

# **School Lane Charter School**

## **Board of Trustees Policy**

### **ANTI-BULLYING & ANTI-HAZING POLICY**

The Board of Trustees ("Board") of the School Lane 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 as well as to promote positive interaction among students through participation in Charter School sponsored groups or organizations. Bullying, cyberbullying and hazing like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and participate in the School community and the Charter School's ability to educate its students in a safe environment. Therefore, in order to ensure and promote a safe learning environment, it shall be the policy of Charter School to maintain an educational environment that is intolerant of bullying, cyberbullying or hazing 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, cyberbullying or hazing. This policy pertains to all students and staff, regardless of their status. This policy also applies to all students and staff whose conduct out of school materially and substantially interferes with the educational process at Charter School.

Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion. Training will be provided to teachers, administrators, and staff as part of a rotating schedule of annual safety topics. Training will be conducted by the building principal or designee as well as outside providers to address needs communicated by the school around this issue.

#### **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 the Charter School's server or the 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. Additionally, any student whose out of school conduct materially interferes with or substantially disrupts the educational process in the school is also subject to this policy.

### **Cyberbullying**

Cyberbullying is often seen by sending harmful or cruel material, text messages and/ or images or engaging in other forms of social aggression and bullying using the Internet, cell phones, or other technology resources. All students, staff, volunteers and contractors shall comply with the Charter School's Acceptable Use and Internet Safety Policy, which is required under the Children's Internet Protection Act ("CIPA"), and review the Charter School's Social Media and Networking Guidelines Policy when using any technology resources.

Cyberbullying via the Internet is seen with any one or more of a number of methods, including, but not limited to:

- Email sent to the intended victim;
- Blog entries regarding the intended victim;
- Posts on social networking websites;
- Posting victim's pictures on the Internet or networking websites with derogatory phrases or questions attached to them;
- Using instant messaging tools to harass victims;
- Creating an Internet parody of the intended victim;
- Creating fake Internet profiles for the victim on a public website;
- Creating or accessing an unauthorized website which harasses or bullies the victim;
- Using camera phones and/or digital cameras to take embarrassing photographs of students and/ or staff and posting them online;
- Excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

Cell phones are also often used for cyberbullying for things such as calling or text messaging the victim and/or using a victims' cell phone to text or call another victim using harassing language.

The use of the Internet or Charter School email does not necessarily have to involve the creation of the offensive materials. Rather, the person creating the offensive material may do it on a home computer.

and then use Charter School's computers to take such actions as accessing it, viewing it, displaying it for others to see, disseminating copies of it to others or otherwise publicizing the contents.

Charter School strictly prohibits the above conduct and any conduct by any student or staff that creates or intends to create an intimidating, threatening, offensive or hostile learning environment.

### **Hazing**

On May 24, 2016, Sections 2 and 4 of the Act of December 15, 1986 (P.L.1595, No.175), known as the Anti-Hazing Law, were amended to apply this Law to public and private secondary schools as defined below. The amended Anti-Hazing Law was passed by the Legislature and went into effect on July 25, 2016. The following words and phrases when used in this Act shall have the meanings as set forth in the amended Anti-Hazing Law as passed by the Legislature:

- Hazing. Any action or situation, which recklessly or intentionally endangers the mental or physical health or safety of a person or which willfully, destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual, or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the initiation, admission into, affiliation with, or continued membership in an organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding.

### **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.

The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents and guardians, staff, and community members of Charter School, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school and community property on the part of students, staff, and community members.

Since bystander support of bullying, cyberbullying and hazing can bolster these types of behaviors, the Charter School prohibits both active and passive support for acts of bullying, cyberbullying and hazing. 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 the victim of bullying or cyberbullying or hazing shall have the right to file a complaint. Complaints should be reported to the CEO or his/her designee. Complaints may also be reported directly to a teacher, guidance counselor, or other administrator who shall immediately report the incident to the CEO or his/her designee in order to protect the alleged victim and for prompt investigation.

Any staff who sees any incidents of bullying or cyberbullying or hazing must immediately report the incident(s) to the CEO or his/her designee. 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 or his/her designee to investigate promptly and thoroughly any and all bullying, cyberbullying or hazing 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 is received.

The Board requires the CEO or his/her designee to be responsible for determining whether an alleged act constitutes a violation of this policy. In determining whether alleged conduct constitutes bullying or cyberbullying or hazing, 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, the Charter School shall take prompt corrective action to ensure the bullying, cyberbullying and/ or hazing ceases and will not reoccur.

