



# Roosevelt Children's Academy Charter School

## BULLYING, HARASSMENT AND DISCRIMINATION POLICY

THE ROOSEVELT CHILDREN'S ACADEMY (RCA) BOARD OF TRUSTEES IS COMMITTED TO PROTECTING ITS STUDENTS AND EMPLOYEES FROM ANY TYPE OF BULLYING, HARASSMENT AND/OR DISCRIMINATION. SUCH BEHAVIOR WILL NOT BE TOLERATED FOR ANY REASON. THE BOARD BELIEVES THAT ALL STUDENTS AND EMPLOYEES ARE ENTITLED TO A SAFE, EQUITABLE AND HARASSMENT-FREE SCHOOL EXPERIENCE. BULLYING, HARASSMENT AND/OR DISCRIMINATION WILL NOT BE TOLERATED AND SHALL BE JUST CAUSE FOR DISCIPLINARY ACTION. THIS POLICY SHALL BE INTERPRETED AND APPLIED CONSISTENTLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS. CONDUCT THAT CONSTITUTES BULLYING, HARASSMENT OR DISCRIMINATION, AS DEFINED HEREIN, IS PROHIBITED. ALL ALLEGATIONS OF THIS NATURE WILL BE TAKEN SERIOUSLY AND HANDLED SENSITIVELY.

THIS POLICY ADDRESSES THE REQUIREMENTS AGAINST DISCRIMINATION BY USING THE FEDERAL, STATE, AND LOCAL DEFINITIONS OF PROTECTED CATEGORIES OF PERSONS. IT IS ESSENTIAL THAT A BASIC UNIVERSAL PREVENTION POLICY BE IN PLACE SO THAT EVERY STUDENT AND/OR EMPLOYEE IN THE SCHOOL WILL RECEIVE A FOUNDATION OF PREVENTION UPON WHICH TO BUILD A CULTURE OF HEALTH, WELLNESS, SAFETY, RESPECT AND EXCELLENCE.

The standards of this policy constitute a specific, focused, coordinated, integrated and culturally sensitive system of supports for all students, staff, families and community agencies that will improve relations within RCA. It is designed to ensure that RCA has a trained staff that supports its school's efforts to provide awareness, intervention training and instructional strategies on prevention, including violence prevention, to each staff member, parent and student in the school, and to direct follow-up procedures in response to the report of or occurrence of incidents.

### **I. Definitions**

A. **"Bullying"** means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as: unwanted purposeful written, verbal, nonverbal, or physical behavior, including but not limited to any threatening, insulting, or dehumanizing gesture, by an adult or student that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation, is carried out repeatedly and is often characterized by an imbalance of power.

Bullying may involve, but is not limited to, the following acts:

1. Unwanted teasing;
2. Threatening;



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3. Intimidating;
4. Stalking;
5. Physical Violence;
6. Theft;
7. Sexual, religious or racial harassment;
8. Cyberstalking;
9. Cyberbullying;
10. Public humiliation;
11. Destruction of school or personal property;
12. Social exclusion, including incitement and/or coercion;
13. Rumor or spreading of words.

B. **“Harassment”** means any threatening, insulting, or dehumanizing gesture, use of technology, computer software, or written, verbal or physical conduct directed against a student or school employee that:

1. Places a student or school employee 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, or employee's work performance, or either's opportunities, or benefits;
3. Has the effect of substantially negatively impacting a student's or employee's emotional or mental well-being; or
4. Has the effect of substantially disrupting the orderly operation of a school and/or school campus work environment.

C. **“Cyberstalking,”** 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, electronic/audio recording, directed at or about a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

D. **“Cyberbullying”** is defined as the willful and repeated harassment and intimidation of a person through the use of digital technologies, including, but not limited to, email, blogs, cell phone texting, chat rooms/social websites (i.e..Snapchat, Facebook, Twitter, etc.),“sexting”, instant messaging or video voyeurism (which itself is a criminal offense).

E. **“Bullying”, “Cyberbullying”** and/or **“Harassment”** also encompasses:

1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying, harassment or discrimination.



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Retaliation also includes reporting a baseless act of bullying, harassment or discrimination that is not made in good faith.

2. Perpetuation of conduct listed in the definition of bullying, harassment and/or discrimination by an individual or group with intent to demean, dehumanize embarrass or cause emotional or physical harm to a student or school employee 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; or
  - c. Acting in a manner that has an effect substantially similar to the effect of bullying, harassment or discrimination.

F. **“Bullying,” “Cyberbullying,” “Harassment” and “Discrimination”** (hereinafter referred to as “bullying”, as defined in Section A for the purpose of this Policy) also encompasses, but is not limited to, unwanted harm towards a student or employee in regards to their real or perceived: sex, race, color, religion, national origin, age, disability (physical, mental, or educational), marital status, socio-economic background, ancestry, ethnicity, gender, gender identity or expression, linguistic preference, political beliefs, sexual orientation, social/family background or being viewed as different in its education programs or admissions to education programs, and therefore prohibits bullying of any student or employee by any Board member, school employee, consultant, contractor, agent, visitor, volunteer, student or other person in the school or outside the school at school-sponsored events, on school buses and at training facilities or training programs sponsored by the school.

G. **“Accused”** is defined as any school employee, consultant, contractor, agent, visitor, volunteer, student or other person in the school or outside the school at school-sponsored events, on school buses, training facilities or school-sponsored training programs, who is reported to have committed an act of bullying, whether formally or informally, verbally or in writing.

H. **“Complainant”** is defined as any school employee, consultant, contractor, agent, visitor, volunteer, student or other person who formally or informally makes a report of bullying, orally or in writing.

I. **“Victim”** is defined as any school employee, consultant, contractor, agent, visitor, volunteer, student or other person in the school or outside the school at school sponsored events, on school buses and at training facilities or training programs sponsored by the school, who is reported to have been the target of an act of bullying during any educational program or activity conducted by RCA.



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### II. Expectations

RCA expects students and employees to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

- A. RCA prohibits the bullying of any student or school employee:
  - 1. During any educational program or activity conducted by RCA;
  - 2. During any school-related or school-sponsored program or activity or on a RCA school bus trip;
  - 3. Through the use of any electronic device or data while on school grounds or on a RCA school bus trip, computer software that is accessed through a computer, computer system or computer network of the RCA. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated under this section;
  - 4. Through threats using the above to be carried out on school grounds. This includes threats made outside of school hours, which are intended to be carried out during any school-related or school-sponsored program or activity, or on a RCA school sponsored bus trip;
  - 5. While RCA does not assume any liability for incidences that occur at a bus stop or en route to and from a trip, a student or witness may file a complaint following the same procedures for bullying against a student and the school will investigate and/or provide assistance and intervention as the Principal/designee deems appropriate, which may include the use of the School Dean. The Principal/designee shall use all School Reporting Systems to log all reports and interventions. However, if a student's ability to receive an education or a school's ability to provide an education is significantly impaired, as determined by the school administration, disciplinary sanctions may be issued through this policy; or
  - 6. Though an incident of alleged of bullying (cyberbullying or other) may occur off campus and may not entail threats of acts to occur during school hours, if a student's ability to receive an education or a school's ability to provide an education is significantly impaired, disciplinary sanctions may be issued as determined by RCA administration,



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B. All administrators, faculty, and staff, in collaboration with parents, students and community members, will incorporate systemic methods for student and staff recognition through positive reinforcement for good conduct, self-discipline, good citizenship and academic success, as seen in the required discipline plan to address positive school culture and behavior.

C. Student rights shall be explained as outlined in this policy and in the Student Code of Conduct: Anti-Bullying Policy.

D. Proper prevention and intervention steps shall be taken based on the level of severity of infraction as outlined in the Student Code of Conduct Anti-Bullying and this Policy.

