

# BULLYING AND HARASSMENT PREVENTION POLICY

J PAUL TAYLOR ACADEMY

[www.jpaultayloracademy.org](http://www.jpaultayloracademy.org)

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## I. PURPOSE

This policy is established to prevent acts of bullying, harassment, intimidation, threats of violence, and other similar harmful and disruptive behavior at J. Paul Taylor Academy (JPTA) and outline school personnel's response to such actions if they should occur. Bullying and harassment are strictly prohibited at JPTA. Retaliation against persons who report or witness incidents of bullying or harassment is also strictly prohibited. School personnel will enforce the prevention of bullying and harassment on school property, including electronic communication, and at sponsored functions.

## II. DEFINITIONS

1. **Bullying:** any severe, pervasive, or persistent act or conduct that targets a student, whether physically, electronically, or verbally, and that:
  - a. may be based on a student's actual or perceived race, religion, color, national origin, ancestry, sex, sexual orientation, gender identity, spousal affiliation, physical or cognitive disability, or any other distinguishing characteristics; or an association with a person, or group with any person, with one or more of the actual or perceived distinguishing characteristics; and
  - b. can be reasonably predicted to:
    - i. place a student in reasonable fear of physical harm to the student's person or property;
    - ii. cause a substantial detrimental effect on a student's physical or mental health;
    - iii. substantially interferes with a student's ability to participate in or benefit from the service, activities, or privileges provided by an agency, educational institution or grantee
2. **Harassment:** any verbal or physical conduct that denigrates or shows hostility or aversion toward a student because of a protected characteristic(s), such actual or perceived race, religion, color, national origin, ancestry, sex, sexual orientation, gender identity, spousal affiliation, or physical or cognitive disability, that has the purpose or effect of creating an intimidating, hostile, or offensive school environment and that:
  - a. has the purpose or effect of creating an intimidating, hostile, or offensive school environment; or
  - b. has the purpose or effect of unreasonably interfering with the student's ability to benefit from any educational program or service provided by JPTA; or
  - c. is so offensive or pervasive as to adversely interfere with a student's ability to benefit from an educational program, including negatively affecting the educational performance of the student
3. **Cyberbullying:** any bullying that takes place through electronic communication
4. **Electronic Communication:** communication transmitted by means of an electronic device including a telephone, cellular phone, computer, electronic tablet, pager, or video or audio recording
5. **Gender Identity:** a student's self-perception, or perception of that student by another, of the student's identity as a male, female, gender neutral, or anywhere on the gender spectrum, based upon the student's appearance, behavior, or physical characteristics that

are in accord with or opposed to the student's physical anatomy, chromosomal sex, or sex at birth

6. Physical or Cognitive Disability: physical or cognitive impairment that substantially limits one or more of a student's major life activities
7. Progressive Discipline: disciplinary action other than suspension or expulsion from school that is designed to correct and address the basic causes of a student's specific misbehavior while retaining the student in class or in school, or restorative school practices to repair the harm done to relationships and other students from the student's misbehavior, and may include:
  - a. meeting with the student and the student's guardians;
  - b. reflective activities, such as requiring the student to write an essay about the student's misbehavior;
  - c. counseling;
  - d. anger management;
  - e. health counseling or intervention;
  - f. mental health counseling;
  - g. participation in skill-building and resolution activities, such as social-emotional cognitive skills building, resolution circles, and restorative conferencing;
  - h. community service; and
  - i. in-school detention or suspension, which may take place during lunchtime, after school or during weekends
8. Sexual Orientation: heterosexuality, homosexuality, bisexuality, or anywhere on the orientation spectrum whether actual or perceived

### III. EXAMPLES OF BULLYING

Actions, including actions using electronic technologies, that will be viewed as prohibited conduct include, but are not limited to:

1. Spreading rumors or revealing personal information
2. Attacking someone physically or verbally
3. Excluding someone from a group on purpose
4. Repeated teasing
5. Use of sarcasm or malicious jokes
6. Name-calling and/or belittling comments
7. Nonverbal behavior such as gestures, or graphic written statements
8. Conduct that is physically threatening, harmful, intimidating or humiliating
9. Inappropriate physical restraint
10. Hazing, which is an action with the intent to humiliate, embarrass, or shame regardless of the person's willingness to participate
11. Posting mean, embarrassing, threatening, intimidating or humiliating pictures, videos, websites, comments, fake profiles, or other communications on social media

### IV. EXAMPLES OF HARRASSMENT

Actions that will be viewed as prohibited conduct include, but are not limited to:

1. Intimidation, ridicule, insults, slurs, offensive jokes or pictures
2. Unwanted comments on dress and appearance
3. Remarks of a sexual nature
4. Threats to reveal personal information
5. Unwanted, unwelcome physical contact, such as touching, bumping, grabbing, or patting
6. Conduct that is physically or emotionally threatening, harmful, intimidating or humiliating

## V. REPORTING

Anyone in the school community who is aware of suspected bullying or harassment is strongly encouraged to provide verbal or written notice of the behavior to school personnel or the Executive Director. Persons wishing to report bullying or harassment may use the Bullying/Harassment Reporting Form in the JPTA Handbook, available online or in the front office. Reports may be made anonymously by mailing a completed Bullying/Harassment Reporting Form to the school or by placing a completed form in a sealed envelope marked "Executive Director" through the outside mail slot of the school's foyer. Students, guardians, and/or staff should use the following guidelines when reporting bullying:

1. Any student who believes s/he has been the victim of bullying or harassment by a student or school personnel, or any person with knowledge or belief of conduct that may constitute bullying or harassment toward a student, should immediately report the alleged acts.
2. The report may be made to any staff member or directly to the Executive Director. If a student makes the complaint to a staff member, s/he will assist the student in reporting to the Executive Director.
3. Teachers and other school staff who witness bullying or harassment or receive reports of bullying or harassment are required to notify the Executive Director within two calendar days. Reports should be made in writing using the Bullying/Harassment Reporting Form. A copy of this form will be submitted to the Executive Director.
4. If a student makes a verbal report to a teacher, the teacher will complete the Bullying/Harassment Reporting Form or take the student to the Executive Director where a form will be completed on the student's behalf.
5. A school employee who has information about or a reasonable suspicion of bullying or harassment toward a student shall report the matter immediately to the Executive Director.

## VI. INVESTIGATION

The Executive Director or designee will accept and promptly investigate all reports of bullying or harassment. School personnel will make every effort, but are not required, to inform the guardians of the victim and the accused of any report of bullying or harassment prior to the investigation taking place. School personnel may take immediate steps, including immediate removal of the student, to protect the complainant, students, school faculty and staff, or other individuals on school grounds pending the completion of an investigation.

1. *Process*  
The investigation shall consist of personal interviews with the complainant, the individual(s) against whom the complaint was filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of other methods or documents deemed relevant by the investigator.
2. *Confidentiality*  
The right to confidentiality, both of the complainant and the accused, will be preserved consistent with applicable laws and to the extent possible. However, absolute confidentiality cannot be guaranteed because it may be necessary to discuss the complaint with others who are witnesses or who may have information about the complaint.
3. *Outcome*  
The investigation shall be completed within 10 calendar days or sooner if possible. The Executive Director or designee will make a written report concerning the Bullying or Harassment Conduct. In determining whether the alleged conduct constitutes bullying or harassment, the totality of the circumstances, the nature of the conduct, the student's history, and the context in which the alleged conduct occurred will be investigated. The report will include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. A copy of the completed report will be maintained by the Executive Director.

4. *Safety Support Plan*

When a student is identified as a possible target for repeated bullying or harassment, a Safety Support Plan will be developed by a team including the guardian, Executive Director or designee, the student's teacher(s), and other school personnel as needed. The goal of the plan will be to protect the student from further acts of bullying or harassment. The plan will identify preventative steps school personnel will take and steps the student can take when they feel that bullying or harassment may occur. It will identify adults and spaces in the school that are safe.

