

POLICY: BULLYING CONDUCT

J PAUL TAYLOR ACADEMY

www.jpaultayloracademy.org

Adoption date: December 10th, 2014

POLICY STATEMENT. J. Paul Taylor Academy believes that providing an educational environment for all students, employees, volunteers, and families, free from harassment, intimidation, or bullying of any kind, and violence, supports a total learning experience that promotes personal growth, healthy interpersonal relationships and wellness. The safety and well-being of all students is of primary importance. J. Paul Taylor Academy prohibits and it is the School's goal of preventing and responding to acts of bullying, intimidation, threats of violence, and other similar disruptive behavior.

A. DEFINITIONS.

1. **Bullying.** Bullying is any written, verbal expression, threats of violence, or other physical act or gesture or pattern of such by another student or adult, that causes a student(s) to feel distressed or intimidated and which substantially interferes with the targeted student(s) education, opportunities or performance in school, on school grounds, in school vehicles or at school activities or sanctioned events.

2. **Harassment.** Bullying includes harassment which is knowingly pursuing a pattern of conduct that is intended to annoy, alarm, or terrorize another person. (Harassment based on race, sex, ethnicity, national origin, religion, disability, age or sexual orientation is addressed below under "Anti-Discrimination and Harassment Policy").

3. **Hazing.** Is defined as committing an act against a student, or coercing a student into committing an act, that creates a risk of harm to that student, in order for that student to be initiated into or affiliated with a student organization, gang, clique, or for any other purpose.

4. **Cyberbullying.** Includes any behavior considered to be an act of bullying that is carried out through an electronic communication of any kind. Cyberbullying can also mean an electronic communication that targets a specific student or group of students, is in fact seen by or disclosed to the targeted student or students; and creates or is certain to create a hostile environment on the school campus that is so severe or pervasive as to substantially interfere with the targeted student's or students' educational benefits, opportunities or performance.

5. **Electronic Technologies.** Includes computers, laptops, tablets, smart phones, desktop computers, networks, electronic mail, Internet access, and any other form of electronic resources and mobile devices.

6. **Bullying Conduct.** As used in this policy, the term "Bullying Conduct" shall include any one or all of the above defined types of prohibited conduct; bullying, cyberbullying, hazing and harassment.

B. EXAMPLES. Actions, including actions using electronic technologies, that will be viewed as prohibited conduct include, but are not limited to:

1. Bullying, Cyberbullying and Harassment.

- Spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.
- Repeated teasing, use of sarcasm or malicious jokes.
- Name-calling, belittling comments.
- Nonverbal behavior such as gestures, or graphic written statements.
- Conduct that is physically threatening, harmful, intimidating or humiliating.
- Inappropriate physical restraint.
- Posting mean, embarrassing, threatening, intimidating or humiliating pictures, videos, websites, comments, fake profiles or other communications over social media platforms, such as Facebook, Twitter, Instagram, LinkedIn, Pinterest (not an inclusive list).

2.Hazing.

- Any type of physical brutality such as whipping, beating, striking, branding, shocking, or placing a harmful substance on the body.
- Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subject the student to an unreasonable risk of harm, or that adversely affects the mental or physical health or safety of the student.
- Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student, or discourages the student from remaining in school.
- Any activity that causes or requires the student to perform a task that involves a violation of state or federal law, or school policies.

C. REPORTING AND COMPLAINTS. Students and parents may and are strongly encouraged to file verbal or written complaints concerning suspected Bullying Conduct to school personnel or the Head Administrator. See, "Bullying Complaint Form" attached at the end of the JPTA Handbook, available online, or in the administrative offices. Students, parents and/or staff should use the following guidelines when reporting Bullying Conduct:

1. Who and What? Any student who believes he/she has been the victim of Bullying Conduct by a student or school personnel, or any person with knowledge or belief of such conduct that may constitute Bullying Conduct toward a student, should immediately report the alleged acts.
2. Report to Who? The report may be made to any staff member including a teacher or directly to the Head Administrator. If the complaint is made by a student to a staff member, he or she will assist the student in reporting to the Head Administrator.
3. Prompt Notice & Form. Teachers and other school staff who witness Bullying Conduct or receive student reports of Bullying Conduct are required to promptly notify the Head Administrator. Reports should be made in writing using the Complaint Form. A copy of this form will be submitted to the Head Administrator.
4. Assisting Student Reporting. If a student makes a verbal report to a teacher, the teacher shall complete the form or take the student to the Head Administrator where a form will be completed on the student's behalf.
5. Staff Obligation to Report. A school employee who has information about or a reasonable suspicion of conduct that may constitute Bullying Conduct toward a student shall report the matter immediately to the Head Administrator.

D. INVESTIGATION. The Head Administrator or designee will accept and promptly investigate all reports of Bullying Conduct. The Head Administrator will make every effort to, but is not required to inform the parents/guardians of the victim and the accused of any report of Bullying Conduct prior to the investigation taking place. The Head Administrator may take immediate steps, including immediate removal of the student, to protect the complainant, students, school faculty and staff, or other individuals on school grounds pending the completion of an investigation.

