

SHILOH CHARTER SCHOOL
POLICY AGAINST BULLYING AND HARASSMENT
2009-2010



SHILOH CHARTER SCHOOL
905 W. Terrace Street
Plant City, Florida 33563

PRINCIPAL
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Shiloh Charter School Anti-Bullying / Harassment Policy

The Shiloh Charter School prohibits acts of harassment or bullying. The school has determined that a safe and civil environment is necessary for students to learn and achieve high academic standards. Harassment or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

"Harassment or bullying" is any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts – i.e. internet, cell phone, personal digital assistant (pda), 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, gender, sexual orientation, gender identity and expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristic. Such behavior is considered harassment or bullying whether it takes place on or off school property, at any school-sponsored function, or in a school vehicle.

"Harassment" is conduct that meets all of the following criteria:

- is directed at one or more pupils;
- substantially interferes with educational opportunities, benefits, or programs of one or more pupils;
- adversely affects the ability of a pupil to participate in or benefit from the school's educational programs or activities because the conduct, as reasonably perceived by the pupil, is so severe, pervasive, and objectively offensive as to have this effect; and,
- is based on a pupil's actual or perceived distinguishing characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics.

"Bullying" is conduct that meets all of the following criteria:

- is directed at one or more pupils;
- substantially interferes with educational opportunities, benefits, or programs of one or more pupils;
- adversely affects the ability of a pupil to participate in or benefit from the school's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing emotional distress; and,
- is based on a pupil's actual or perceived distinguishing characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics.

The Shiloh Charter School expects students to 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 Shiloh Charter School believes that standards for student behavior must be set cooperatively through interaction among the students, parents and guardians, staff, and community members, 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 community property on the part of students, staff, and community members.

The Shiloh Charter School believes that the best discipline is self-imposed, and that it is the responsibility of staff to use disciplinary situations as opportunities for helping students learn to assume responsibility and the consequences of their behavior. Staff members who interact with students shall apply best practices designed to *prevent* discipline problems and encourage students' abilities to develop self-discipline.

Since bystander support of harassment or bullying can support these behaviors, the school prohibits both active and passive support for acts of harassment or bullying. The staff should encourage students to support students who walk away from these acts when they see them, constructively attempt to stop them, or report them to the designated authority.

Shiloh Charter School requires its administrators to develop and implement procedures that ensure *both* the appropriate consequences *and* remedial responses to a student or staff member who commits one or more acts of harassment or bullying. The following factors, at a minimum, shall be given full consideration by school administrators



in the development of the procedures for determining appropriate consequences and remedial measures for each act of harassment or bullying.

Factors for Determining Consequences

- Age, development, and maturity levels of the parties involved
- Degree of harm
- Surrounding circumstances
- Nature and severity of the behavior(s)
- Incidences of past or continuing pattern(s) of behavior
- Relationship between the parties involved
- Context in which the alleged incident(s) occurred

Factors for Determining Remedial Measures

Personal

- Life skill competencies
- Experiential deficiencies
- Social relationships
- Strengths
- Talents
- Traits
- Interests
- Hobbies
- Extra-curricular activities
- Classroom participation
- Academic performance

Environmental

- School culture
- School climate
- Student-staff relationships and staff behavior toward the student
- General staff management of classrooms or other educational environments
- Staff ability to prevent and de-escalate difficult or inflammatory situations
- Social-emotional and behavioral supports
- Social relationships
- Community activities
- Neighborhood culture
- Family situation

Consequences and appropriate remedial actions for a student who commits one or more acts of harassment or bullying may range from positive behavioral interventions up to and including suspension or expulsion, in the case of a student suspension, as set forth in the approved code of student conduct.

Consequences for a student who commits an act of harassment or 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 board of education'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. Effective discipline should employ a school wide approach to adopt a rubric of bullying offenses and the associated consequences. The consequences and remedial measures may include, but are not limited to, the examples listed below:

Examples of Consequences

- Admonishment
- Temporary removal from the classroom
- Loss of privileges
- Classroom or administrative detention
- Referral to disciplinarian
- In-school suspension during the school week for students



- Out-of-school suspension
- Legal action
- Recommendation for Expulsion or termination

Examples of Remedial Measures

Personal

- Framing the aggressive behavior as a failed attempt to solve a real problem or reach a goal. The adult assists the misbehaving student to find a better way to solve the problem or meet the goal.
- Restitution and restoration
- Peer support group
- Corrective instruction or other relevant learning or service experience
- Supportive discipline to increase accountability for the bullying offense
- Supportive interventions, including peer mediation, etc.
- Behavioral assessment or evaluation, including, but not limited to, a referral to a Child Study Team, as appropriate
- Behavioral management plan, with benchmarks that are closely monitored
- Involvement of school disciplinarian
- Student counseling
- Parent conferences

Environmental (Classroom, School Building)

- Set a time, place, and person to help the bully reflect on the offending behavior, maintaining an emotionally-neutral and strength-based approach
- School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying
- School culture change
- School climate improvement
- Adoption of research-based, systemic bullying prevention programs
- Modifications of schedules
- Adjustments in hallway traffic
- Modifications in student routes or patterns traveling to and from school
- Targeted use of monitors (e.g., hallway, cafeteria, bus)
- General professional development programs for certificated and non-certificated staff
- Professional development plans for involved staff
- Disciplinary action for school staff who contributed to the problem
- Parent conferences
- Referral to Family counseling
- Involvement of parent-teacher organizations
- Involvement of community-based organizations
- Peer support groups
- Law enforcement involvement

The Shiloh Charter School requires the principal and/or the principal's designee at each 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 or the principal's designee. 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 Shiloh Charter School requires the principal and/or the principal's designee to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the principal and/or the principal's designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. The investigation is to be completed within three school days after a report or complaint is made.

The Shiloh Charter School prohibits reprisal or retaliation against any person who reports an act of harassment or 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 Shiloh Charter School prohibits any person from falsely accusing another as a means of harassment or bullying. The consequences and appropriate remedial action for a *person* found to have falsely accused another as a means of harassment or bullying may range from positive behavioral interventions up to and including suspension or recommendation for expulsion.

The Shiloh Charter School 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 harassment and bullying that occur on school property, at school-sponsored functions, or on a school bus. The principal shall develop an annual process for discussing the school's policy on harassment and bullying with students and staff.

It is the policy of The Shiloh Charter School that all of its students and school employees have an educational setting that is safe, secure, and free from harassment and bullying of any kind. The Shiloh Charter School prohibits bullying and harassment of any type including:

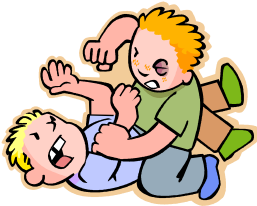
- a) During any education program or activity conducted by the Shiloh Charter School
- b) During any school-related or school-sponsored program or activity;
- c) On a school bus or
- d) Through the use of data or computer software that is accessed through a computer, computer system, or computer network of Valrico Academy



Definition of bullying and harassment:

Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more students. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to:

- Excessive Teasing
- Threat
- Intimidation
- Stalking
- Cyber-stalking
- Cyber-bullying
- Physical violence
- Theft
- Sexual, religious, or racial harassment
- Public humiliation
- Destruction of property



Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student that:



1. Places a student in reasonable fear of harm to his or her person or damage to his or her property.
2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits.
3. Has the effect of substantially disrupting the orderly operation of a school.

Cyber-stalking as defined in s. 784.048(1)(d), F.S., means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

Bullying and harassment also encompasses:

1. Retaliation against a student by another student for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
2. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student by:
 - a. Incitement or coercion
 - b. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the school system.
 - c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

Shiloh Charter School behavior expectations of each student.



