

Bullying and Harassment

Bullying is a form of harassment. Students who engage in any act of bullying while at school, at any school function, in connection to or with any school sponsored activity or event, or while in route to or from school are subject to disciplinary action, up to and including suspension or expulsion. Law enforcement officials shall be notified of bullying incidents, as required by law. Such conduct is disruptive of the educational process therefore, bullying is unacceptable behavior at Valley Academy Charter (VAC) and is prohibited.

I. Definitions

- A. "Bullying" is the repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It may include, but not limited to actions such as verbal taunts, name-calling and put downs, including ethnically-based or gender-based verbal putdowns, and extortion of money or possessions. Bullying may also include, but is not limited to committing an act against any protected class such as religion, race, color, national origin, sexual orientation, gender identity, or disability that:
- a. Endangers the physical health or safety of a school employee or student;
 - b. Involves any brutality of a physical nature such as whipping, beating, branding, calisthenics, bruising, electric shocking, placing of harmful substance on the body, or exposure to the elements;
 - c. Involves forced or involuntary consumption of any food, liquor, drug, or other substance;
 - d. Involves forced or coerced actions or activities of a sexual nature or with sexual connotations;
 - e. Involves other physical activity that endangers the physical health and safety of a school employee or student;
 - f. Involves physically obstructing a school employee's or student's freedom to move;
 - g. Is done for the purpose of placing a school employee or student in fear of:
 - i. physical harm to the school employee or student;
 - ii. harm to property of the school employee or student.

The conduct described above constitutes bullying, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

- B. "Hazing" means intentionally or knowingly committing an act of bullying that is done for the purpose of initiation or admission into affiliation with holding office in, or as a condition for, membership or acceptance, or continued membership or acceptance, in any school or school sponsored team, organization, program, or event; or if the person committing the act against a school employee or student knew that the school employee or student is a member of, or candidate for, membership with a school, or school sponsored team, organization, program, or event to which the person committing the act belongs to or participates in. The conduct described above constitutes hazing, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.
- C. "Cyberbullying" means the use of email, instant messaging, chat rooms, cell phones, or other forms of information technology to deliberately harass, threaten, or intimidate someone for the purpose of placing a school employee or student in fear of:
- a. Physical harm to the school employee or student;
 - b. Harm to property of the school employee or student.
- D. "Electronic Communication" means any communication by electronic, electromechanical, or electro-optical communication device from the transmission and reception of audio, image, or text, but does

not include broadcast transmissions or similar communications that are not targeted at any specific individual.

- E. "Electronic Communication Device" includes telephone, facsimile, electronic mail, or pager.
- F. "Electronic Communication Harassment" is when a person is guilty of electronic communication harassment and subject to prosecution in the jurisdiction where the communication originated or was received if with intent to annoy, alarm, intimidate, offend, abuse, threaten, harass, frighten, or disrupt the electronic communications of another, the person:
 - a. Makes repeated contact by means of electronic communications:
 - i. Whether or not a conversation ensues;
 - ii. After the recipient has requested or informed the person not to contact the recipient, and the person repeatedly or continuously:
 - 1. Contacts the electronic communication device of the recipient;
 - 2. Causes an electronic communication device of the recipient to ring or to receive another notification of attempted contact by means of electronic communication.
 - 3. Makes contact by means of electronic communication and insults, taunts, or challenges the recipient of the communication or any person at the receiving location in a manner likely to provoke a violent or disorderly response;
 - 4. Makes contact by means of electronic communication and threatens to inflict injury, physical harm, or damage to any person or the property of any person;
 - 5. Causes disruption, jamming, or overload of an electronic communication system through excessive message traffic or other means utilizing an electronic communication device.
- G. "Retaliate" means an act or communication intended:
 - a. As retribution against a person for reporting bullying or hazing;
 - b. To improperly influence the investigation of, or the response to, a report of bullying or hazing.
- H. "School" means Valley Academy Charter School.
- I. "School Board" means VAC's Board of Directors
- J. "School employee" means school teachers, staff, administrators, and all other employed or authorized as volunteers, directly or indirectly, by the school or school board.

II. Purpose

The purpose of this policy is to eliminate all types of bullying and hazing by and against students and employees of Valley Academy Charter School (VAC). This will be accomplished through awareness efforts, training, identification, and disciplinary action against those who violate this Policy. A secondary purpose is to provide clear standards and a safe and accessible reporting process for victims of bullying and hazing.

III. Prohibitions

- A. No school employee or student may engage in bullying or cyberbullying a school employee or student;
 - a. On school property;
 - b. At a school related or sponsored event
 - c. While the school employee or student is traveling to or from a location or event described above.

- B. No school employee or student may engage in hazing a school employee or student at any time or in any location.

- C. No school employee or student may engage in retaliation against
 - a. A school employee;
 - b. A student;
 - c. An investigator for, or witness of, an alleged incident of bullying, cyberbullying, hazing, or retaliation.

IV. Actions Required

- A. VAC shall establish procedures and plans for:
 - a. Involving parents or guardians of an accused perpetrator or victim of bullying, hazing, or retaliation in the process of responding to, and resolving, conduct prohibited in this Policy;
 - b. Referring a victim of bullying or hazing to counseling following parental notice and consent;
 - c. To the extent permitted by federal and state law, including the federal Family Education Privacy Right Act of 1974, as amended, informing the parents or guardians of a student who is a victim of bullying or hazing of the actions taken against the perpetrators of the bullying or hazing
 - d. Publicizing this policy, preferably including electronic publication and availability, to school employees, to students, and parents/guardians of students;
 - e. Training school employees and students to recognize and prevent bullying, hazing, or retaliation.

V. Actions required if Prohibited Acts are Reported

- A. Each reported complaint shall include: (1) name of complaining party; (2) name of offender (if known); (3) date and location of incident(s); (4) a statement describing the incident(s), including names of witnesses (if known).

VI. Procedure for Anonymously Reporting Bullying Students may anonymously report bullying, hazing, or retaliation to any or all of the persons listed below:

- A. VAC's Director
- B. VAC's Assistant Director(s)
- C. VAC's School Counselor

Names, contact information and procedures for reporting bullying anonymously are available on the VAC website.