

Excell Academy Bullying Prohibition Policy 2014-2015 School Year

PURPOSE

Excell Academy for Higher Learning strives to provide safe, secure and respectful learning environments for all students in school buildings, on school grounds, school buses and at school-sponsored activities. Bullying, like other disruptive or violent behavior, 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 district 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.
- "Immediately" means as soon as possible but in no event longer than 24 hours.
- "District employee" includes school board members, administrators, educators, aids, school counselors, social workers, psychologists, other school mental health professionals, nurses and other school-based/linked medical providers/health professionals, cafeteria workers, custodians, bus drivers, athletic coaches, extracurricular activities advisors, paraprofessionals, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district and its students.

PROHIBITIONS

Bullying of a student or group of students is prohibited:

1. During any school-sponsored or school-sanctioned programs, activities, events or trips.
2. In school buildings, school property, on school buses or other school district-provided transportation, and at designated locations for students to wait for buses and other school district-provided transportation.
3. Through the transmission of information from a school district computer or computer network, or other electronic school equipment.

4. 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.
5. 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.

REPORTING

Excell Academy will utilize three defined ways to report bullying:

1. A bullying hotline and email will be provided to anonymously report acts of bullying. Both the hotline and the email will be checked daily.
 - Bullying Hotline: (612) 567-8809
 - Bullying Email: Stopbullying@excellacademy.org
2. A bullying drop box will be provided to anonymously report acts of bullying. The drop box will be checked daily.
3. Verbal communication to the administration/designee.

RESPONSE

School administration or designee (hereinafter administration/designee) is the person responsible for receiving reports of bullying at the building level. They will ensure this policy and its procedures are fairly and fully implemented and serve as the primary contact on policy and procedural matters implicating both the district or school and department. If the complaint involves the administration/designee, the complaint shall be made or filed directly with the Director/CEO.

When investigating a complaint, administration/designee 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 and be completed within 10 school days, unless the administration/designee grants in writing an additional five-day extension due to extenuating circumstances.

Consequences - Many student conflicts can be resolved immediately and do not require reporting or creation of an incident report. Excell Academy 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. Appropriate responses and consequences are outlined in the Behavior Policy in the Student Handbook.

Appeal - Any party who is not satisfied with the outcome of the investigation may appeal to the board of directors within 10 school days of notification of the administration/designee's decision. The board of directors 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 board of directors shall notify the party requesting the appeal and the administration that its decision is final and shall document that notification in the incident report.