CITIZENSHIP, HONESTY, RESPECT, PURSUIT OF EXCELLENCE

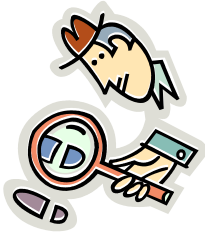
Students at Shiloh Charter School are expected to respect the person, property, and rights of others, demonstrate responsible behavior, obey constituted authority and respond to those who hold that authority.

Students are encouraged through daily interactions with teachers to show good conduct, self discipline, good citizenship and academic success.

Students are to have a clear and precise understanding of the definition of bullying and harassment as well as the Valrico Academy's expectations under the policy, the reasons for and benefits of the policy, as well as the consequences for violations of the policy.

Consequences and appropriate remedial actions for a Shiloh Charter School student who commits one or more acts of harassment or bullying may include; suspension or recommendation for expulsion as determined by the approved code of student conduct. The consequences include formal corrective strategies recognized in the Code of Student Conduct.





Temporary removal from class
Indoor suspension
Peer Mediation
Denial of bus privileges
Denial of the privilege of participation in social and/ or extracurricular activities
Outdoor suspension
Behavior Contract
Recommendation for Expulsion

Regarding Harassment (non-sexual or isolated):

- Parent/guardian contact
- School-based program that focuses on modifying the student's inappropriate behavior or promotes positive behavior
- Out of School Suspension
- Behavior Contract

Regarding Bullying (repeated harassment):

- Parent/guardian contact
- Out of School Suspension
- Behavior Contract
- Recommendation for expulsion



Consequences for a person who has wrongfully and intentionally accused another of an act of bullying or harassment at Shiloh Charter School.

- includes disciplinary action as outlined in the Code of Student Conduct.
- For a visitor or volunteer; will be determined by the Principal after consideration of the nature and circumstances of the act, not limited to include reports to appropriate law enforcement official.

Process of reporting an act:



The Principal at Shiloh Charter School will receive complaints alleging violations of bullying or harassment either anonymously, in person or in writing.
Any student can file a report that has:

- Witnessed the bullying or harassment
- Is a victim of bullying or harassment



- Has credible information that an act of bullying or harassment has taken place

All school employees are required to report alleged violations of this policy to the Principal or designated person.

All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy.

A school employee, school volunteer, student, parent/legal guardian or other person who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the school policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.

Written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s). Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

Any reported act of bullying or harassment will be acted upon with privacy, respect and confidentiality to protect the person making the alleged accusation of violation of this policy.

Procedure for a prompt investigation:



An alleged act of bullying or harassment at Shiloh Charter School begins with a report of an allegation of a particular incident or action. Refer to completed Investigation of Bullying/Harassment Form.

The Principal at Shiloh Charter School will select a designated person to initiate the investigation however they may not be the accused perpetrator or victim.

- Interviews of the victim, alleged perpetrator, and witness will be documented in a log maintained with privacy and confidentiality for tracking purposes.
- Each person is to be interviewed separately. The alleged perpetrator or victim is not to be interviewed together.
- The investigator will collect and evaluate the facts obtained on the Investigation of Bullying and Harassment form.
- The facts and surrounding circumstances will determine whether a particular action or incident constitutes a violation of the policy.
- Recommended remedial steps necessary to stop the bullying and/or harassing behavior will be necessary based on the finding of the investigation.
- A final report is required and must be submitted to the Principal in writing.

The maximum of 3 school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.



Documentation of Allegations of Bullying

All Interviews with alleged victim, perpetrators, and witness are conducted privately and confidential in accordance with standard practices for investigating bullying and harassment behaviors.