1. Process. The investigation shall consist of personal interviews with the complainant, the individual(s) against whom the complaint was filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of other methods or documents deemed relevant by the investigator.
2. Confidentiality. The right to confidentiality, both of the complainant and the accused, shall be preserved consistent with applicable laws and to the extent possible. However, J. Paul Taylor Academy cannot guarantee absolute confidentiality, because it may be necessary to discuss the complaint with others who are witnesses or who may have information about the complaint.

3. Outcome. The investigation shall be completed as soon as possible. The Head Administrator (or investigator) shall make a written report concerning the Bullying Conduct. In determining whether the alleged conduct constitutes a Bullying Conduct, the totality of the circumstances, the nature of the conduct, the student's history, and the context in which the alleged conduct occurred will be investigated. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. A copy of the completed report will be maintained by the Head Administrator. To the extent permitted under the Family Educational Rights and Privacy Act (FERPA) (to protect the privacy of the student alleged to have committed the Bullying Conduct) the Head Administrator will notify the parent or guardian making the complaint of the outcome of the investigation. The Head Administrator or designee shall notify the parent or guardian about a determination that their student has committed an act defined as a Bullying Conduct and the consequences for the student's actions.

E. CONSEQUENCES. Verified Bullying Conduct shall result in intervention by the Head Administrator or his/her designee that is intended to ensure that this policy against Bullying Conduct is enforced. While conduct that rises to the level of a Bullying Conduct as defined above will generally warrant disciplinary action against the perpetrator, whether and to what extent to impose disciplinary action (detention, in and out-of-school suspension, expulsion, or other consequences to be determined) is a matter for the professional discretion of the Head Administrator. Certainly, repeated offense will warrant increasingly severe consequences, up to and including expulsion.

F. CONSEQUENCES FOR KNOWINGLY MAKING FALSE REPORTS. False allegations against another student, member of the faculty or staff, shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

G. RETALIATION. Retaliation against an individual who either orally reports or files a written complaint regarding a Bullying Conduct, or who participates in, or cooperates with an investigation is prohibited.

H. ANTI-BULLYING INCLUDED IN HEALTH EDUCATION CURRICULUM. "Health Education" is the instructional program that provides the opportunity to motivate and assist all students to maintain and improve their health, prevent disease, and reduce health related risk behaviors. It allows students to develop and demonstrate increasingly sophisticated health-related knowledge, attitudes, skills, and practices. It meets the content standards with benchmarks and performance standards as set forth in 6.30.2.19 NMAC. Bullying behavior and cyberbullying behavior is mentioned specifically in many areas of the Health Education performance standards, in all grade levels. All students need to be aware of bullying behavior throughout their school years. It is imperative that students are comfortable with understanding, describing, and recognizing bullying behaviors, and then in the later grades being able to analyze those behaviors and role play refusal skills. Our curriculum recognizes the importance of bully prevention skills in all grade levels as well as skills to address and prevent other violent behavior toward others.

I. DISSEMINATION OF POLICY. Parents and Staff will be reminded at the beginning of each school year about this policy, as well as their responsibilities regarding preventing and reporting Bullying Conduct. A copy of the policy will be disseminated annually and be posted on J. Paul Taylor Academy's website. A summary of this policy will be included in the Student Handbook.

J. TRAINING. Licensed school employees shall complete training on how to recognize signs of the Bullying Conduct as defined above.

K. THREATS OF VIOLENCE. Threats of violence may be deemed bullying behavior. However, threats of violence also includes threats of physical harm by a student to another student(s), school personnel, visitors, contractors or any person on school grounds, or to school property. Such threats

that result in material and substantial disruption to the school environment are taken seriously and are generally prohibited. Threats of violence may occur by a student while on or off campus and may be made through electronic communications.

1. Reports. All employees and students are required to report evidence of threats of violence to the Head Administrator. Such reports shall be investigated by the Head Administrator or designee. All such reports shall be documented by the Head Administrator. In cases of threats that may constitute a violation of criminal law, the Head Administrator, shall notify law enforcement authorities.

2. Consequences. Students who are found to have violated this policy shall be subject to discipline, including long-term suspension or expulsion.

Legal Reference: 6.12.7 NMAC

J. PAUL TAYLOR ACADEMY
BULLYING CONDUCT COMPLAINT FORM

STUDENT INFORMATION		
Name		ID#
Grade	Phone Number	Home Address
COMPLAINT FILED AGAINST		
Name		Grade (or position if not a student)
Name		Grade (or position if not a student)
INCIDENT		
Date		Time
Location		
Is this the first time this has happened? YES NO		
Is this the first time you are reporting this? YES NO		
DESCRIPTION - PROVIDE AS MUCH DETAIL AS POSSIBLE		
WITNESSES (IF APPLICABLE)		
Name	Grade/position	Phone number
Name	Grade/position	Phone number
Name	Grade/position	Phone number
REPORT INFORMATION		
Today's Date		
Did anyone help you fill out this form? YES NO		
If yes, who?		
OFFICE INFORMATION		
Who received this complaint form?		
Position		
Date Received		