

THREATS, BULLYING (INCLUDING CYBER BULLYING), INTIMIDATION, HARRASMENT AND HAZING

The MAX Charter School Board is committed to maintaining a safe, orderly, civil and positive learning environment so that no student feels threatened while in school or participating in school-related activities. Students and their parents/guardians shall be notified that the school and all other school environments are to be safe and secure for all. Therefore, all statements or actions of a bullying intimidating, threatening, harassing, hazing, or any other violent nature made on campus, at school-sponsored activities, at school bus stops shall not be tolerated. Even if made in a joking manner, these statements or actions threatening other students, school personnel, or school property shall be unacceptable.

All students, teachers, and other school employees shall take responsible measures within the scope of their individual authority to prevent violations of this policy.

THREATS, BULLYING (INCLUDING CYBER BULLYING), INTIMIDATION, HARASSMENT

Threats shall mean an expression of intent to do harm or act out violently against someone or something- - which can either be spoken, written, or symbolic.

Bullying, intimidation, and harassment shall mean any intentional gesture or written, verbal, or physical act that a reasonable person under the circumstances should know will have the effect of harming a student or damaging his/her life or person or damage to his/her property and is so severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for a student.

Cyber bullying is a form of bullying which shall mean harassment, intimidation, or bullying of a student on school property, by another student using a computer, mobile phone, or other interactive or digital technology, or harassment, intimidation, or bullying of a student while off school property by another student using such means when the action(s) are intended to have a harassing or intimidating effect on the student when the student is on school property.

HAZING

Hazing shall mean any knowing behavior, whether by commission or omission, of any student to encourage, direct, order, or participate in any activity which subjects another student to potential physical, mental, or psychological harm for the purpose of initiation, or admission into, affiliation with, continued membership in, or acceptance by existing members of any organization or extracurricular activity at a public elementary or secondary school, whether such behavior is planned or occurs on or off school property, including any school bus and school bus stop. Hazing does not mean any adult-directed and school-sanctioned athletic program practice or event or military training program.

Any solicitation to engage in hazing, and the aiding and abetting another person who engages in hazing shall be prohibited. The consent, stated or implied, of the hazing victim shall not be a defense in determining disciplinary action.

REPORTING PROCEDURES

Any student who believes he or she has been the victim of bullying, cyber bullying, intimidation, threatening behavior, harassment or hazing by a student, teacher, administrator or other school personnel, or by any other person who is participating in, observing, or otherwise engaged in activities including sporting events and other extracurricular activities, under the auspices of the school district or a school within the school system, is encouraged to immediately report the alleged acts to any appropriate school district official.

Any teacher, administrator, or other school personnel who has or receives notice that a student has or may have been the victim of bullying, cyber bullying, intimidation, threatening behavior, harassment, or hazing at school or any school activity shall be *required* to immediately report the alleged acts to an appropriate school district official.

At the School Building Level

The principal shall be the person responsible at the school level for receiving oral or written reports of bullying, cyber bullying, intimidation, threatening behavior, harassment, or hazing of a student. Any other school administrator, teacher, or other school personnel who receives a report of bullying, cyber bullying, threatening behavior, harassment or hazing of a student shall immediately inform the principal, or his/her designee.

INVESTIGATION OF COMPLAINTS AND REPORTS

The Principal or his/her designee shall immediately investigate or authorize the investigation of all reports and complaints involving alleged bullying, cyber bullying, intimidation, threatening behavior, harassment or hazing of students. Investigations may consist of personal interviews with the complainants or the individual who is alleged to have been bullied, cyber bullied, intimidated, threatened, harassed or hazed, the individual or individuals against whom the complaint is made, witnesses, and any other persons who may have knowledge of the alleged incident or incidents or circumstances leading to or giving rise to the complaint. Other methods of investigation also may be used and pertinent documents may be examined by the investigator.

During the pendency of an investigation, the school district may take immediate steps, at its discretion, to protect the complainant, students, teachers, administrators or other school personnel pending completion of the investigation.

Investigations shall be completed as soon as practicable. A written report shall be prepared upon the completion of the investigation. If the complaint involves the Principal, the report shall be made and filed directly with the School Board. The written report shall include determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

DISCIPLINARY ACTION

The school district shall take appropriate action in response to a report following an investigation or any alleged bullying, cyber bullying, intimidation, threatening behavior, harassment, or hazing of a student. When the report determines that the alleged act or conduct appears to be in violation of this policy, disciplinary action shall be taken as outlined in the *Student Code of Conduct*. However, serious acts of bullying, cyber bullying, intimidation, harassment, threatening behavior, or hazing that include physical danger, physical humiliation, sexual acts, nudity, or boundary testing i.e. placing individuals in dangerous situations, excessive hitting, alcohol drinking, etc. shall be referred to the Office of Child Welfare and Attendance utilizing specific investigative forms provided by the MAX Charter School Board. The principal/designee shall contact the parent, tutor, or legal guardian of the pupil being disciplined for alleged misconduct to notify them of the disciplinary action.

Whenever the act or conduct determined to be a violation of this policy may also constitute a violation of state or federal criminal statute, the appropriate law enforcement officer shall be promptly notified.

Appeal

The parent of a student disciplined for violation of this policy may appeal to the Principal or his/her designee no later than five (5) days after being notified of the disciplinary action. The Principal or his/her designee shall review all documentation regarding the incident, and if determined to be necessary by the Principal or designee, conduct a hearing on the matter. The results of the review or hearing shall be sent to the parents or legal guardian within three (3) school days. The decision of the Principal shall be final, except for a student expulsion, which may be appealed to the School Board in accordance with statutory provisions.

DISSEMINATION OF POLICY

This policy shall be conspicuously posted in each school in a place or places accessible to all students, teachers and other personnel.

The school district shall develop a method for discussing this policy with students which shall take into account their level of understanding based upon their grade level or other consideration generally applicable to students enrolled in the same class or grade. The school district also shall discuss this policy with administrators and teachers, and other school personnel whose employment duties bring them into contact with students.

Adopted: November 2010