

Santa Fe South Charter Schools		Bullying and Harassment Prevention
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BULLYING and HARASSMENT PREVENTION POLICY:

Santa Fe South Schools prohibits discriminatory harassment or bullying of any students or staff including but not limited to harassment or bullying on the basis of sex, race, color, national origin and/or disability.

Harassment, Intimidation and Bullying have a negative effect on the social environment of schools, create a climate of fear among students, inhibit the ability to learn, and lead to other antisocial behavior. The purpose of this policy is to create an environment free of unnecessary disruption and create a safe climate conducive to the learning process.

Bullying is prohibited on school grounds, in school vehicles, at designated bus stops, at school-sponsored activities, or at school-sanctioned events. Bullying directed at students or school personnel by electronic communication is prohibited whether or not such communication originated at school or with school equipment.

Bullying means any pattern of harassment, intimidation, threatening behavior, physical acts, verbal or electronic communication that a reasonable person should know will:

- A. Harm another student;
- B. Damage another student's property;
- C. Place another student in reasonable fear of harm to the student's person or damage to the student's property; or
- D. Insult or demean any student or group of students.

Definitions:

- A. Electronic Communication - the communication of any written, verbal, pictorial information or video content by means of an electronic device, including, but not limited to, a telephone, a cellular telephone or other wireless telecommunication device, or computer.
- B. Threatening Behavior - any pattern of behavior or isolated action, whether or not it is directed at another person, that a reasonable person would believe indicates potential for future harm to students, school personnel or school property.

Investigative Procedures: Incidents of harassment, intimidation, bullying or threatening behavior are to be reported to the campus administrator or designee. Reports may be made anonymously, but no formal disciplinary action will take place solely on the basis of an anonymous report. Any school employee is to make an immediate report to the principal or designee, if he/she has reliable information that would lead a reasonable person to

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suspect an act of bullying. The administrator will take a statement from the one reporting the incident which details which part of the policy is being violated, who the person(s) are that are violating the policy, witnesses to the violation(s) and times and dates of the violation(s).

After taking the statement, the administrator will begin questioning witnesses and the person being harassed, intimidated, bullied or threatened (if different from the one reporting the violation(s)). Next, the administrator will question the person or persons accused of violating this policy to determine the extent of the violation. If it is determined that a violation of policy has occurred, and before appropriate disciplinary measures have been taken, the parents of both the victim and perpetrator will be notified of the occurrence and the action to be taken. Action will be taken in keeping with written procedures concerning violations of The Code of Student Behavior. The Principal or site administrator will be responsible for determining the severity of the incident, the potential for future violence and the administration of the policy. Such violations and the extent of punishment are listed on the following page.

In addition to any punitive measures taken by the administration, the bully, the victim and any other students affected by the prohibited behavior may be referred to any available district LMHPs, or community mental health care. Professional Development will be provided for all teachers to explore various methods for prevention of and education about threatening behavior, harassment, intimidation, and bullying as designed and developed by the State Department of Education and the Office of Juvenile Affairs. This Professional Development will be made available to all parents and students who wish to be informed as to prevention and reporting of bullying.

After consultation between the administrator, counselor, and other school officials that may have the necessary expertise, the student committing the act of bullying may be referred to a delinquency prevention and diversion program administered by the Office of Juvenile Affairs. Additionally, the specific incident may be reported to a law enforcement agency if it constituted criminal activity or could have the potential to endanger school safety. When a student is required to attend one of the counseling options available within the community, or within the school system, the administration may request the disclosure of any information concerning an explicit threat to the safety of students or school personnel. A district specific RIO form is available for making this request.

If it is determined that no violation took place and that the student reporting the incident made a false report as a means of retaliation, reprisal or as a means of bullying, that student will be suspended from school for up to 5 days, parents or guardians will be called and the student referred to community agencies providing mental health care or to a program administered by the Office of Juvenile Affairs.

This policy will be posted at each campus. Further, it will be in the student handbook, employee handbook, and on the school internet website. Parents and guardians will be informed that a policy exists, through forms given to them in enrollment packets, and that a copy will be given to them upon request.

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An accounting of the number of bullying incidents shall be kept by the appropriate administrator/designee at each school site and make that report available to the superintendent or his/her designee at the completion of each school year.

BULLYING The act of bullying, in any form, including harassment, intimidation, threatening behaviors, physical acts, verbal or electronic communication, will not be tolerated and is punishable according to discipline guidelines. This infraction may fall under various disciplinary categories including, but not limited to: Harassment/Verbal Abuse, Sexual Harassment, Assault or Battery.

Examples of conduct which violate expectations **Definitions** **Discipline** **Action Level** Minimum Maximum

HARASSMENT/VERBAL ABUSE Disturb consistently or torment through actions, 3 5 and/or words, both physically or electronically

SEXUAL HARASSMENT Unwelcome sexual advances, requests for sexual favors or 1 5 other unwelcome sexual conduct; i.e. verbal, physical or through use of texts or electronic media.

