
NEW DESIGNS CHARTER SCHOOLS

Bullying Prevention Policy & Administrative Regulations

The New Designs Charter Board of Education is committed to providing all students with a safe and healthy school environment. To that end, the school and the community have an obligation to promote mutual respect, tolerance and acceptance, and not tolerate behavior that infringes on the safety of any student, including bullying. Students and staff shall immediately report any suspected or observed bullying to site administration for investigation and appropriate action.

Bullying is defined as the harassment of students, intimidation, a hazing or initiation activity, ridicule, extortion, or any other verbal, written, electronic communication, or physical conduct, repeated over time, that causes or threatens to cause bodily harm or emotional suffering, creates a hostile learning environment, or disrupts the normal operation of a school, classroom, or school related activity.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Students who engage in bullying (including cyberbullying) on campus, traveling to or from school, at school activities, or in a manner otherwise related to school attendance, shall be subject to school disciplinary procedures. A student shall be subject to school disciplinary action for off-campus expressions (including via electronic means), when such expressions are obscene, libelous or slanderous, or when such expression poses a threat to the safety of other students, staff or school property, or disrupts the educational program.

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board Policy, and Administrative Regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

Legal References: Education Codes 32261(f)(g), 48900, 48900.2, 48900.3, 48900.4, 48910, 48911, 48915, 48915.5, 48918, 48918.5

The school prohibits bullying at any location or activity under the jurisdiction of the school system. Any student who engages in bullying may be subject to disciplinary action up to and including expulsion, in accordance with applicable Board Policy and Education Code sections. In addition to disciplinary action, any student who engages in cyberbullying using the school network, or school-owned equipment on or off school premises, may have their user privileges revoked.

Students and/or staff shall immediately, or when it is safe to do so, report incidents of bullying to the principal or designee. Each complaint of bullying shall be investigated. If the complainant or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the Principal. Retaliatory behavior against any complainant or any participant in the complaint process is prohibited. Teachers should discuss this policy with their students in age-appropriate ways.

A. Bullying Defined

Bullying includes verbal, written, physical conduct, or electronic communication, repeated over time, that causes or threatens to cause bodily harm, emotional suffering, creates a hostile learning environment, or disrupts the normal operation of a school, classroom, or school related activity.

These incidents will be acted upon when they are related to school activity, including but not limited to while students are on school grounds at any time, in route to and from school or a school-sponsored activity, during the lunch period whether on or off campus, or through social or electronic communications that impacts a school activity or school attendance.

Bullying may include, but is not limited to making unsolicited written, verbal, physical and/or visual contact, including but not limited to:

1. Direct physical contact such as hitting or shoving
2. Verbal assaults such as teasing or name-calling, intimidating/threatening comments, slurs, innuendos, teasing, jokes, epithets, racial slurs, degrading remarks about actual or perceived immigration status or religious beliefs and customs, or spreading rumors
3. Intimidating /threatening letters, notes, messages or electronic communications
4. Leering or gestures
5. Socially isolating or manipulating a student
6. Harassment of students or staff
7. Intimidation, hazing or initiation activity
8. Ridicule
9. Extortion
10. Making reprisals, threats of reprisals, or implied threats of reprisal
11. Engaging in implicit or explicit coercive behavior to control, influence or affect the health and well-being of a student
12. Breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation or friendships

B. Bullying Prevention

To the extent possible, school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed through student handbooks and other appropriate means, of school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

The school may provide students with instruction in the classroom, or other educational settings, that promote effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior. Such instruction shall educate students about the negative impact of bullying other students based on their actual or perceived immigration status or their religious beliefs and customs.

School staff may receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies. Based on

an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias, etc.

C. Retaliation Prohibited

The initiation of a report of bullying should not reflect on the reporting student or witnesses in any way. It should not affect the student's future relationship with the school system, grades, class section or other matters pertaining to his/her status as a student in any program.