Reports to the CEO or his/her designee may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

Upon receipt of a report of alleged act in violation of this policy, the CEO or his/her designee shall immediately notify the parent or guardian of the perpetrator of the bullying, cyberbullying and/or hazing and the parent or guardian of the victim of the alleged incident(s).

### **Consequences for Violations**

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying, cyberbullying or hazing may range from positive behavioral interventions up to and including in school or out of school suspension from the Charter School or expulsion or other disciplinary removal from the Charter School, in the case of a student, or suspension or termination in the case of an employee, as set forth in the Charter School's Student Code of Conduct or Employee Handbook.

The Anti-Hazing Law also allows for the withholding of diplomas or transcripts pending compliance with the rules or pending payment of fines and the imposition of probation, suspension [or], dismissal or expulsion.

In the case of an organization which authorizes hazing in blatant disregard of such rules, penalties may also include rescission of permission for that organization to operate on campus or other school property or to otherwise operate under the sanction or recognition of the Charter School.

All penalties imposed under the authority of this section shall be in addition to the penalty imposed by the criminal laws of this State or for violation of any other Charter School rule to which the violator may be subject. If the bullying, cyberbullying and/or hazing constitute criminal activity, police will be notified in accordance with the Charter School's Memorandum of Understanding with local law enforcement. This may lead to a criminal investigation and criminal charges against the student or staff. Consequences for a student who commits an act of bullying, cyberbullying or hazing 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, cyberbullying and/or hazing 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 strictly prohibits retaliation or reprisal against any person who reports bullying, cyberbullying and/or hazing 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, cyberbullying or hazing. 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 prohibits any person from falsely accusing another of bullying, cyberbullying or hazing. The consequences and appropriate remedial action for a student found to have falsely accused another of bullying, cyberbullying or hazing 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, cyberbullying or hazing shall be disciplined in accordance with Charter School policies, procedures, and agreements.

### **Disabled Students**

For those students who meet the disability definitions of IDEA and/ or Section 504, both Section 504 and Title II protect these disabled students from bullying or hazing by teachers, other school employees, and third parties. Such prohibited behavior can trigger a school's obligation to address disability-based harassment, remedy a denial of a free and appropriate public education ("FAPE"), or both. The U.S. Department of Education's Office of Civil Rights ("OCR") would find a disability-based harassment violation under Section 504 and Title II when: (1) a student is bullied or hazed based on a disability; (2) the bullying or hazing is sufficiently serious to create a hostile environment; (3) school officials know or should know about the bullying or hazing; and (4) the school does not respond appropriately.

### **Annual Distribution of Information**

The Board 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 and hazing that occur in the Charter School, on Charter School grounds, on Charter School property, using Charter School equipment and/or technology, on Charter School servers or Charter School electronic, web-based, Internet or online programs, in Charter School vehicles, at designated bus stops or at any activity or organization sponsored, supervised or sanctioned by the Charter School and any time spent necessarily traveling to and from these locations. Additionally, any student or staff's out of school conduct that materially and substantially interferes with the educational process in the Charter School is also subject to this policy.

The Charter School is required to post this policy on its website. 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, cyberbullying and hazing 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.

### **Compliance**

As required by the Federal Broadband Data Improvement Act of 2008, the Charter School shall educate elementary and secondary school aged students with computer access to the Internet about appropriate online behavior, including online interaction with other individuals on social networking websites, such

as Facebook and Twitter, and in chat rooms and educate them regarding cyberbullying awareness and response.

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 and hazing, including, but not limited to, the requirements delineated in the Pennsylvania Charter School Law, 24 P.S. S 1701-A, et seq., the Federal Children's Internet Protection Act (CIPA), 47 U.S.C. S 254(h) and (l), and the Neighborhood Children's Internet Protection Act (N-CIPA) and any applicable implementing regulations and the PA Anti-Hazing Law (P.L. 1595, No.175).

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.

Specifically, with regard to the PA Safe Schools Act, Charter School administration shall annually provide the following information with the Safe School Report:

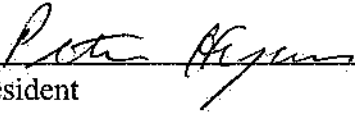
1. Board's Anti-Bullying Policy.
2. Report of bullying incidents.
3. Information on the development and implementation of any bullying prevention, intervention or education programs.


### **Training**

To ensure bullying does not occur on school campuses, the Charter School will provide staff development training in bullying prevention and cultivate acceptance and understanding in all students and staff to build each school's capacity to maintain a safe and healthy learning environment.

**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.**

ADOPTED this day 27th of July, 2023

  
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President

  
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Attest