Student name	Student ID	Grade Level
Nature of behavior:		
Where did the incident or behavior occur?		
How often has the behavior occurred?		
Have there been past incidents or past continuing patterns of behavior?		
Relationship of parties involved:		
Was the perpetrator(s) in a position of power over the student allegedly subjected to bullying or harassment? Describe:		
Explain the context in which the alleged incident(s) occurred:		

Number of alleged bullies/harassers?		
Identify the perpetrator(s) 1.	2.	3.
Age	Age	Age
Has the conduct/incident adversely affected the student's education or educational environment? Explain:		
Have there been other related incidents in the school involving the same or other students? Explain:		

Record of Incident and/or action: A written report of facts and circumstances gathered, recommendation of steps and a formal report to principal are to be completed within 3 days of report of incident:	
Date of Interview	Name and Title of Interviewer:
Recommendations or steps taken to stop alleged behaviors:	
Date of report to Administration	Signature of investigator/Interviewer
Form of parental involvement/notification:	
Date of parent notification:	Name of Administrator to contact parent/guardian:



Process to investigate whether a reported act of bullying or harassment is within scope of the school's policy and if not process for referral of act to the appropriate jurisdiction:

- The Principal at Shiloh Charter School will select a person to determine whether an act of bullying or harassment is within the scope of the school's policy.

The person selected is responsible for providing a report to the Principal based on the results of the investigation to determine if act is within school's policy for bullying/harassment.

- If the act is within the scope of school's policy proceed to Procedure of Investigating Bullying or Harassment.
- If it is outside the scope of the school's policy and also a criminal act refer to the appropriate law enforcement.
- If it is outside scope of school's policy and not a criminal act, inform parent/legal guardian of all students involved.

For additional information on what constitutes inappropriate behaviors and actions refer to the Hillsborough County Student Code of Conduct 2009.

The Shiloh Charter School will utilize District's Report on School Safety and Discipline, which includes bullying/harassment as an incident code.

This is required under s.1006.09(6),F.S. The report must include each incident of bullying or harassment, the resulting consequences, including discipline and referrals. The report must include in a separate section, each reported incident of bullying or harassment that does not meet the criteria of a prohibited act under this section with recommendations regarding such incidents.

The district will provide bullying incident, discipline, and referral data to the Florida Department of Education in the format outlined through Survey 5 from Education and Accountability Services at the given dates provided by the Department.

Process of Immediate Notification to Parents of Bullying or Harassment.



1. Once an investigation of the incident has been initiated the Principal will by telephone or in writing by first class mail report the occurrence of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved.
2. If this notification is waived by the Principal as deemed in the best interest of the student it is to be done in writing and consistent with the student privacy rights under provisions of (FERPA)
3. If the bullying incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform parents/legal guardian of the victim(s) involved in the bullying incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states "...a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school."
4. Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.



Referring a victim for Counseling:

The counselor at Shiloh Charter School will intervene when bullying or harassment is suspected or when a bullying incident is reported.

- The counselor will be notified by the Principal
- The teacher or parent/legal guardian may also request an informal consultation with the counselor in writing, in person or orally to determine the severity of concern and appropriate steps to address the concern.

If it is determined that professional assistance from the counselor is needed the parent/legal guardian must be involved at this point.

Providing Instruction in indentifying, preventing and responding to bullying or harassment.



The Shiloh Charter School with the combined efforts of those in the school’s environment including teachers, administrators, counselors, bus drivers, custodians, cafeteria workers, media staff, parents/legal guardians, students and other nonteaching staff will work together to sustain a healthy, positive and safe learning environment.

Staff training will be provided for teachers, administrators and other school staff at the Shiloh Charter School at a minimum of an annual basis so they can recognize and respond to bullying / harassment and learn new intervention strategies to include: characteristics of bullies, definition of bullying and harassment, new ways to integrate anti-bullying materials into the curriculum, identifying, preventing and specific actions to be taken when bullying occurs.

Students at Valrico Academy will have early intervention awareness starting in the elementary grade levels with programs that identify, prevent and demonstrate how to respond to bullying/harassing behavior. Additionally, late enrolling students will be informed of the schools no tolerance anti-bullying/harassing policies and procedures.

Shiloh Charter School parents/guardians will be given reference material by school staff to educate them on understanding the bullying problem, recognizing its signs, and intervening appropriately.