### **III. Stakeholder Responsibilities**

A. **Student Support Services Prevention Team (Guidance/Counselor/Dean of Students/SPEDS):** Student Support Services professionals, in collaboration with other school departments, will collaborate with school-based staff members, families and community stakeholders to utilize this Policy and associated procedures to promote academic success, enhance resiliency, build developmental assets and promote protective factors within each school by ensuring that each and every staff member and student is trained on violence prevention. These trainings will work to create a climate within RCA that fosters the safety and respect of children and the belief that adults are there to protect and help them. Additionally, students and staff (including, but not limited to, school-based employees, administrators, counseling staff, s and dean) will be given the skills, training and tools needed to create the foundation for preventing, identifying, investigating and intervening when issues of bullying arise.

B. **Schools: By November 2011, the RCA** principal in conjunction with operations, shall designate a safety committee participant (from the Prevention Team) who shall serve on existing committee/teams that address acts of violence and school safety. At minimum, this team should include staff members from administration, operations, guidance, dean, counseling and instruction. These designees are the key school-based personnel who will receive prevention training and assist in the dissemination of prevention methods, intervention and curriculum for bullying and other issues that impact the school culture and welfare of students and staff.

C. **Community Resource:** RCA should engage community resource to provide training.

D. **Evidence-Based Interventions and Curriculum:** Student Support Services Safety Committee staff members will serve as the coordinators and trainers of prevention for all designated school staff. Those trained in prevention will then collaborate as “violence prevention partners” to implement the evidence-based interventions and proven programs within each of their schools. Training will focus on prevention and evidence-based programs.



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E. **Parent Participation and Partnership:** Student Support Services professionals, in collaboration with other school departments, will provide opportunities and encourage parents to participate in prevention efforts with their children in meaningful and relevant ways that address the academic, social and health needs of their children. RCA will offer to parents and parent group associations training on violence prevention and will also offer knowledge of and/or the opportunity to participate in any violence prevention initiatives currently taking place in their school via the school website, open houses and parent/school newsletters. Training will provide resources and support for parents by linking them with internal supports as well as referral to community-based resources as needed.

F. **Evaluation of Service Effectiveness:** Evaluations to determine the effectiveness and efficiency of the services being provided will be conducted at least once every three years and shall include data-based outcomes.

G. **Accountability:** The Principal/investigative designee, as well as school administration and student support team, share accountability for implementation of these student support services consistent with the standards of this policy. These administrators will take steps to assure that student support services are fully integrated with their instructional components at each school and are pursued with equal effort in policy and practice.

#### **IV. Training will be conducted for students, parents, teachers, administrators, counseling/guidance staff, contractors and school volunteers on identifying, preventing and responding to bullying.**

A. At the beginning of each school year, the school Principal/investigative designee and or appropriate school administrator shall provide awareness of this policy, as well as the process for reporting incidents, investigations and appeals to students, school staff, parents or other persons responsible for the welfare of a student through appropriate references in the Student Code of Conduct, Employee Handbooks, the school website at [www.rcacs.org](http://www.rcacs.org), and/or through other reasonable means.

#### **V. Disciplinary sanctions (consequences) and due processes for a person who commits an act of bullying under this policy.**

A. Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances, followed by a determination of the disciplinary sanctions appropriate to the perpetrator's position within the school.

1. The consequences of and appropriate interventions for students found to have committed an act of bullying may range from positive behavioral interventions up to, but not limited to suspension, as outlined in the Student Code of Conduct and this Policy.



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- a. All steps necessary to protect the victim from further violations of this policy will be taken. Only a principal/designee may make that determination.
2. The consequences of and appropriate interventions for a school employee found to have committed an act of bullying will be instituted in accordance with school policies, procedures and agreements (Code of Conduct, Employee Disciplinary Guidelines Workplace Violence Rules and the Education Professionals' Contract Agreement). Egregious acts of bullying by certified educators may result in a sanction against an educator's state issued certificate.
3. The consequences of and appropriate interventions for a visitor, volunteer or parent/guardian found to have committed an act of bullying shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.
4. These same actions will apply to persons, whether they are students, school employees, parents/guardians or visitors/volunteers/independent contractors, who are found to have made wrongful and intentional accusations of another as a means of bullying.

### **VI. Reporting an act of bullying/corporal punishment**

A. The principal/designee is responsible for receiving oral or written complaints alleging violations of this policy, as with all infractions from the Student Code of Conduct.

