

## LANGUAGE ACADEMY OF SACRAMENTO

### STUDENT POLICY

### Anti- Bullying Policy #11

The Language Academy of Sacramento recognizes the importance of a safe school environment to the educational process. The board has determined that a safe and civil environment in school is necessary for students to learn and to achieve high academic standards. Bullying, like other disruptive or violent behaviors that hinder both a student's ability to learn and a school's ability to educate its students in a safe environment, is prohibited at Language Academy of Sacramento. Because students learn by example, all students and adults are expected to demonstrate appropriate behavior, treat others with civility and respect and refuse to tolerate bullying in a school environment.

#### **Definition: What Is Bullying?**

Bullying is defined as persistent, intentionally hurtful behavior towards another person.

Further, bullying is defined as the repeated use by one or more students of a written, verbal, or electronic expression or a physical act or gesture directed at an individual that:

- Emotionally or physically harms a student or damages the student's property
- Causes a student to be in reasonable fear that he or she will be harmed
- Creates a hostile environment for the student at the school
- Infringes on the rights of a student at the school
- Has the effect of substantially disrupting the orderly operation of the daily classroom instruction or school environment

#### **Types of Bullying:**

Types of bullying include the following behaviors when repeated or persistent:

**Emotional bullying:** excluding or persistently ignoring, tormenting, threatening through gesture, ridiculing or humiliating the other, inciting others to bully

**Physical bullying:** pushing, kicking, pinching, hitting, scratching, punching, biting, pulling; interfering with someone else's property or possessions

**Racist bullying** (race; color; religion; ancestry; national origin): racial taunts, jokes and gestures, graffiti and racist insignia/badges, circulating racist literature, or 'picking-on' behavior of all kinds

**Sexual/Gender bullying** (gender; sexual orientation; gender identity and expression): unwanted physical contact, sexually abusive comments, stalking, homophobic victimization

**Socioeconomic Bullying:** (social status; economic status, parent occupation, education level, health or nutrition level): Socioeconomic taunts, jokes, graffiti, or 'picking-on' behavior of all kinds

**Verbal bullying:** persistent name-calling, systematic unwanted teasing or taunting, intimidation or threatening behavior

**Cyber bullying:** All areas of internet, including but not limited to, email, internet chat room misuse, mobile threats by phone calls and text messaging, misuse of associated technology, i.e. camera, web cams, and video facilities

**Indirect bullying:** spreading nasty stories or malicious rumors about someone, excluding someone from social groups, sending malicious emails or text messages on mobile phones

*Harassment or bullying is any gesture or written, verbal, graphic, physical or electronic act (i.e. including, but not limited to, internet, cell or smart phone, or wireless hand held device) that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race; color; religion; ancestry; national origin; socioeconomic status; academic status; mental, physical, development or sensory disability or impairment; creed; political belief; age; linguistic or language differences; height; weight; marital status; parental status; or by any other distinguishing characteristic; or because of an association with a person who has or is perceived to have one or more of these characteristics. Such behavior is*

*considered harassment or bullying whether it takes place on or off school property, at any school-sponsored function, in a school vehicle, or by students, family members or staff.*

*Students must conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.*

The Language Academy of Sacramento believes that standards for student behavior must be set cooperatively through interaction among the students, parents and guardians, staff, and community members of the school, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school and community property on the part of students, staff, and community members.

Because bystander support of bullying can bolster these behaviors, the school prohibits both active and passive support for acts of bullying. The staff should encourage all students to refuse to engage in these acts and to report them immediately to a staff member the school.

Consequences and appropriate remedial actions for a student or staff member who commits persistent acts of bullying may range from positive behavioral interventions up to and including in-school or out-of-school suspension from the school and/or expulsion or other disciplinary removal from the school, in the case of a student, and/or suspension or termination in the case of an employee, as set forth in the school's approved code of student conduct or employee handbook.

Consequences for a student who commits an act of bullying will be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the school's approved code of student conduct. Remedial measures will be designed to correct the problem behavior; prevent another occurrence of the behavior; and protect the victim of the act. Depending upon the incident, expulsion may be recommended to the board.

The board requires the Academic Director at the school to be responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the Academic Director. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report without further investigation.

The board also requires the Academic Director to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the Academic Director must conduct a prompt, thorough, and complete investigation of each alleged incident. An investigation is to be conducted within three school days after a report or complaint is made known to the Academic Director.

The board prohibits reprisal or retaliation against any person who reports an act of bullying. After consideration of the nature, severity, and circumstances of the act, the administrator will determine the consequences and appropriate remedial action for a person who engages in reprisal or retaliation.

At the same time, the board prohibits any person from falsely accusing another of bullying. The consequences and appropriate remedial action for a person found to have falsely accused another of bullying might range from positive behavioral interventions up to and including suspension and/or expulsion. Consequences and appropriate remedial action for a school employee found to have falsely accused another of bullying include disciplinary action in accordance with school policies, procedures, and agreements.

The board requires that school officials annually disseminate the policy to all school staff, students, and parents, along with a statement explaining that it applies to all applicable acts of bullying that occur on school property, at school-sponsored functions, or in a school vehicle and to develop procedures for investigating and addressing any alleged violations of this policy.

Additionally, the board requires school officials to ensure that this policy and procedures for reporting bullying incidents are reviewed with the students within 90 days after the policy is adopted and at least once each school year after that. The school administration is required to develop procedures necessary to implement this policy, and to develop appropriate prevention, intervention and education strategies related to bullying.

Under the Children's Internet Protection Act, the board directs the school administration to protect children from harmful online content. Therefore, the school is required to teach acceptable use and online safety to students. The school's curriculum will include instruction for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyber-bullying awareness and response.

The Language Academy of Sacramento will comply with all applicable and related federal and state laws.

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex, especially:

221.5 Prohibited sex discrimination

221.7 School-sponsored athletic programs; prohibited sex discrimination

32211 Threatened disruption or interference with classes

35160 Authority of governing boards

35160.1 Broad authority of school districts

35181 Governing board policy on responsibilities of students

35291 - 35291.5 Rules

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

44807 Duty concerning conduct of students

44810 Willful interference with classroom conduct

44811 Disruption of classwork or extracurricular activities

48900 Grounds for suspension or expulsion

48900(r) Grounds for suspension or expulsion: bullying

48907 Student exercise of free expression

51512 Prohibited use of electronic listening or recording device

##### PENAL CODE

243.5 Assault or battery on school property

311 Child Pornography

403-420 Crimes against the public peace, especially:

415 Fighting; noise; offensive words

##### CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

##### CODE OF REGULATIONS, TITLE 5

300 - 307 Duties of pupils

##### UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI & VII Civil Rights Act of 1964 as amended

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments