

Student Policy #249
School Climate and Safe Schools and
Bullying / Cyber bullying

Purpose:

The SusQ-Cyber Charter School (“Charter School”) is committed to maintaining the safety of students in the cyber school environment.

Definitions:

For the purpose of this policy,

- **“Bullying”** shall mean any written, verbal or physical act or conduct which may, but shall not be required to, be based on any actual or perceived characteristic, included but not limited to a characteristic related to race; color; religion; national origin; ancestry; ethnicity; sexual orientation; physical disability; mental or emotional health; learning disability; gender; gender identity or expression; socio-economic status or physical appearance or based on an association with a person who has or is perceived to have one or more such characteristics and:
 - (1) is directed at another student or students;
 - (2) occurs in a school setting;
 - (3) is severe, persistent or pervasive; and
 - (4) has or can be reasonably predicted to have the effect of one or more of the following:
 - (a) places a reasonable student in fear of physical harm to the student’s person or property;
 - (b) causes a substantially detrimental effect on a reasonable student’s physical or mental health; or
 - (c) substantially interferes with a reasonable student’s ability to participate in or benefit from the services, activities or privileges provided by a school.
- **“School Property or School Setting”** shall mean any public school grounds, any school sponsored activity, any conveyance providing transportation to a school entity or school-sponsored activity or event, or a designated school bus stop when students are waiting to be picked up by school-provided transportation or exiting from school-provided transportation.
- **“Cyber bullying”** shall mean bullying that occurs through electronic communication.
- **“Electronic Communication”** shall mean any form of communication through an electronic device, including, but not limited to, a telephone, cellular phone, computer or pager, which form of communication includes, but is not limited to, email/ instant messaging, text messaging, blogging, paging, online gaming and communication through an Internet website.
- **“Harassment”** shall mean a person commits the crime of harassment when, with intent to harass, annoy or alarm another, the person:
 - (1) strikes, shoves, kicks or otherwise subjects the other person to physical contact, or attempts or threatens to do the same;
 - (2) follows the other person in or about a public place or places;

- (3) engages in a course of conduct or repeatedly commits acts which serve no legitimate purpose;
- (4) communicates to or about such other person any lewd, lascivious, threatening or obscene words, language, drawings or caricatures;
- (5) communicates repeatedly in an anonymous manner;
- (6) communicates repeatedly at extremely inconvenient hours; or
- (7) communicates repeatedly in a manner other than specified in paragraphs (4), (5) and (6).

- The Charter School is not prohibited from classifying as bullying, acts including those involving electronic communications that occur outside a school setting provided there is a nexus to the school environment, if those acts are directed at or are about another student, are severe, persistent and pervasive, or have the effect of substantially interfering with a student's education, creating a threatening environment or substantially disrupting the orderly operation of the school.

Guidelines:

- **Professional Staff Training**

In addition to the current continuing education program under Section 1205.2 of the Public School Code, each professional educator will have to complete at least four (4) hours of training focused solely on the identification and prevention of, intervention in, and the use of the online portal

- **Reporting to PDE:**

All incidents involving acts of violence, possession of a weapon or possession, use or sale of controlled substances or possession use or sale of alcohol or tobacco by any person on school property are to be reported by the CEO to the Office for Safe School through the safe school online portal. Such reports shall include, at a minimum, the following information:

- Age or grade of student
- Name and address of school
- Circumstances surrounding the incident, including, but not limited to, type of weapon, controlled substance, alcohol or tobacco, the date, time and location of the incident, if a person other than a student is involved the incident and any relationship to the school entity.
- Race of Student
- Whether the student has an Individualized Education Plan under the Individuals with Disabilities Education Act, and if so, the type of disability
- Sanction imposed by the school
- A list of criminal offenses under 18 Pa.C.S.
- A list of offenses under 18 Pa.D.S., and any attempt, solicitation or conspiracy to commit said offenses
- If the discipline infraction was a violation of a school policy
- Notification of law enforcement
- Law enforcement response
- Remedial programs involved

- Parental involvement required
- Arrests, convictions and adjudications, if known

By November 1, 2015, the DOE will establish, develop and maintain a secure Internet safe school online portal, which should be accessible by employees of the DOE and professional school employees. This portal will include:

- A bullying interface for school employees to enter and track bullying incidents
- An acts of violence interface to enter and track all incidents involving acts of violence, possession of a weapon or possession, use or sale of controlled substances
- Automatic, periodic generation of appropriate bullying reports for specific individuals
- An online training and examination program to fulfill the continuing education requirement on prevention of, and intervention in, harassment, bullying and cyber bullying
- A model policy related to bullying

➤ Transfer Students:

This reporting process governs students transferring to or from nonpublic schools, as well as those students transferring to and from public schools. Whenever a student transfers to a nonpublic school or another public school, a certified copy of the student's discipline record shall be transmitted to the nonpublic school to which the pupil has transferred within ten (10) days from the receipt of the request.

➤ Availability of the Policy:

The policy shall be made available on the publicly accessible Internet Web site at: www.susqcyber.org and will be made a part of the student enrollment documents and be included in the parent/student handbook. The policy must be posted at a prominent location within each school building where notices are usually posted. Within 90 days of adoption of this policy and at least once a year thereafter, the school shall review the policy and procedures for reporting a bullying incident or other unsafe conduct with the students.

➤ Reviewing the Policy:

The Charter School must review its bullying and safe schools policies every three years and annually provide PDE with a copy of the bullying policy, including information related to development and implementation of any bullying prevention, intervention and education programs. This information must be attached to the annual school safety report.

➤ Charter School Staff Member Receiving Reports:

Students will be directed to report incidents of alleged bullying to the CEO, or the guidance counselor. However, any staff member who receives a report from a student of alleged bullying or that suspects unsafe acts may be occurring must report the incidents to the SAP Team through the guidance counselor. In addition, the SAP Team may investigate any such reports.

➤ The SAP Team shall be delegated with the responsibility to make bullying prevention a priority item and will make this topic part of their regular agenda. The SAP Team will monitor the reports of unsafe conduct and, as necessary recommend any educational components to raise student awareness, or any revisions of the policy and related guidelines.

- Faculty members are encouraged to set the example for students. Students are not likely to believe that bullying policies are beneficial if they do not see faculty taking an active role in discouraging and halting bullying.

Enforcement:

- Students who are accused or who are suspected of acts violating the Safe School Policy will be counseled by the staff regarding such conduct and warned of the consequences which could include suspension, expulsion or referral to legal authorities.
- Students may be recommended for counseling by other agencies when such counseling is deemed advisable.
- Parents will be informed of the student's conduct and encouraged to seek any additional help they need to redirect the student's conduct.
- Students who are accused of continued unsafe acts will be referred to the CEO who may suspend the student or who may refer the student to the Board of Trustees with a recommendation for expulsion for a specific time or permanently.
- Students whose conduct includes violations of law will be referred to the local police authorities. A Memorandum of Understanding is in place with the Bloomsburg Police Department that outlines the involvement of the local and state police in addressing illegal behavior. These would be violations including: threatening or actual physical harm, sexual harassment, or illegal use of the Internet. Specific policies exist that govern the applicability of these incidents.
- The CEO should send an act of violence online report from the acts of violence online interface within the safe schools online portal to the policy department that has jurisdiction over the relevant school property on an annual basis. The CEO and police department should have the following duties:
 - The CEO should submit the report to the police department. The police department should review the report and compare the data regarding criminal offenses and notification of law enforcement to determine whether the report accurately reflects police incident data.
 - No later than 21 days after receiving the acts of violence report, the police department should notify the chief school administrator, in writing, whether the report accurately reflects police incident data. The police department will either sign the report or indicate any discrepancies between the report and police incident data.
 - The CEO and the police department should attempt to resolve discrepancies between the report and police incident data. Where a discrepancy remains unresolved, the police department should notify the chief school administrator and to the office in writing.
 - If the police department fails to take action as required under paragraphs 1-3, the chief school administrator should indicate the police department's failure to take action by entering the information in the acts of violence online interface within the safe schools online portal.

Delegation of Responsibility:

The Chief Executive Officer or designee shall monitor the Charter School's Safe Schools Policy and recommend steps to be taken to ensure compliance with the policy, curricular programs, related policies, and establish guidelines or administrative regulations to implement this policy. The CEO or designee shall annually report to the Board on the Charter School's compliance with the laws and policies related to school climate and safe schools.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENT.