



## **Student Bullying Prohibition Policy**

### **PURPOSE**

St. Croix Preparatory Academy (SCPA) strives to provide a safe, secure and respectful learning environment for all students in the school building, on school grounds, school buses and at school-sponsored activities. Bullying is conduct that interferes with a student's ability to learn and a teacher's ability to educate.

This policy protects students against bullying and harassment on the basis of actual or perceived race, ethnicity, color, creed, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation, including gender identity and expression, academic status related to student performance, disability, status with regard to public assistance, age, military status, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic defined in Chapter 363A. This policy also protects any student who voluntarily participates in any school function or activity, whether the student is enrolled in the district or not.

### **DEFINITIONS**

Prohibited conduct ("bullying") means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students creating an actual or perceived imbalance of power between the student engaging in bullying and the target of bullying that has or can be reasonably predicted by repeated forms or pattern to have one or more of the following effects:

- Placing the student in reasonable fear of harm to the student's person or property.
- Causing a substantially detrimental effect on the student's physical or mental health.
- Substantially interfering with the student's educational opportunities and performance.
- Substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying may take various forms, including without limitation, one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or

retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

"Cyberbullying" means using electronic information and communication technologies to bully. This may include, but is not limited to a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network, Internet, website or forum, transmitted through a computer, cell phone, or other electronic device.

"Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of the student who is the target of the prohibited conduct. Remedial response also means a measure to stop and correct retaliation for asserting, alleging, reporting or providing information about prohibited conduct (retaliation) or knowingly making a false report about prohibited conduct (false report), prevent retaliation or false reports from recurring and protect, support and intervene on behalf of the student who is the target of the prohibited conduct.

"School employee" includes school board members, administrators, faculty, educational assistants, volunteers, and all school employees and contractors engaged in providing services and supervision to students.

## **PROHIBITIONS**

Bullying of a student or group of students is prohibited:

- During any school-sponsored or school-sanctioned programs, activities, events, or trips.
- In school buildings, school property, on school buses or other school provided transportation, and at designated locations for students to wait for buses and other school provided transportation.
- Through the transmission of information from a school computer or computer network, or other electronic school equipment.
- When communicated through any electronic technology or personal electronic device while on school property, on school buses or other school-provided transportation, at bus stops, and at school-sponsored or school-sanctioned events or activities.
- Off campus communication and use of electronic technology which seriously disrupts any student's education.

Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited. False accusations or reports of bullying against another student are also prohibited.

## **RESPONSE**

Each SCPA Principal/Director is the person responsible for receiving reports of bullying in their school. They will ensure this policy and its procedures are fairly and fully implemented and serve as the primary contact on policy and procedural matters. If the complaint involves the Principal/Director, the complaint shall be made or filed directly with the Executive Director.

## **INVESTIGATION**

When investigating a complaint, the Principal/Director may take into account the following factors:

- The developmental ages and maturity levels of the parties involved.
- The levels of harm, surrounding circumstances, and nature of the behavior.
- Past incidences or past or continuing patterns of behavior.
- The relationship between the parties involved.
- The context in which the alleged incidents occurred.

Investigation of a bullying incident shall be initiated within three school days of receipt of a report (e.g. via the SCPA Bullying/Harassment Complaint Form) and be completed within 10 school days, unless the Principal/Director grants in writing an additional five-day extension due to extenuating circumstances.

The purpose of the investigation is to make a determination as to whether a reported incident constitutes a case of bullying. These determinations will be made in consideration of the totality of the facts and the circumstances surrounding the incident, such as the nature of the behavior, past incidents or continuing patterns of behavior, the relationship between the parties involved and the context in which the alleged incident occurred. If the Principal/Director determines the reported incident may involve criminal activity or the basis for criminal charges, information about the incident will be conveyed to the appropriate law enforcement authorities.

## **CONSEQUENCES**

Many student conflicts can be resolved immediately and do not require reporting or submission of an SCPA Bullying/Harassment Complaint Form. SCPA will respond to bullying in a manner tailored to the individual incident, considering the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance.

Remedial actions for the student harmed may include, but not be limited to, referral to staff for one-to-one support; regularly scheduled check-in and check-out with a trusted employee in the school; choice to participate in a mutually agreed upon restorative process.

Remedial actions for the student who violated the prohibited conduct policy, may include but not be limited to, a referral to appropriate staff for teaching and re-enforcing appropriate school behavior; a coordinated behavior plan that may include a plan to prevent the prohibited conduct from recurring; a meeting between the administrator and the family of the student who did the harm. Consequences may also include but not be limited to a warning, detention, suspension, or expulsion. When an investigation determines that bullying occurred, the Principal/Director will impose consequences immediately and consistently.

## **APPEAL**

Any party who is not satisfied with the outcome of the investigation may appeal to the Executive Director within 10 school days of notification of the Principal/Director's decision. The Executive Director will conduct a review of the appeal and, within 10 school days of receipt of the appeal, will affirm, reverse or modify the findings of the report. The Executive Director shall notify the party requesting the appeal and the Principal/Director that his decision is final.

## **SCHOOL EMPLOYEES**

When it is determined that a school employee was aware prohibited conduct was taking place but failed to report it, the employee will be considered to have violated this policy. The Principal/Director may consider employee discipline for such violations.

## **REPRISAL**

The school will take appropriate action against any student or employee who retaliates against any person who reports alleged bullying or against any person who testifies, assists or participates in an investigation, or against any person who testifies, assists or participates in a proceeding or hearing relating to such bullying. Retaliation includes, but is not limited to any form of intimidation, reprisal, harassment or intentional disparate treatment.

## **NOTICE AND DISSEMINATION OF REQUIREMENTS**

SCPA will give annual notice of this policy to students, parents or guardians, and school employees, and this policy shall appear in appropriate handbooks and be posted on the school's website. This policy will also be posted in summary form in the school building in areas accessible to students and employees. The Policy will be included in appropriate handbooks and distributed to employees and independent contractors at the beginning of their employment.

## **PROFESSIONAL DEVELOPMENT**

Professional development will be offered to staff annually. The content of this professional development will include, but not be limited to

- Appropriate strategies to prevent and intervene in incidents of bullying
- Research findings on bullying, as well as recognizing, understanding, responding to, and reporting bullying/cyberbullying.
- Reviewing the School's reporting requirements and process for handling bullying/cyberbullying incidents.