**Bullying Prevention Policy Procedure**

Sycamore Creek Community Charter School (SCCCS) is committed to providing all students with a safe educational environment in which all members of the school community are treated with dignity and respect and are free from harassment, intimidation or bullying. Bullying and harassment of students by students, school employees, volunteers and visitors will not be tolerated at SCCCS. The school will not tolerate bullying or any behavior that infringes on the safety or well-being of students, staff or any other persons within the school's jurisdiction whether directed at an individual or group. SCCCS prohibits harassment, bullying, hazing, or any other victimization based on but not limited to any of the following actual or perceived traits or characteristics: age, color, creed, actual or perceived national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, immigration status, or familial status.

SCCCS expects students and/or staff to immediately report incidents to an administrator. A staff member who witnesses such acts will take immediate steps to intervene when safe to do so. Each complaint of bullying or harassment shall be promptly investigated. This policy applies to students at the school office, and during a school-sponsored activity. SCCCS and its students, parent/guardians and community have an obligation to promote mutual respect and safe, harmonious relations that support dignity and equality. To that end, SCCCS has in place policies, procedures, and practices that are designed to reduce and eliminate bullying and harassment as well as processes and procedures to address incidents of bullying and harassment when they occur. These policies and procedures must be disseminated annually to staff, students, and parents/guardians.

Parent-teachers should discuss this policy with their students in age-appropriate ways and 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.

***The Student Code of Conduct includes, but is not limited to:***

Any student who engages in bullying may be subject to disciplinary action up to and including expulsion.

Students are expected to immediately report incidents of bullying to an administrator.

Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.

If the complainant student or the parent/guardian of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the Executive Director. The school system prohibits retaliatory behavior against any complainant, or any participate in the complaint process.

***The procedures for intervening in bullying behavior include, but are not limited, to the following:***

All staff, students, and their parents/guardians will receive a summary of this policy prohibiting intimidation and bullying: at the beginning of the school year, as part of the Parent/Student Handbook and/or information packet, as part of new school orientation, and as part of the school system's notification to parents.

SCCCS will make reasonable efforts to keep a report of bullying and the results of investigation confidential.

Staff who witness acts of bullying shall take immediate steps to intervene when safe to do so. People witnessing or experiencing bullying are strongly encouraged to report the incident; such reporting will not reflect on the target or witnesses in any way

In addition to the grounds specified in Education Code sections 48900, sections 48900.2, 48900.3, and 48900.4 provide additional authority to discipline a student in any of grades 4 to 12, inclusive for conduct that amounts to bullying. (Education Code 48900, 48900.2, 48900.3 and 48900.4)

***Reporting Violations of this Policy***

An administrator at SCCCS shall be responsible for receiving complaints alleging violations of this policy. All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of bullying or harassing behavior, to immediately intervene, call for assistance, and report such incidents. The Parent Council requires that staff follow school procedures for reporting alleged acts of bullying and take all necessary action to protect the victim of bullying.

All other members of the school community, including students, parents/guardians, volunteers, and visitors, are encouraged to report, in writing, any act that may be a violation of this policy. Oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on an anonymous report. Prompt and reasonable investigation of alleged acts of bullying is expected. Students and staff are expected to report all incidents of bullying, teasing, or other verbal or physical abuse. Any students' who feel she/he is a victim of such behavior should immediately contact a teacher, counselor, administrator, or staff person. If the student who was bullied believes the situation has not been remedied, he/she may file a complaint in accordance with SCCCS procedures. Students are to be informed annually of the process by which they may make a report of bullying or harassment.

Students who are victims of hate crimes have a right to report such crimes to the proper authorities.

***Retaliation is Prohibited***

Retaliation against a student because the student has filed a bullying complaint or assisted or participated in a bullying or harassment investigation or proceeding is also prohibited. Students who knowingly file false bullying or harassment complaints or give false statements in an investigation shall be subject to discipline by measures up to and including suspension and expulsion, as shall any student who is found to have retaliated against another in violation of this policy.

***Confidentiality***

An allegation of bullying that involves sexual harassment, and the results of an investigation, shall be kept confidential to the extent reasonably possible. Immigration status of those involved in an incident shall also remain confidential except as required by law.

***Explanation of Terms***

Bullying is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, as defined, including but not limited to sexual harassment, hate violence or harassment, threats or intimidation, that has the effect or can reasonably be predicted to have the effect of placing a reasonable pupil, as defined, in fear of harm to that pupil's or those pupil's person or property, causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health, causing a reasonable pupil to experience substantial interference with his or her academic performance, or causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities or privileges provided by a school.

Reasonable student means a pupil including, but not limited to, an exceptional needs student, who exercises average care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

***Examples of bullying may include but are not necessarily limited to the following:***

Verbal: Hurtful name-calling, teasing, gossiping, making threats, making slurs or epithets, making rude noises, or spreading hurtful rumors.

Nonverbal: Posturing, making gang signs, leering, staring, stalking, destroying property, insulting or threatening notes, using graffiti or graphic images, or exhibiting inappropriate and/or threatening gestures or actions.

Physical: Hitting, punching, pushing, shoving, poking, kicking, tripping, strangling, hair pulling, fighting, beating, "pantsing", pinching, slapping, biting, spitting, or destroying property.

Emotional (Psychological): Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, shunning, ostracizing, using peer pressure, or rating or ranking personal characteristics.

***Cyber Bullying is defined as:***

Electronic act means the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Website, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager.

The following is intended to provide guidance to assist staff and students in identifying bias-based behavior:

Citizenship/Immigration Status: actual or perceived immigration status or status as a citizen of a country other than the United States of America.

Disability: actual or perceived disability, or history of disability. The term "disability" applies to a person who (1) has a physical, emotional or mental impairment that substantially limits one or more major life activities, (2) has a record of such impairment, (3) is regarded as having such impairment. Major life activities include caring for one's self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, and learning. Some examples of impairments which may substantially limit major life activities, even with the help of medication or aids/devices, are: AIDS, alcoholism, blindness or visual impairment, cancer, deafness or hearing impairment, diabetes, drug addiction, heart disease, and mental illness.

Ethnicity/National Origin: actual or perceived national origin or ethnic identity. National origin is distinct from race/color or religion/creed because people of several races and religions or their forbears may come from one nation. The term "national origin" includes members of all national groups and groups of persons of common ancestry, heritage or background; it also includes individuals who are married to or associated with a person or persons of a particular national origin.

Gender: actual or perceived gender, pregnancy, or conditions related to pregnancy or childbirth. The prohibition against gender discrimination includes sexual harassment. Race/Color: actual or perceived race or color.

Religion/Creed: actual or perceived religion or creed (set of fundamental beliefs, whether or not they constitute a religion)

Sexual Orientation: actual or perceived sexual orientation. The term sexual orientation means heterosexuality, homosexuality, bisexuality or transgender identity.

(cf. 3515.4—Recovery for Property Loss or Damage)

(cf. 5137—Positive School Climate)

(cf. 5131.5—Vandalism, Theft, and Graffiti)

(cf. 5144.1—Suspension and Expulsion/Due Process)

(cf. 5144.2—Suspension and Expulsion/Due Process Students with Disabilities)

(cf. 5145.3—Nondiscrimination/Harassment)

(cf. 5145.7—Sexual Harassment)

(cf. 5145.9—Hate­ Motivated Behavior)

Legal Reference

EDUCATION CODE

22­262.4 Prohibition of discrimination on the basis of sex

48900(r) Engaged in an act of bullying

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48900.3 Additional grounds for suspension or expulsion; hate violence

48900.4 Additional grounds for suspension or expulsion; harassment, threats or intimidation

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term