

ANTI-BULLYING POLICY

Westinghouse Arts Academy Charter School strongly condemns acts of bullying and will take swift and appropriate action to respond to any accusations of bullying.

Harassment or bullying is any gesture or written, verbal, graphic, or physical act (including electronically transmitted act) that takes place on school property, at any school-sponsored activity, or in a school vehicle and 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; a disability or impairment; or by any other distinguishing characteristic. Harassment or bullying includes any gesture or written, verbal, graphic, or physical act (including electronically transmitted act) that takes place off school property if such act causes a hostile environment on school grounds.

Westinghouse Arts Academy Charter School encourages students who have been subject to bullying or harassment to promptly report such incidents to designated employees as listed in this policy.

All complaints of harassment or bullying shall be investigated promptly, and corrective action shall be taken when allegations are substantiated. Confidentiality of all parties shall be maintained to the extent possible, consistent with Westinghouse Arts Academy Charter School's legal and investigative obligations.

This policy also prohibits (a) retaliation against anyone who in good faith reports behavior prohibited by this policy; and (b) intimidation of any witness or party who participates in an investigation.

This policy applies to students, employees and third-parties (such as vendors, independent contractors and members of the general public) and covers incidents that result in the bullying or harassment of Westinghouse Arts Academy Charter School students regardless of whether the incidents themselves occur on school property.

Westinghouse Arts Academy Charter School's Principal or his/her designee is the Compliance Officer for purposes of this anti-bullying policy.

The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public. Such communications to students, parents/guardians and the public shall include the position, office address and telephone number of the Compliance Officer. This policy, its complaint procedures and the Compliance Officer's contact information shall be available on the school website as well as in the main office.

This policy applies to all applicable acts of harassment and bullying that occur on school property, at school sponsored events, on a school bus or as a result of a student's association with the school. The Principal shall develop an annual process for discussing the policy on harassment and bullying with students and staff.

Contact information for the Compliance Officer and for the building principal appears at the end

of this policy..

Definitions

Harassment is conduct that meets all of the following criteria:

- Is directed at one or more students;
- Substantially interferes with educational opportunities, benefits, or programs of one or more students;
- Adversely affects the ability of a pupil to participate in or benefit from Westinghouse Arts Academy Charter School's educational programs or activities because the conduct, as reasonably perceived by the student, is so severe, pervasive, and objectively offensive as to have this effect; and,
- Is based on a student's actual or perceived distinguishing characteristic, or is based on an association with another person who has or is perceived to have a distinguishing characteristic, such as race, color, age, creed, religion, gender, sexual orientation, ancestry, national origin, marital status, pregnancy, genetic history, or disability.

Bullying is conduct that meets the following criteria:

- Is directed at one or more students;
- Is severe, persistent or pervasive; and
- Has the effect of doing any of the following:
 - Creating a threatening environment;
 - Substantially interfering with educational opportunities, benefits, or programs of one or more students; or
 - Substantially interfering with the orderly operation of the school.

Procedure

Examples of bullying, intimidation and retaliation when such actions (or any other actions) are based on the target's race, color, age, creed, religion, gender, sexual orientation, ancestry, national origin, marital status, pregnancy, genetic history, or disability prohibited by this policy include but are not limited to:

1. Name calling or insults
2. Inappropriate jokes
3. Inappropriate pictures, cartoons, drawings or other depictions
4. Isolation or exclusion

The list above is not all inclusive. Any action that marginalizes, isolates or harasses a student due to his/her race, color, age, creed, religion, gender, sexual orientation, ancestry, national origin, marital status, pregnancy, genetic history, or disability to the extent that such action creates a hostile environment is prohibited by this policy.

Westinghouse Arts Academy Charter School expects students to conduct themselves in a manner keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school personnel. To prevent harassment and bullying, Westinghouse Arts Academy Charter School staff shall use disciplinary situations as opportunities for helping students to learn to assume responsibility and consequences for their behavior. Staff members who interact with students shall use restorative practices to prevent discipline problems and encourage students' abilities to develop

self-discipline.

Westinghouse Arts Academy Charter 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. Staff shall attempt to stop bystander support or encouragement of harassment or bullying. In serious cases of bystander support or encouragement of harassment or bullying staff shall report such actions to the Principal. Bystander support or encouragement of harassment or bullying shall be punishable as harassment or bullying.

