Sec. 1. BULLYING PROHIBITED

Raul Yzaguirre Schools for Success (RYSS) prohibits bullying, including cyberbullying, as defined by the Texas Education Code.

"Bullying" means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that satisfies the applicability requirements in Section 2 below, and that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property;
2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
3. Materially and substantially disrupts the educational process or the orderly operation of a classroom or RYSS; or
4. Infringes on the rights of the victim at school.

Bullying also includes "cyberbullying," which means bullying done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

Education Code 37.0832(a)(1)-(2).

Sec. 2. APPLICABILITY OF POLICY

This policy applies to:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying:
   a. Interferes with a student's educational opportunities or
   b. Substantially disrupts the orderly operation of a classroom, RYSS, or a school-sponsored or school-related activity.

Education Code 37.0832(a-1).

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Bullying can occur by physical contact or through electronic means and may include, by way of example, teasing, name-calling, inappropriate sexual comments, taunting, threatening to cause harm, leaving someone out on purpose, spreading rumors, embarrassing someone in public, hitting, kicking, tripping, destruction of property, taking someone's property, or making mean or rude hand gestures.

Sec. 3. PREVENTING AND MEDIATING BULLYING INCIDENTS

RYSS shall implement protocols and procedures concerning bullying that prevent and mediate bullying incidents between students that:

1. Interfere with a student's educational opportunities; or
2. Substantially disrupt the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Education Code 37.0832(c)(2).

Sec. 4. MINIMUM STANDARDS FOR BULLYING PREVENTION

a) *Curriculum and Instruction*

To assist with the reduction and prevention of bullying incidents, RYSS is integrating age-appropriate instruction and curriculum in the following manner:

Student in early primary grades will receive:

- Explicit instruction designed so students can recognize bullying, including cyberbullying, behaviors and how to report them;
- Age-appropriate classroom culture building discussion that encourage peers to intervene when they observe bullying behaviors; and
- Explicit instruction that characterizes bullying as a behavior that result from the student's need to acquire more mature social coping skills

Students in secondary grades will receive:

- Explicit direct instruction on the brain's neuroplasticity so the student recognizes bullying, including cyberbullying, can come from a developmental need to acquire more social skills, can change when the brain matures and learns better ways of coping, and is not an immutable trait;
- Classroom-culture building discussions that portray bullying as an undesirable behavior and means for attaining or maintaining social status in school, and to dissuade students from using bullying as a tool for reputation management; and

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- Explicit direct instruction designed so students can recognize the role reporting plays in promoting a safe school community.

b) ***Bullying Compliance Committee***

Each RYSS campus shall establish a committee, which must include parents and secondary level students if secondary grades are served at the campus, to address bullying by focusing on prevention efforts and health and wellness initiatives. The Campus Principal shall designate members of the bullying committee.

c) ***Bullying Survey***

In order to define how positive school culture and building healthy relationships between students and staff will be measured in alignment with the school's mission, vision, and values, RYSS will use an age-appropriate survey that includes relevant questions on bullying, including cyberbullying, that includes appropriate privacy controls in compliance with the Family Educational Rights and Privacy Act ("FERPA").

RYSS will define who is responsible to develop and oversee the implementation of action plans based on the results that address student concerns regarding bullying, including cyberbullying.

Sec. 5. RETALIATION

RYSS prohibits retaliation against any person, including a victim, witness, or another person who, in good faith, provides information concerning an incident of bullying. *Education Code 37.0832(c)(3)*.

Examples of retaliation include threats, rumor spreading, ostracism, assault, destruction of property, or unwarranted grade reductions / unjustified punishment by staff members.

Sec. 6. REPORTING PROCEDURES

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. Reports should generally be made to the Principal or to a student's teacher. Failure to immediately report may impair RYSS's ability to investigate and address the prohibited conduct.

Each Campus Principal may designate one or more staff members to receive bullying reports. However, students are encouraged to report incidents of bullying to any trusted staff member. Any staff member who receives a report of potential bullying must relay the report to the appropriate designated staff member(s).

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A report may be made orally or in writing. The Principal or Principal's designee shall reduce any oral reports to written form. The Superintendent or designee shall develop a written form on which incidents of suspected bullying may be reported. The form shall allow for the anonymous submission of reports of suspected bullying.

Once a report of bullying, including cyberbullying is made, RYSS will track the progress of the report and investigation of the reported incident(s) and shall monitor the reported counts of bullying incidents to assist RYSS with bullying prevention efforts and determination of RYSS's response to the incident.

a) *False Claim*

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a RYSS investigation regarding bullying and/or cyberbullying shall be subject to appropriate disciplinary action.

b) *Notice to Parent or Guardian*

The Principal or Principal's designee shall provide notice of an incident of bullying to:

1. A parent or guardian of the alleged victim on or before the third school day after the date the incident is reported; and
2. A parent or guardian of the alleged bully, within a reasonable amount of time after the incident.

Education Code 37.0832(c)(4).

Sec. 7. INVESTIGATION OF REPORT

a) *Investigations in General*

The Principal or Principal's designee shall determine whether the allegations in the report, if proven, would constitute prohibited discrimination and/or harassment, and if so proceed under Board Policy PG-3.102 (Prohibited Discrimination, Harassment, and Retaliation) instead.

The Principal or Principal's designee shall conduct an appropriate investigation based on the allegations in the report, and shall take prompt interim action calculated to prevent bullying during the course of the investigation, if appropriate.

Absent extenuating circumstances, the investigation should be completed within ten RYSS business days from the date of the initial report. However, the Principal or Principal's designee shall take additional time if necessary to complete a thorough investigation.

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Following completion of the investigation, the Principal or Principal's designee will prepare a written decision regarding the complaint. If the results of an investigation indicate that bullying and/or cyberbullying occurred, RYSS shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the Student Code of Conduct. RYSS may take action based on the results of an investigation, even if RYSS concludes that the conduct did not rise to the level of bullying and/or cyberbullying as defined in this policy.

RYSS may not impose disciplinary measures on a student who, after an investigation, is found to be a victim of bullying on the basis of that student's use of reasonable self-defense in response to the bullying.

Discipline for bullying of a student with disabilities must comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act.

b) ***Response to Bullying***

RYSS will provide support for research-based interventions taken both for students who engage in bullying behaviors and students who were targeted by bullying behaviors.

RYSS will also utilize a rubric or checklist to assess incidents of bullying and to determine the school's response to incidents of bullying.

c) ***Confidentiality***

To the greatest extent possible, RYSS shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

d) ***Appeal***

A parent or student who is dissatisfied with the outcome of the investigation may appeal under Board Policy PG-3.509 (Parent and Student Complaints and Grievances).

Sec. 8. ASSISTANCE FROM PRINCIPAL

Any student who feels that he or she may be the victim of bullying should contact the Principal or Principal's designee to obtain assistance and intervention in response to the potential bullying.

The Principal or Principal's designee shall notify the victim, the student who engaged in bullying, and any student(s) who witnessed the bullying of available counseling options.

Sec. 9. ACCESS TO POLICY

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Information regarding this policy shall be distributed annually to RYSS employees and included in the Student Handbook. Copies of the policy shall be readily available at each campus and the RYSS administrative offices.

Sec. 10. REPORT TO LOCAL LAW ENFORCEMENT

A Principal or the Principal's designee may make a report to local law enforcement officials if, after an investigation is completed, the Principal or Principal's designee has reasonable grounds to believe that a student engaged in conduct that constitutes an offense under Section 22.01 (Assault) or 42.07(a)(7) (Harassment) of the Texas Penal Code.

A Principal's designee may include any employee under the supervision of the Principal, other than a school counselor.

A report to local law enforcement officials may include the name and address of each student the Principal or Principal's designee believes may have participated in the conduct.

Education Code 37.0151.

Sec. 11. COMPLIANCE WITH LAW

All actions taken by RYSS in response to bullying, including cyberbullying, must comply with state and federal law regarding students with disabilities.

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