

**Pataula Charter Academy and
Spring Creek Charter Academy
Bullying Policy**

Policy Statement:

Pataula Charter Academy and Spring Creek Charter Academy believe that all students have a right to a safe and healthy school environment. The school has an obligation to promote mutual respect, tolerance, and acceptance among students, staff, and volunteers. Behavior that infringes on the safety of any student will not be tolerated. A student shall not bully, harass, or intimidate another student through words or actions.

The school policy prohibiting bullying is included in the student code of conduct and includes but is not limited to the following:

- Any student who engages in bullying shall be subject to disciplinary action up to and including expulsion.
- Students are expected to immediately report incidents of bullying to the principal or designee.
- Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.
- If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached after consulting with the Director of Discipline, the student or the parent of the student should contact the Principal.
- The school prohibits retaliatory behavior against any complainant or any participant in the complaint process.

Definition of Terms:

A. Bullying:

In accordance with O.C.G.A. § 20-2-751.4, bullying means an act that is:

- 1) Any willful attempt or threat to inflict injury on another person, when accompanied by an apparent present ability to do so;
- 2) Any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm; or
- 3) Any intentional written, verbal, or physical act, which a reasonable person would perceive as being intended to threaten, harass, or intimidate, that:
 - i. Causes another person substantial physical harm within the meaning of O.C.G.A. § 16-5-23.1 or visible bodily harm as defined in O.C.G.A. § 16-5-23.1;
 - ii. Has the effect of substantially interfering with a student's education;
 - iii. Is so severe, persistent, or pervasive that it creates an intimidating or threatening education environment; or
 - iv. Has the effect of substantially disrupting the orderly operation of the school.

The term applies to acts which occur on school property, on school vehicles, at designated school bus stops, or at school related functions or activities or by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of a local school system. The term also applies to acts of cyberbullying which occur through the use of electronic communication, whether or not such electronic act originated on school property or with school equipment, if the electronic communication

- 1) is directed specifically at students or school personnel,
- 2) is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and
- 3) creates a reasonable fear of harm to the students' or school personnel's person or property or has a high likelihood of succeeding in that purpose.

For purposes of this Code Section, electronic communication includes but is not limited to any transfer of signs, signals, writings, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system.

B. Harassment and Intimidation:

Harassment and intimidation means any gesture or written, verbal, or physical act, or any electronic communication that is reasonably perceived as being motivated either by any actual or perceived characteristic including race, color, ethnicity, religion, gender, sexual orientation, ancestry, national origin, physical attributes, socioeconomic status, physical or mental ability or disability, or by any other distinguishing characteristic, that takes place on school property, at any school-related functions or activities, on a school bus, or acts of cyberbullying which occur through the use of electronic communication, whether or not such electronic act originated on school property or with school equipment, if the electronic equipment:

- 1) is directed specifically at students or school personnel,
- 2) is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and
- 3) creates a reasonable fear of harm to the students' or school personnel's person or property or has a high likelihood of succeeding in that purpose.

C. Visible Bodily Harm

In accordance with O.C.G.A. § 16-5-23.1, *visible bodily harm* is defined as bodily harm capable of being perceived by a person other than the victim and may include, but is not limited to, substantially blackened eyes, substantially swollen lips or other facial or body parts, or substantial bruises to body parts.

Prohibited Behaviors:

Bullying, cyberbullying, harassment and intimidation may include many different behaviors which ridicule, humiliate, or intimidate another student or school employee. Disciplinary action may also be necessary if off-campus behavior results in a disruption to the school environment. Examples of prohibited behaviors include but are not limited to:

- ❖ Threats, taunts and intimidation through words and/or gestures
- ❖ Physical violence and/or attacks
- ❖ Extortion
- ❖ Destruction of school or personal property
- ❖ Theft of money and/or personal possessions
- ❖ Sexual, religious, or racial harassment
- ❖ Public humiliation
- ❖ Social exclusion, including incitement and/or coercion
- ❖ Rumors or spreading of falsehoods
- ❖ Stalking
- ❖ Cyberstalking or engaging in 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 or about a specific person, causing substantial emotional distress to the victim
- ❖ Cyberbullying or the willful, hostile and repeated harassment and intimidation of a person through the use of digital technologies, including, but not limited to, email, blogs, social networking websites (e.g. Facebook, Twitter, Instagram, etc.) chat rooms, texts, and instant messaging
- ❖ The use of cameras or camera phones to take embarrassing photographs of students

- or school employees and posting them online
- ❖ Sending abusive or threatening text messages or instant messages
- ❖ Using websites to circulate gossip and rumors to other students

Procedures for Reporting, Investigating and Discipline of Incidents of Bullying:

The procedures for intervening in bullying behavior include, but are not limited, to the following:

- All staff, students and their parents will receive a summary of this policy prohibiting bullying at the beginning of the school year as part of the student code of conduct.
- The school shall keep a report of bullying and the results of an investigation confidential.
- Staff are expected to immediately intervene when they see a bullying incident occur or upon receipt of any report of bullying.
- People witnessing or experiencing bullying are encouraged to report the incident to the school principal designee.

All students and/or staff shall immediately report incidents of bullying, harassment and intimidation to the Director of Discipline, Counselor, Principal, or designee. School staff members are expected to immediately intervene when they see a bullying incident occur. Each complaint of bullying shall be promptly investigated. This policy applies to students on school grounds, while traveling on a school bus to and from school or a school-sponsored activity and during a school-sponsored activity, by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of a local school system or acts of cyberbullying which occur through the use of electronic communication, whether or not such electronic act originated on school property or with school equipment, if the electronic equipment

1. is directed specifically at students or school personnel,
2. is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and
3. creates a reasonable fear of harm to the students’ or school personnel’s person or property or has a high likelihood of succeeding in that purpose.

Students, parents/guardians and other stakeholders may report incidents of bullying to an administrator, teacher, counselor or other staff member by using the school’s complaint procedures or by calling the Georgia Department of Education’s 1-877 SAY-STOP (1-877-729-7867) School Safety Hotline. Please note: Any form of electronic bullying (cyberbullying) using school equipment, school networks, e-mail systems or committed at school is strictly prohibited.

*Retaliation following a report of bullying is strictly prohibited and may result in strong disciplinary action.

The following actions will be taken when bullying is reported:

1. Investigate

Upon receipt of any report of bullying, schools will direct an immediate investigation involving appropriate personnel. The investigation will begin no later than the following school day. The investigation shall include interviewing the alleged perpetrator(s) and victim(s), identified witnesses, teacher(s) and staff members and reviewing video surveillance if available.

2. Notify

At an appropriate time during or after the investigation, parents/guardians of the accused and the victim must be notified. If the incident involves an injury or similar situation, appropriate medical attention will be provided and the parent/guardian will be notified immediately.

3. Discipline

Bullying, harassment or intimidation will not be tolerated. Disciplinary action will be taken after each incident of bullying and upon a finding of guilt. Upon confirming that bullying has occurred, the accused student will

be charged with bullying and given an age-appropriate consequence which shall include, at minimum and without limitation, disciplinary action or counseling as appropriate under the circumstances.

Disciplinary action after being found guilty of an incident of bullying may include but is not limited to the following:

- Loss of a privilege
- Reassignment of seats in the classroom, cafeteria or school bus
- Reassignment of classes
- Detention
- In-school suspension
- Out-of-school suspension
- A combination of the above consequences
- Expulsion (through appropriate due process hearing)

Upon a finding by a tribunal hearing officer that a student in grades six through 12 has committed the offense of bullying for the third time in a school year, such student shall be assigned to an alternative school.

4. Follow Up

Follow up is important to the accused and the victim. After-care and follow up will be provided to all parties involved. If necessary, counseling and other interventions will also be provided to address the social-emotional, behavioral, and academic needs of students who are victims of bullying and students who commit an offense of bullying.

Bullying: OCGA 20-2-751.4

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