Administrators shall develop and implement procedures that ensure both the appropriate consequences and remedial responses to student 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 harassment or bullying:

- Parties' ages, development, and maturity
- Harm, if any
- Surrounding circumstances
- Prior incidents
- Parties' relationship
- Context
- Life skill competencies
- Social-emotional and behavioral supports

Consequences and appropriate remedial actions may range from restorative interventions up to and including suspension or expulsion. Consequences must be consistent with Westinghouse Arts Academy Charter School's Code of Conduct. Remedial measures shall be designed to correct the problem behavior; prevent another occurrence of the behavior; and protect the victim of the act. The consequences may include, but are not limited to, the examples listed below:

- Warning
- Temporary removal from the classroom
- Loss of privileges
- Detention
- Suspension
- Legal action
- Expulsion

Remedial measures may include:

- Problem solving advice
- Peer support group
- Corrective instruction or other relevant learning or service experience
- Behavioral assessment or evaluation,
- Involvement of school disciplinarian
- Student counseling
- Parent conferences
- Student therapy

Environmental (Classroom, School building) measures may include:

- Schedules modification
- Hallway traffic adjustment or monitoring
- Parent conferences
- Law enforcement involvement
- Peer support groups
- Adoption of research-based, systemic bullying prevention programs

The Principal or Associate Principal are responsible for receiving complaints alleging violations to this policy. All school employees are required to report alleged violations of this policy to the Principal or Associate Principal. The complaining party or reporting employee is encouraged to submit a written report, but oral complaints shall be acceptable.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the Principal or Associate Principal. Within two (2) school days, the Principal or Associate Principal will follow up with the student reported to be the subject of such conduct. 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.

Complaint Procedure

Step 1 - Reporting

The Principal is responsible for conducting a prompt, thorough, and complete investigation of each alleged incident. The Principal or his/her designee shall:

1. Inform the complaining party of the right to file a complaint and the complaint procedure.
2. Inform the complaining party if s/he is a student that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complaining party and the accused of the progress at appropriate stages of the procedure.
4. Refer the complaining party to the Associate Principal if the Principal is the subject of the complaint.

If the Associate Principal is the subject of a complaint, the complaining party or the reporting employee shall report the incident directly to the Principal.

In cases in which the alleged victim may be in danger or his/her ability to participate fully in the educational process may be seriously impaired, the Principal or his/her designee may take interim action (consistent with state and federal law) to keep the alleged victim from his/her alleged harasser. Such action may include parent contact, removal from class, loss of privileges, detention, or suspension of the alleged harasser.

REPORTS OF ALLEGED INCIDENTS MUST BE MADE NO LATER THAN NINETY (90) DAYS AFTER THE ALLEGED INCIDENT OCCURRED.

Step 2 - Investigation

Incidents of bullying, harassment, intimidation and retaliation prohibited by this policy will be promptly and equitably investigated.

The investigation may consist of individual interviews with the complaining party, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation. Both the alleged victim and the alleged bully/harasser will be given the opportunity to present witnesses and other evidence. The investigator will use the preponderance of evidence standard to determine whether this policy has been violated. That is, a violation will be found if the complainant or victim presents evidence establishing it is more likely than not that the prohibited conduct occurred.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

The investigation is to be completed within three (3) school days after a report or complaint is made. Any reasonable delays (e.g., the unavailability of witnesses or parties due to illness) will be noted in the investigative file, and the investigation will be completed as soon as possible following the delay.

Step 3 - Investigative Report

The Principal (or other person conducting the investigation) shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. Any reason for additional time in which to complete the report will be noted in the investigative file. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, whether it is a violation of this policy, and a recommended disposition of the complaint.

Findings of the investigation shall be provided in writing within five (5) school days to the complaining party, the accused and the Compliance Officer.

Step 4 - Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, Westinghouse Arts Academy Charter School shall take prompt, corrective action to ensure that such conduct ceases and will not recur. Victims of substantiated bullying or harassment claims will be offered counseling and other resources consistent with the circumstances of their charges.

Disciplinary action shall be consistent with the employee handbook, Student Code of Conduct, Board policies, Westinghouse Arts Academy Charter School procedures, applicable employment agreements, and applicable law. Employees will be disciplined consistent with the findings and such discipline may include termination. Independent contractors found to be in violation of this policy may have their agreements terminated

or may be debarred from transacting business with Westinghouse Arts Academy Charter School. Other third-party actors may be prohibited from participating in Westinghouse Arts Academy Charter School activities.

Students will be subject to the consequences listed above. The lists of prohibited behavior and possible discipline are illustrative only. Consistent with state and federal law, Westinghouse Arts Academy Charter School will take appropriate action to address bullying and harassment.

Reprisal or retaliation against any person who reports an act of harassment or bullying is prohibited. 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 reprisal or retaliation.

False accusations of harassment or bullying are prohibited. The consequences and appropriate remedial action for a person found to have falsely accused another of harassment or bullying may range from positive behavioral interventions up to and including suspension or expulsion.

Appeal Procedure

1. If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days.
2. The Compliance Officer shall review the investigation and the investigative report and may also conduct an additional reasonable investigation.
3. The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days of receipt. Copies of the response shall be provided to the complainant, the accused and the Principal (or other person) who conducted the initial investigation.

Anti-Bullying Policy Compliance Officer

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