5. *Guardian Notification*

Notification of the guardians of the student alleged to have committed bullying or harassment and the student targeted in the alleged act will be provided by the Executive Director or designee by phone, email, or in person, depending on the severity of the incident. By the conclusion of the investigation, the guardians will be notified of the incident, and the guardian of the student alleged to have committed bullying or harassment will also be notified of the consequences for the student's actions. To the extent permitted under the Family Educational Rights and Privacy Act (FERPA), school personnel will protect the privacy of the students involved..

VII. APPEAL PROCESS

Involved parties who are not satisfied with the investigation process or results may appeal. The appeal should be initiated by contacting the Executive Director, or if the Executive Director is the concern of the appeal, the Chair of the Governance Council should be contacted. The appeal process will begin with a prompt investigation into the situation, and next steps will be determined by the circumstances.

VIII. CONSEQUENCES

Verified bullying or harassment will result in intervention and progressive discipline by the Executive Director or his/her designee to ensure that this policy is enforced. While conduct that rises to the level of bullying or harassment as defined above will generally warrant disciplinary action against the perpetrator, the extent to impose progressive discipline is the final decision of the Executive Director. Consequences may include such actions as counseling or intervention, skill-building and resolution activities, and/or in-school detention or suspension (see section II.7. of this policy).

Repeated or severe offenses will warrant increasingly serious consequences, up to and including suspension or expulsion.

IX. CONSEQUENCES FOR KNOWINGLY MAKING FALSE REPORTS

False allegations against another student or member of the staff will be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

X. RETALIATION

Retaliation against an individual who either orally reports or files a written report regarding bullying or harassment, or who participates in, or cooperates with an investigation is prohibited. Reports of retaliation can be made using the processes outlined in Section V of this policy. If the report involves the Executive Director, it should be filed with the Chair of the Governance Council.

XI. BULLYING AND HARASSMENT PREVENTION IN HEALTH EDUCATION CURRICULUM

JPTA Health Education provides an opportunity to motivate and assist all students to maintain and improve their health, prevent disease, and reduce health-related risk behaviors, such as bullying and harassment. Our program meets the content standards with

benchmarks and performance standards as set forth in 6.30.2.19 NMAC. Bullying, harassing and cyberbullying behavior is addressed specifically in many areas of the Health Education performance standards, in all grade levels. All students must learn about bullying and harassing behaviors. It is imperative that students are comfortable with understanding, describing, and recognizing bullying or harassing behaviors, and then in the later grades being able to analyze those behaviors and role-play refusal skills. Our curriculum recognizes the importance of bully/harassment prevention skills in all grade levels as well as skills to address and prevent other violent behavior toward others.

XII. DISSEMINATION OF POLICY

Guardians and staff will be notified annually about this policy and their responsibilities regarding preventing and reporting bullying and harassment. This may include inclusion of the policy in the JPTA Handbook for guardians and professional development for staff. The policy will also be posted on JPTA's website.

XIII. TRAINING

Licensed school employees shall complete training on how to recognize signs of bullying or harassment as defined above.

XIV. THREATS OF VIOLENCE

Threats of violence may be deemed bullying or harassing behavior. However, threats of violence also includes threats of physical harm by a student to another student(s), school personnel, visitors, contractors or any person on school grounds, or to school property. Such threats that result in material and substantial disruption to the school environment are taken seriously and are prohibited. Threats of violence may occur by a student while on or off campus and may be made through electronic communications.

1. *Reports*

All employees and students are required to report evidence of threats of violence to the Executive Director. Such reports shall be investigated by the Executive Director or designee. All such reports shall be documented by the Executive Director. In cases of threats that may constitute a violation of criminal law, the Executive Director, shall notify law enforcement authorities.

2. *Consequences*

Students who are found to have violated this policy shall be subject to progressive discipline (see section II.7. of this policy). Repeated offenses may warrant more severe discipline, including suspension or expulsion. Consequences are imposed at the discretion of the Executive Director or designee.

Legal References: 6.12.7 NMAC, SB288, 6.30.2.19 NMAC