee shall be responsible for:

1. Addressing allegations of bullying pursuant to the Charter School's Code of Conduct and other Board policies, as may be applicable.
2. Develop, procure, and/or implement bullying prevention and intervention programs and activities, including training for Charter School employees and students for effectively responding to, intervening in and reporting incidents of bullying.
3. Review this policy every three (3) years, or as otherwise may be required by law, and recommend revisions to the Board, if applicable.
4. Ensuring that this policy is made available on the Charter School's public website, in every classroom at the Charter School, and at a prominent location within the Charter School building(s).
5. Ensure that this policy and procedures for reporting bullying incidents are reviewed with students within ninety (90) days after this policy's adoption or revision, and at least once each school year thereafter.
6. Provide this policy and any other information required by law to governmental agencies.

### **Guidelines**

Students shall conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

Since bystander support of bullying and cyberbullying can bolster these types of behaviors, the Charter School prohibits both active and passive support for acts of bullying and cyberbullying. The staff should encourage all students to refuse to engage in these acts and to report them immediately to the CEO of the Charter School.

### **Reporting Procedures**

Any student who feels he or she has been bullied or cyberbullied shall have the right to file a complaint of such bullying. Complaints should be reported to the CEO. Complaints may also be reported directly

to a teacher, guidance counselor, or other administrator who shall immediately report the incident to the CEO in order to protect the alleged victim and for prompt investigation.

Any staff who sees any incidents of bullying or cyberbullying must immediately report the incident(s) to the CEO. Failure to report known instances of bullying or cyberbullying may subject employees to discipline. 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. It shall be the responsibility of the CEO to investigate promptly and thoroughly any and all bullying and cyberbullying complaints received or referred by other individuals and to make recommendations based upon the investigation. The investigation is to be commenced within three (3) school days after a report of any bullying is received.

The CEO or designee may offer interim measures to any individual(s) named or related to allegations of bullying or cyberbullying to protect the individual(s) from further bullying, cyberbullying, or similar conduct.

The Board of Trustees requires the CEO to be responsible for determining whether an alleged act constitutes a violation of this policy. In determining whether alleged conduct constitutes bullying or cyberbullying, the totality of circumstances, nature of the conduct, and context in which the alleged conduct occurred shall be investigated. If the investigation results in a substantiated charge of the bullying, the Charter School shall take prompt corrective action to ensure the bullying and/or cyberbullying ceases and will not reoccur.

Reports to the CEO may be made anonymously, but formal disciplinary action *may not* be based solely on the basis of an anonymous report.

The CEO shall immediately notify the parent or guardian of the perpetrator of the bullying and the parent or guardian of the victim of the bullying of the alleged incident.

#### Consequences for Violations

Disciplinary consequences for bullying or cyberbullying will be based on the totality of the circumstances, such as the seriousness or severity of the behavior, and may include loss of privileges, suspension, expulsion, and/or referral to law enforcement.

In some cases, bullying and/or cyberbullying may constitute criminal activity and the Police Department will be notified. This may lead to a criminal investigation and criminal charges against the student. Consequences for a student who commits an act of bullying and/or cyberbullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the Charter School's student code of conduct. Remedial measures shall be designed to: correct the problem behavior; prevent another occurrence of the behavior; and protect the victim of the act.

The following intervention strategies for protecting victims may be followed as needed:

- Supervise and discipline offending students fairly and consistently;
- Provide adult supervision at Charter School testing sites or other sites used by the Charter School, at any activity sponsored, supervised or sanctioned by the Charter School during any breaks, lunch times, bathroom breaks and in the hallways during times of transition;
- Maintain contact with parents and guardians of all involved parties;
- Provide counseling for the victim if assessed that it is needed;
- Inform school personnel of the incident and instruct them to monitor the victim and the offending party for indications of harassing, intimidating and bullying and/or cyberbullying behavior. Personnel are to intervene when prohibited behaviors are witnessed; and
- Check with the victim daily to ensure that there have been no incidents of retaliation from the offender or other parties.

#### Retaliation Prohibited

The Board of Trustees strictly prohibits retaliation or reprisal against any person who reports bullying and/or cyberbullying incidents. Retaliation includes, but it is not limited to, any form of intimidation, reprisal or harassment used against a person who reports, in good faith, incident(s) of bullying and/or cyberbullying. Disciplinary action against any person who retaliates or engages in reprisals for reporting such behavior(s) may include sanctions up to and including expulsion or suspension for students and termination for staff engaging in such prohibited conduct. The consequences and appropriate remedial action shall be determined after consideration of the nature, severity, and circumstances of the act.

#### False Accusations

The Board of Trustees prohibits any person from falsely accusing another of bullying and/or cyberbullying. The consequences and appropriate remedial action for a student found to have falsely accused another of bullying and/or cyberbullying may range from positive behavioral interventions up to and including suspension or expulsion. Consequences and appropriate remedial action for an employee found to have falsely accused another of bullying and/or cyberbullying shall be disciplined in accordance with Charter School policies, procedures, and agreements.

#### Annual Distribution of Information

The Board of Trustees requires Charter School officials to annually disseminate the policy to all school staff, students, volunteers, independent contractors and parents along with a statement explaining that it applies to all applicable acts of bullying and cyberbullying that occur in the Charter School, on Charter School grounds, on Charter School property, using Charter School equipment and/or technology, on Charter School's server or Charter School's electronic, web-based, Internet or online programs, in Charter School vehicles, at designated bus stops or at any activity sponsored, supervised or sanctioned by Charter School and any time spent necessarily traveling to and from these locations.

Conduct occurring outside of school can be subject to this policy when there is a connection to school-sponsored activities or where the conduct materially disrupts (or is anticipated to materially disrupt) the operations of the Charter School.

The Charter School is required to post this policy on its website and make the policy available in every classroom. This policy shall also be posted at a prominent location within every Charter School building where such notices are usually posted. The Charter School shall ensure this policy and its procedures for

reporting bullying and cyberbullying incidents are reviewed with students and staff within ninety (90) days after its adoption and, thereafter, a minimum of one (1) time per school year.

Relation to Other Policies

In the course of an investigation pursuant to this policy, if potential incidences of sexual harassment are identified, the Title IX Coordinator shall be notified immediately. Any complaints or allegations made under this policy which could be construed as complaints of sexual harassment shall be handled in accordance with the applicable Board policy (e.g., Title IX Sexual Harassment).

Compliance

The Board of Trustees directs the Administration to develop any procedures necessary to implement this policy and to develop appropriate prevention, intervention and education strategies related to bullying and cyberbullying.

Acts of bullying and cyberbullying are prohibited by and a violation of the Charter School's Acceptable Use and Internet Safety Policy and its Child Internet Protection Act (CIPA) Policy.

The Charter School will comply with all applicable federal and state laws relating to bullying and cyberbullying, including, but not limited to, the requirements delineated in the Pennsylvania Charter School Law, 24 P.S. § 1701-A, *et seq.*, the Federal Children's Internet Protection Act (CIPA), 47 U.S.C. § 254(h) and (l), and the Neighborhood Children's Internet Protection Act (N-CIPA) and any applicable implementing regulations.

The Charter School will also comply with Chapter 711 of Title 22 of the Pennsylvania Code, the Public School Code, the applicable House Bill 1067 Public School Code amendments relating to safe schools and bullying, and applicable provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) and its applicable implementing regulations regarding the discipline of special education students and thought-to-be eligible students who engage in an act of bullying.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**