B. Students may report complaints of bullying/corporal punishment to any school employee, faculty or staff. All school employees, faculty and staff are required to and must report, in writing, any allegations of bullying or violations of this Policy involving students to the Principal/investigative designee or appropriate area/school administrator. Failure to report will result in action(s) or discipline, consistent with the collective bargaining agreement provisions, up to and including termination of employment. Any school faculty or staff who suspects adult-on-adult bullying is strongly encouraged to report any concerns.

C. Any other members of the school community who have credible information that an act of bullying has taken place may file a report of bullying, regardless of whether the reporting person is a victim or witness.

D. Any student (and/or parent on behalf of the complainant if the complainant is a minor) who believes that he/she is a victim of bullying (or any individual, including any student who has knowledge of any incident(s) involving bullying of students) is strongly encouraged to report the incident(s) in writing to a school official. Complaints should be filed as soon as possible



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after the alleged incident and should be noted on the specified data system but must be filed within ninety (90) school days after the alleged incident (i.e., within 90 school days of the last act of alleged bullying). Failure on the part of the victim to initiate and/or follow up on the complaint within this period may result in the complaint being deemed abandoned.

E. The RCA Principal shall establish, and prominently publicize to students, staff, volunteers and parents, how a report of bullying may be filed and what actions may be taken.

F. A school employee, school volunteer, contractor, student, parent/guardian or other person who promptly reports in good faith an act of bullying to the appropriate school official, and who makes this report in compliance with the procedures set forth in this 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 complaint or report of bullying in good faith will not affect the complainant or reporter's future employment, grades, learning or working environment or work assignments within RCA.

G. Administrators/principal/investigative designee(s) shall document in writing and/or via the specified data system all complaints regarding bullying, as with all infractions of the Code of Student Conduct, to ensure that problems are appropriately addressed in a timely manner, regardless of whether the report is made verbally or in writing.

H. **Corporal Punishment.** Corporal punishment is prohibited by the Board of Trustees and by NYS law. All allegations of corporal punishment will be investigated by the Investigative designee and reported to the Administration. Staff may be removed pending resolution.

- You may not use physical force to direct or discipline a student.
- You may not have a pupil stand in the back of the room or hallway as a disciplinary measure.
- You may not assign repetitive writing of lines as a disciplinary action.  
Essays relating to behavioral topics are permissible.
- You may not use threatening or abusive language towards a student.
- All staff members are mandated to report incidents of sexual harassment to administration

Anonymous reports may be made and delivered to RCA administration, investigative designee, front office or via their **Parent Contact Form** on the internet website at [www.rcacs.org](http://www.rcacs.org).

Anyone wishing to file a bullying report can also make a report via email to [Info@rcacs.org](mailto:Info@rcacs.org). Administrators shall use the specified data system to log all reports and interventions. Formal disciplinary action may not be based solely on the basis of an anonymous report.



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### VII. Bullying Complaints and Resolution

A. The investigation of a reported act of bullying of a student, school-based employee, parent/guardian or other persons providing service to the school is deemed to be a school-related activity, and such investigation begins with a report of the complained of act.

B. The Principal/investigative designee shall document all complaints in writing and/or through the appropriate data system to ensure that problems are addressed in a timely manner. This process is to be followed with all anonymous complaints as well. Although this Policy encourages students to use the formal written complaint process, school officials should investigate all complaints and reports of harassment whether or not the complaint is in writing.

C. If the complaint is about the principal or a direct supervisor of a school staff member, then the Area HR/Investigative Designee or appropriate administrator shall be asked to address the complaint.

D. The principal will make the determination if a reported act of bullying or harassment falls within the scope of the school.

1. If the reported act falls within the scope of the school, move to Procedures for Investigating Bullying and/or Harassment as outlined below.
2. If the reported act falls outside the scope of the school, and is determined to be an alleged criminal act, refer to the appropriate law enforcement officials, provide any applicable interventions and document according to Policy.
3. If the reported act falls outside the scope of the school, and is determined not to be a criminal act, the parents/guardians of all students involved will be informed, the appropriate interventions will be provided and such will be documented according to Policy.

