



## SECTION III: STUDENT POLICIES 3020

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### Bullying Policy

#### PURPOSE

To address student bullying behavior effectively through a multi-faceted approach that includes education and the promotion of a positive school atmosphere.

The School expressly prohibits any form of bullying behavior by students at school as well as active or passive support for acts of bullying. In addition, the School prohibits bullying behavior by students outside of the regular school day if it causes a substantial and material disruption at school or an interference with rights of students and personnel to be secure.

This includes but is not limited to bullying through electronic communication, whether or not such communication originated at school or with school equipment, if the communication is specifically directed at students or school personnel and concerns bullying at school, in any form.

The School Leader or his/her designee will develop a regulation to support and provide specific procedures for implementation of this policy. Students who engage in bullying behavior shall be subject to school discipline, up to and including expulsion in accordance with the policies, rules and regulations of the School's Board of Education.

#### Definitions

"Bullying" means any pattern of harassment, intimidation, threatening behavior, physical acts, verbal or electronic communication directed toward a student or group of students that results in or is reasonably perceived as being done with intent to cause negative educational or physical results for the targeted individual or group and is communicated in such a way as to disrupt or interfere with the school's education mission or the education of any student. Bullying includes physical bullying, emotional bullying, social bullying, and/or sexual bullying.

"Physical Bullying" may include harm or threatened harm to another's body or property, including but not limited to, what would reasonably be foreseen as a serious expression of intent to inflict physical harm or property damage through verbal or written speech or gestures directed at the student-victim, when considering the factual circumstances in which the threat was made and the reaction of the intended victim. Common acts include, but are not limited to, tripping, hitting, pushing, pinching, pulling hair, kicking, biting, starting fights, daring others to fight, stealing or destroying property, extortion, assaults with a weapon, other violent acts, and homicide.

"Emotional bullying" may include the intentional infliction of harm to another's self-esteem, including but not limited to insulting or profane remarks, or harassing and frightening statements, when such events are considered in light of the surrounding facts, the history of the students involved, and age, maturity, and special characteristics of the students.

"Social bullying" may include harm to another's group acceptance, including but not limited to, harm resulting from intentionally gossiping about another student or intentionally spreading negative rumors about another student that result in the victim being excluded from a school activity or student group; the intentional planning and/or implementation of acts or statements that inflict public humiliation upon

a student; the intentional undermining of current relationships of the victim-student through the spreading of untrue gossip or rumors designed to humiliate or embarrass the student; the use of gossip, rumors or humiliating acts designed to deprive the student of awards, recognition or involvement in school activities; the false or malicious spreading of an untrue statement or statements about another student that exposes the victim to contempt or ridicule or deprives the victim of the confidence and respect of student peers; or the making of false statements to others that the student has committed a crime, or has an infectious, contagious, or loathsome disease, or similar egregious representations.

“Sexual bullying” may include harm to another resulting from, but not limited to, making unwelcome sexual comments about the student, intentionally spreading sexual images, making vulgar, profane, or lewd comments or drawings or graffiti about the victim; directing vulgar, profane, or lewd gestures toward the victim; committing physical acts of a sexual nature at school, including the fondling or touching of private parts of the victim’s body; participation in the gossiping or spreading of false rumors about the student’s sexual life; written or verbal statements directed at the victim that would reasonably be interpreted as a serious threat to force the victim to commit sexual acts or to sexually assault the victim when considering the factual circumstances in which the threat was made and the reaction of the intended victim; off-campus dating violence by a student that adversely affects the victim’s school performance or behavior, attendance, participation in school functions or extracurricular activities, or makes the victim fearful at school of the assaulting bully; or the commission of sexual assault, rape, or homicide. Such conduct may also constitute sexual harassment – also prohibited by the School.

"Cyber bullying" occurs when a student is tormented, threatened, harassed, humiliated, embarrassed, or otherwise targeted by another student using the Internet, interactive and digital technologies, or mobile phones. Whether it be in a school related programs, like academic online discussions, Blackboard Collaborate sessions, or non-school related technologies like emails, SnapChat, Facebook or Twitter.

### Student and Staff Education and Training

The School is committed to providing appropriate and relevant training annually to students and staff regarding preventing, identifying, responding to and reporting incidents of bullying.

OVCA takes proactive measures to ensure all parents, students and staff are aware of the bullying policy, bullying prevention initiatives and the consequences of bullying. Annual written notice of the bullying policy will be provided to parents, guardians, staff, volunteers, and students, with age-appropriate language for students. A full copy of this policy will be posted at various locations at the school’s physical office, online, in course announcements within the online school platform, and on the OVCA website. The bullying policy will also be included in all student and employee handbooks.

Students and staff will be periodically reminded throughout the year of the availability of this policy, the School’s commitment to preventing bullying, and help available for those affected by bullying. Anti-bullying programs will be incorporated into the District’s other violence prevention efforts.

All staff will receive annual training regarding preventing, identifying, reporting, and managing bullying. The School’s bullying coordinator and individuals designated as investigators will receive additional training regarding appropriate consequences and remedial action for bullies, helping targets of bullies, and the School’s strategy for counseling and referral for those affected by bullying. Counselors will hold Class Connect sessions as designed and developed by the State Department of Education for students and parents in preventing, identifying, responding to and reporting incidents of

bullying. Counseling groups may also be formed based on student need. The high school principal is responsible for enforcement of the bullying policy.

Students will receive annual education regarding behavioral expectations, understanding bullying and its negative effects, disciplinary consequences for infractions, reporting methods, and consequences for those who knowingly make false reports. Any person who knowingly makes false accusations against another person will be appropriately disciplined pursuant to School policy. Any accusations confirmed to be false will be removed from the falsely-accused student's file. Parents and guardians may participate in a parent education component.

### Student Reporting

Students are encouraged to inform school personnel if they are the target of or a witness to bullying. To make a report, students should notify a teacher, counselor, principal, or other school personnel. The employee will give the student an official report form, and will help the student complete the form, if needed. Students may make an anonymous report of bullying, and such report will be investigated as thoroughly as possible.

### Staff Reporting

Staff members will encourage students to report bullying. All employees are required to report acts of bullying to the school principal or his/her designee on an official report form.

Any staff member who witnesses, hears about, or has reliable information that would lead a reasonable person to suspect that a student is a target of bullying is required to submit a report.

### Bullying Investigators

The School has designated the principal, Head of School or designee to investigate bullying reports. These individuals will be identified in the bullying prevention education provided annually to students and staff. The School's anti-bullying program is coordinated by the District's Safe School Coordinator.

For any alleged incidents of bullying reported to school officials, the principal or Head of School or designee will investigate the alleged incident(s) and determine (i) whether the bullying conduct occurred, (ii) the severity of the incident(s), and (iii) the potential for future violence. In conducting an investigation, the designated official shall interview relevant students and staff and review any documentation of the alleged incident(s). School officials may also work with outside professionals, such as local law enforcement, as deemed appropriate by the investigating official. In the event the investigator believes a criminal act may have been committed or there is a likelihood of violence, the investigator will immediately call local law enforcement. The following outlines the procedure for the investigation of harassment, intimidation, bullying or threatening behavior reported to school officials for the purpose of determining the severity of the incidents and their potential to result in future violence:

1. Any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of bullying shall immediately report it to the principal or a designee of the principal;
2. If the accused is a student of the school, the principal or designee will investigate the accusation and if the accusation is proven true, the school discipline policy will apply. The parent or guardian of both the victim and the perpetrator of documented and verified bullying will be notified with a phone call from the school counselor or school principal within 24 hours

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of the completion of verification and documentation process. If the parents cannot be reached by phone, a kmail and email will be sent requesting a phone conference.

3. Upon the completion of an investigation, OVCA may recommend community mental health care options be provided to the student, if appropriate. This may include information about the types of support services available to the student bully, victim, and any other students affected by the prohibited behavior. Any expenses incurred are the responsibility of the student.
4. OVCA may request the disclosure of any information concerning students who have received mental health care pursuant to sub-section (4) of 70 O.S. § 24-100.2 that indicates an explicit threat to the safety of students or school personnel provided, the disclosure of information does not violate the provisions or requirements of the Family Educational Rights and Privacy Act of 1974, the Health Insurance Portability and Accountability Act of 1996, Section 2503 of Title 12 of the Oklahoma Statutes, Section 1376 of Title 59 of Oklahoma Statutes, or any other state or federal laws relating to the disclosure of confidential information.
5. The principal, Head of School or designee will report to law enforcement all documented and verified acts of bullying which may constitute criminal activity or reasonably have the potential to endanger school safety.
6. The principal, Head of School or designee will refer the student who commits an act of bullying to a delinquency and diversion program administered by the Office of Juvenile Affairs.
7. If the accused is NOT a student of the school, the school office will help the victim and their family contact local authorities and/or the resident school district.
8. OVCA reports the number of incidents of bullying to the State Department of Education on an annual basis.

#### School Discipline Policy for Cyber Bullying:

If a student is found guilty of Cyber bullying or if a student is found to have falsely accused another as a means of retaliation, reprisal or as a means of bullying, the following consequences may be applied based on the severity of the infraction:

- First Offense or Minor Infraction: The student will receive a verbal warning. The student and parent will meet via phone with the school counselor and/or school advisor to learn about Cyber bullying.
- Second Offense or Severe Infraction: Repeated offenses or severe infractions will require a meeting with the student, parent, counselor and/or advisor and school administrator. A record of incident will also be placed on student file.
- Third Offense: Expulsion from OVCA.

#### Monitoring and Compliance

In order to assist the State Department of Education with compliance efforts pursuant to the School Safety and Bullying Prevention Act, 70 OKLA. STAT. § 24-100.2 et seq., the School will identify a bullying coordinator who will serve as the School contact responsible for providing information to the State Board of Education. The bullying coordinator shall maintain updated contact information on file with the State Department of Education and the School will notify the State Department of Education within fifteen (15) days of the appointment of a new bullying coordinator.

A copy of this policy will be submitted to the State Department of Education in December of each school year as part of the School's Annual Performance Report.

The School recognizes that there are many motivations behind the act of bullying, one of which may be for a discriminatory purpose. If the bullying behavior constitutes discriminatory harassment,

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intimidation or bullying (i.e., it is targeted toward an individual because of race, color, religion, sex, sexual orientation, age, national origin, marital status, veteran status, disability or genetic information), the misconduct is prohibited regarding Discriminatory Harassment, Intimidation and Bullying and is subject to protection.

Retaliation is expressly prohibited against any person who participates in reporting, investigating or addressing any incident of bullying behavior.