D. Investigation Procedures

1. Reporting Allegations of Bullying

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Chief Executive Officer or designee shall develop means for students to report threats or incidents confidentially and anonymously.

If direct communication with the person whose conduct is offensive has been ineffective or would be impracticable, the aggrieved student should communicate his/her concern to a teacher, counselor, principal or assistant principal. All complaints of bullying shall be forwarded to a site administrator.

As appropriate, the Chief Executive Officer or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

2. Responsibilities of Employees

When it is safe to do so, employees who receive reports of bullying or observe an act of bullying should immediately stop the behavior and inform the principal or designee at the school the student attends. It is the responsibility of the employee, regardless of whether a student has complained, asked the school to take action, or identified the harassment as bullying to report the incident.

3. Administrative Review and Procedure

a. Investigation

All matters regarding bullying should be thoroughly investigated within five days of the initial report. The student accused of bullying should be informed of the investigation and given the opportunity to present his/her version of the situation and to identify witnesses on his/her behalf. Parents of both the accused and the student filing the complaint should be contacted as appropriate.

b. Establishing School Jurisdiction

School jurisdiction shall be established for an allegation of bullying when it is determined to be related to school activity and one of the following conditions are met:

- i) The incidents occurred at school
- ii) The incidents occurred at a school activity
- iii) The incidents occurred while enroute to or from school or a school activity
- iv) The incidents occurred via electronic communications and resulted in:

- (1) A disruption of the school's educational program
- (2) The creation of a hostile learning environment for one or more students
- (3) A negative impact on one or more students' attendance

- (4) The incidents occurred off campus, and the Superintendent or designee document the activity and identify specific facts or circumstances that explain the impact or potential impact on school activity, school climate, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Chief Executive Officer or designee also may file a complaint with the Internet site or service to have the material removed.

c. Confidentiality

Reasonable efforts will be made to keep a report of bullying and the results of the investigation confidential. Witnesses should be informed of the confidential nature of the investigation and should be asked to refrain from disclosing the nature of the investigation to others.

d. Corrective Action/ Discipline

Upon completion of the investigation, the principal or designee should determine the appropriate action, if any, to take. Corrective action may include, but not be limited to, counseling, warning, or initiating disciplinary procedures up to and including suspension, involuntary transfer or expulsion against the offending student. Corrective action should be designed to prevent reoccurrence of the bullying. All corrective actions shall be recorded in the Student Information System.

4. Follow-up

The site administrator will ensure that students and their families know how to report subsequent problems and conduct follow-up inquiries to determine if there have been any instances of retaliation and respond promptly to address continuing or new problems.

A bullying resolution may be appealed consistent with Board policy, administrative regulation and law.

- a) The burden shall be on the appealing party to show why the principal's/designee's decision should be overruled.
- b) Immediately following or within ten (10) days of the resolution, the appealing party shall complete and submit a written request to the Chief Executive Officer specifying the reasons why the resolution is being challenged
- c) The school's written decision to support or overrule the resolution will be sent to the principal/designee, and the parent/guardian.
- d) Within 30 days of receiving the request, the Chief Executive Officer shall determine whether or not to approve or deny the parent/guardian's request. Prior to making this determination, the

Chief Executive Officer may meet with the appealing party and principal/designee. If the Chief Executive Officer determines that the appealing party has overwhelmingly proven that the principal's/designee's decision should be overruled, he/she shall overrule the site's decision.

- e) The Chief Executive Officer's decision may be appealed by submitting a written request to the Board within 15 school days. Within 30 days of receipt of a written appeal, or at the next scheduled Board meeting, the Board shall meet in closed session to decide the appeal. The Board's decision may be made on the basis of documentation prepared as part of the appeal process or, at the discretion of the Board, the Board may also meet with the appealing party, the principal/designee, and the Chief Executive Officer to decide the appeal. The decision of the Board shall be final.

E. Mandated Notification

At the beginning of the school year, each family should receive a summary of the policy prohibiting bullying. This policy and administrative regulation shall be annually reviewed with each staff member.