E. An "Informal Resolution" is where the administrator, along with the alleged victim and the accused/student, agrees to informally resolve the complaint. Documented interviews of the victim, alleged perpetrator and witnesses are conducted privately, separately and are confidential. Each individual (victim, alleged perpetrator and witnesses) will be interviewed separately, and at no time will the alleged perpetrator and victim be interviewed together. Each party's agreement to Informal Resolution must be in writing. The incident and the resolution must be documented on the appropriate data system. If a mutual resolution has not been achieved, a formal written appeal must be filed within five (5) work days after the informal meeting and be submitted to the Superintendent or appropriate school supervisor.

F. A "Formal Resolution" occurs when the alleged victim/complainant/student/employee or parent(s), on behalf of the student, files a written complaint with the Principal/investigative designee or appropriate school administrator. Said



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complaint form is available on RCA's website at [www.rcacs.org/Parents](http://www.rcacs.org/Parents) . According to the level of infraction, parents will be promptly notified of any actions being taken to protect the victim via written notice, telephone or personal conference; the frequency of notification will depend on the seriousness of the bullying incident.

G. The resolution and all interviews and interventions that take place, along with their corresponding dates, shall be documented in writing and/or noted in the district specified data system.

### **VIII. Investigation requirements for reported acts of bullying under this policy.**

A. The procedures for investigating school-based bullying must include the Principal and/or the Investigative Designee, in the case of student-to-student bullying. The Principal and/or Investigative Designee shall be trained in investigative procedures and interventions as outlined in this Policy. For incidents at the area/campus level, or for school-based adult-on-adult bullying, the appropriate administrator will be responsible for the investigation as outlined in this Policy and will run concurrently with and in addition to all agreed upon procedures for staff discipline.

B. The investigator may not be the accused or the alleged victim.

C. The principal/investigative designee or appropriate school administrator shall begin a thorough investigation with the alleged victim and accused within two (2) school days of receiving a notification of complaint. RCA requires that school administrators/investigative designees provide immediate notification to the parents of both the victim and the alleged perpetrator of an act of bullying or harassment.

D. During the investigation, the principal/investigative designee or appropriate school administrator may take any action necessary to protect the complainant, alleged victim, other students or employees consistent with the requirements of applicable regulations and statutes.

1. Documented interviews of the alleged victim, alleged perpetrator, and witnesses are conducted privately, separately and are confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim to be interviewed together.
2. At no time during the investigation will the name of the complainant be revealed by the investigator.
3. In general, student complainants and/or alleged victims will continue attendance at the same school and pursue their studies as directed while the investigation is conducted, and the complaint is pending resolution. Any legal order of a court will prevail.



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4. When necessary to carry out the investigation or for other good reasons, and consistent with federal and state privacy laws, the Principal/designee or appropriate area school administrator may discuss the complaint with any school employee, the parent of the alleged victim, the parent of the complainant or accused if one or both is a minor (or has given consent or is an adult who has been determined to be incompetent or unable to give informed consent due to disability) and/or child protective agencies responsible for investigating child abuse.
5. During the investigation where an employee is the accused, the Principal/Designee or the appropriate administrator may recommend to the Director of Human Resources/designee, any action necessary to protect the complainant, the alleged victim or other students or employees, consistent with the requirements of applicable statutes, State Education Department Rules, Board Policies and collective bargaining agreements.

E. Within ten (10) school days of the notification as to the filing of the complaint, there shall be a written decision by the Principal/Designee or appropriate administrator regarding the completion and determination of the investigation. The Principal/Designee shall make a decision about the validity of the allegations in the complaint and about any corrective action, if applicable, consistent with the Code of Conduct.

F. The Principal/Designee or appropriate administrator will inform all relevant parties in writing of the decision and the right to appeal. A copy of the decision will be sent to the originating campus school and be noted in all relevant data tracking systems including, but not limited to, Human Resource files, Statewide Report on School Safety and Discipline Data system.

G. If the accused is an employee, discipline may be taken consistent with any applicable collective bargaining agreement to resolve a complaint of bullying. The supervisor/designee (e.g., principal/designee for school-based employees) of the employee shall discuss the determination and any recommended corrective action with the Principal and Director of Human Resource.

H. No retaliation of any kind is permitted in connection with the making of a bullying complaint, and if such retaliation occurs, it shall be deemed an additional act of bullying as stated within this Policy.

### **IX. Referral for Intervention**

A. Referral of a student to the collaborative problem-solving team (school based counseling team with a problem solving focus) for consideration of appropriate services is made through the school problem-solving process, by school personnel or by parent.



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When such a report of formal discipline or formal complaint is made, the Principal/designee shall refer the student(s) to the collaborative problem-solving team for determination of the need for counseling support and interventions.

B. Referral of school personnel for consideration of counseling support and interventions will be made on a self-referral basis.

C. School-based intervention and assistance will be determined by the collaborative problem-solving team, and may include, but is not limited to:

1. Counseling and support team to address the needs of the victims of bullying;
2. Counseling interventions to address the behavior of the students who bully (e.g., empathy training, anger management);
3. Intervention which includes assistance and support provided to parents; or
4. Analysis and evaluation of school culture with resulting recommendations for interventions aimed at increasing peer ownership and support.

D. Self-referral for informal consultation: School staff, students or parents may request informal consultation with school staff (e.g., school counselor, school dean/ etc.) to determine the severity of concern and appropriate steps to address the concern of bullying (the involved students' parents may be included).

E. Any investigations and interventions shall be recorded on the school specified data system.

### **X. Incident Reporting Requirements**

A. The procedure for including incidents of bullying in the school's report of safety and discipline data is required. The report must include each incident of bullying and the resulting consequences, including discipline, interventions and referrals. In a separate section, the report must include each reported incident of bullying or harassment that does not meet the criteria of a prohibited act under this policy, with recommendations regarding said incident.

B. **RCA** will utilize Statewide Report on School Safety and Discipline Data, which includes bullying/harassment in its codes.

C. Discipline, referral data, investigations, interventions, and actions of discipline shall be recorded on the specified data system, as with other infractions from the Code of Student Conduct Anti-Bullying policy.



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### **XI. Process for Referral for External Investigation**

A. If the reported act of bullying falls outside the scope of the school and is determined to be a criminal act, referral to the appropriate law enforcement officials shall immediately be made, the parent will be notified and the referral will be documented by the Principal/designee in the specified data system.

B. While RCA does not assume any liability for incidences that must be referred for external investigation, it encourages the provision of assistance and intervention as the Principal/designee deems appropriate, including the use of the School intervention staff and other personnel. The Principal/designee shall use School Reporting Systems to log all reports and interventions.

### **XII. Appeals Process**

A. Appeal procedure for bullying by a student will follow the steps outlined in the Code of Student Conduct, Anti-Bullying Policy.

B. Appeal procedure for an accused/employee:

1. If the accused/employee wishes to appeal the action taken in resolution of the complaint, such appeal shall be filed either in accordance with the RCA Board Policy or pursuant to the relevant collective bargaining agreement.
2. For those employees not in a bargaining unit, the appeal shall be filed in accordance with the RCA Policy

### **XIII. Confidentiality**

A. To the greatest extent possible, all complaints will be treated as confidential and in accordance with the RCA Policy, Family Educational Rights and Privacy Act ("FERPA"), the Health Insurance Portability and Accountability Act ("HIPAA") and any other applicable law.

B. Limited disclosure may be necessary to complete a thorough investigation as described above. The school obligation to investigate and take corrective action may supersede an individual's right to privacy.

C. The complainant's identity shall be protected, but absolute confidentiality cannot be guaranteed.

D. The identity of the victim of the reported act shall be protected to the extent possible.



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### **XIV. Retaliation Prohibited**

A. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment in connection with filing a complaint or assisting with an investigation under this Policy.

B. Retaliatory or intimidating conduct against any individual who has made a bullying complaint or any individual who has testified, assisted, or participated in any manner in an investigation is specifically prohibited and as detailed in this Policy shall be treated as another incidence of bullying.

### **XV. Additional Referral**

In all cases, RCA reserves the right to refer the results of its own investigation as appropriate.