BATTERY Any willful and unlawful use of force or violence upon 3 5 the person of another.

AGGRAVATED ASSAULT AND BATTERED Bodily injury is inflicted upon the person assaulted 5 6 **BATTERY** and battered.

EXTORTION Obtaining property from another with his consent 3 5 induced by a wrongful use of force or fear.

GANG BEHAVIOR Disruption and/or intimidation caused by gesturing of 3 5 any signs use of language, or confrontations identified or associated with gangs which could lead to violence.

RACIAL/HANDICAP HARASSMENT Epithets, slurs, gestures or graffiti, even in jest, which 2 5 are targeted toward an individual because of race, national origin or disability.

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Discipline Plan Information Related to Bullying and Harassment, Revised 9/18/2023

ACTION LEVELS

Level 1	<i>Conference</i>
Level 2	<i>Intervention (does not include suspension)</i>
Level 3	<i>Suspension (1-5 days)</i>
Level 4	<i>Suspension (6-10 days)</i>
Level 5	<i>Suspension of 10 days with required assessment</i>
Level 6	<i>Long-term suspension (10 days or longer, not to exceed the current semester & the succeeding semester.)</i>
Level 7	<i><u>Mandatory suspension</u> for the current semester plus the succeeding semester.</i>
Level 8	<i><u>Mandatory 12-month suspension</u> from the date of the offense.</i>

Minimum Level 1 or 2

PARENTS/LEGAL GUARDIANS NOTIFIED

Category	Definition	Action Level*		Notes

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Bullying	Bullying is defined as intentional, hurtful acts, words or other behavior, whether verbal or via electronic media, such as name calling, threatening and/or shunning, committed by one or more children against another. Bullying may be physical, verbal, emotional, or sexual. Physical bullying includes punching, poking, strangling, hair pulling, beating, biting & excessive tickling. Verbal bullying includes hurtful name calling, teasing & gossiping. Emotional bullying includes rejecting, terrorizing, extorting, defaming, isolating, ostracizing & peer pressure. Sexual bullying includes exhibitionism, voyeurism, sexual propositioning, sexual harassment, physical contact & sexual assault.	2	6	
Harassment	Pestering, intimidating, or threatening another student, even in jest, on school property, on social media or school-sponsored events. Harassment includes, but is not limited to: name calling, slurs, or other oral, written, graphic, or physical conduct of a harassing nature as well as unwelcome verbal or physical conduct of a sexual nature. <i>Harassment that is directed against a student because of that person's race, color, religion, ethnicity, national origin, sex, sexual orientation, gender identity, marital status or disability is a specific offense of harassment for which heightened disciplinary action is appropriate (up to level 6)</i>	2	6	

Activities that endanger an individual's mental or physical health,
Hazing/Initiation

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which are required for initiation/entrance into any group or for
3 6
promised acceptance.

Verbal or Written Threat	Any willful or unlawful offer to do corporal hurt to another student.	3	6	
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Assault (Same as Battery)	Any willful or unlawful use of force or violence upon the person of another student.	4	6	Police called only if charges are to be filed by the victim.
Battery	Any willful or unlawful use of force or violence upon the person of another student.	4	6	Police called only if charges are to be filed by victim.

Extortion	Obtaining property from another without his/her consent, induced by a wrongful use of force or fear.	4	6	
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Off-Campus Conduct (Bullying, Gang, Threats)	Any situation where the student's continued attendance would have an adverse impact on order, discipline, or the educational process, and could pose a threat of violence or disruption.	4	6	Police not called unless the situation could result in violence in the community.
Sexual Offenses	Lewd sexual behaviors inclusive of intentional sexual contact (including mutual sexual contact), offensive touching, indecent exposure, or other sexual acts. Minors who create, distribute, or possess sexually explicit images of a minor (including of themselves) can be prosecuted under the State's child pornography laws.	5	6	Police must be called.

SEXUAL AND OTHER UNLAWFUL HARASSMENT:

Santa Fe South Schools, Inc. is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature (see §703, Title VII, U.S. Civil Rights Act of 1964; and Title IX of the Education Amendment of 1972). This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

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Ø Unwanted sexual advances.

Ø Making or threatening reprisals after a negative response to sexual advances. Ø Offering employment benefits in exchange for sexual favors.

Ø Visual conduct that includes leering, making sexual gestures, or displaying sexually suggestive objects or pictures, cartoons or posters.

Ø Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes. Ø Verbal sexual advances or propositions.

Ø Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.

Ø Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the Superintendent or any other designated staff or Governance Board member. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation. (Please refer to the Grievance Policy should you disagree with the outcome of the investigation.)

Any supervisor, faculty member, or other staff member who becomes aware of possible sexual or other unlawful harassment must immediately advise the Superintendent or any other designated staff or Governance Board member so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination.