

Lehigh Valley Charter High School for the Performing Arts
675 East Broad Street
Bethlehem, PA 18018

Board of Trustees Policy

Anti-Bullying Policy

The Board of Trustees recognizes the importance of a safe school environment to the educational process of the Lehigh Valley Charter High School for the Performing Arts ("School"). The Board has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Bullying, like other disruptive or violent behaviors that disrupt both a student's ability to learn and a school's ability to educate its students in a safe environment, is prohibited at School. Because students learn by example, school administrators, faculty, staff and volunteers are directed to demonstrate appropriate behavior, treat others with civility and respect and to refuse to tolerate bullying. This policy pertains to all students and staff, regardless of their status.

"Bullying" is defined as an intentional electronic, written, verbal or physical act, or a series of acts:

- (1) directed at another student or students;
- (2) which occurs in a "school setting" or outside of school and materially and substantially interferes with the educational process or program at the school such as to create a sufficient nexus with the school, as allowed by law;
- (3) that is severe, persistent or pervasive; and
- (4) that has the effect of doing any of the following:
 - o substantially interfering with a student's education;
 - o creating a threatening environment; or
 - o substantially disrupting the orderly operation of the school; and

A "school setting" shall mean in the school, on school grounds, on the school property, in school vehicles, at designated bus stops or at any activity sponsored, supervised or sanctioned by the school and any time spent necessarily traveling to and from these locations. Additionally, any student who's out of school conduct materially and substantially interferes with the educational process in the school is also subject to this policy.

In addition, bullying includes all forms of cyberbullying, harassment and intimidation. These and any and all other bullying acts are prohibited.

Students shall 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 Board 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.

Since 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 walk away from these acts when they see them and to report them to the Principal of the school.

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying may range from positive behavioral interventions up to and including in school or out of school suspension from the charter school or expulsion or other disciplinary removal from the charter school, in the case of a student, 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.

The parents or guardians of a victim of bullying and the parents or guardian of the perpetrator of the bullying shall be immediately notified of the acts. Consequences for a student who commits an act of bullying shall 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 shall be designed to: correct the problem behavior; prevent another occurrence of the behavior; and protect the victim of the act. In some cases, the bullying may constitute criminal activity and the Police Department will be notified. This may lead to a criminal investigation and criminal charges against the student.

The Board requires the Principal 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 Principal. 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.

The Board requires the Principal to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the Principal shall conduct a

prompt, thorough, and complete investigation of each alleged incident. The investigation is to be completed within three (3) school days after a report or complaint is made known to the Principal.

The Board prohibits reprisal or retaliation against any person who reports an act of bullying. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

The Board prohibits any person from falsely accusing another of bullying. The consequences and appropriate remedial action for a *student* found to have falsely accused another of bullying may range from positive behavioral interventions up to and including suspension or expulsion. Consequences and appropriate remedial action for a *school employee* found to have falsely accused another of bullying shall be disciplined in accordance with school policies, procedures, and agreements.

The Board requires school officials to 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 in the school, on school grounds, on the school property, in school vehicles, at designated bus stops or at any activity sponsored, supervised or sanctioned by the school and any time spent necessarily traveling to and from these locations. Additionally, any student's out of school conduct that materially and substantially interferes with the educational process in the school is also subject to this policy.

Lehigh Valley Charter High School for the Performing Arts will comply with applicable federal and state laws relating to bullying, including but not limited to those requirements delineated in the Charter School Law, Title 22 of Chapter 12 of the Pennsylvania Code and the applicable House Bill 1067 amendments relating to bullying.

Lehigh Valley Charter High School for the Performing Arts will comply with applicable federal and state laws, including Chapter 711 of Title 22 of the Pennsylvania Code and applicable provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) and its applicable implementing regulations regarding the discipline of special education students and thought-to-be eligible students who engage in an act of bullying.

Lehigh Valley Charter High School for the Performing Arts will further comply with applicable federal and state laws, including Chapter 15 of Title 22 of the Pennsylvania Code regarding Protected handicapped students and applicable sections of Section 504 of the Rehabilitation Act and its applicable implementing regulations.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this day _____ of _____, 2010

President

Secretary