



Board of Trustees Policy

ANTI-BULLYING & ANTI-HAZING POLICY

The Board of Trustees of Roberto Clemente Charter School ("Roberto Clemente") recognizes the importance of providing all students and employees with a safe school and learning environment in order to promote the educational process. The Board has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards as well as to promote positive interaction among students through participation in Roberto Clemente-sponsored groups or organizations. Bullying, cyberbullying, and hazing have negative effects on the educational environment of schools. Therefore, Roberto Clemente strives to offer all students an educational environment free from bullying. It shall be the policy of Roberto Clemente to maintain an environment in which any type of bullying, cyberbullying, and hazing is not tolerated in any form.

Roberto Clemente will not tolerate known acts of bullying, cyberbullying, or hazing that occur in the school setting. This policy pertains to all students and staff, regardless of their status. This policy also applies to all students and staff whose conduct out of school materially and substantially interferes with the educational process at the Charter School.

School leadership or designee shall develop administrative procedures and programs to increase awareness of the problems of bullying, and train teachers to effectively intervene if bullying is witnessed in their presence or brought to their attention.

In accordance with state law, school leadership shall review this policy every three (3) years and recommend necessary revisions to the Board of Trustees.

Definitions

"Bullying" and **"Cyberbullying"** shall mean an intentional electronic, written, verbal or physical act, or a series of acts:

- (1) directed at another student or students;
- (2) which occurs in a school setting;
- (3) that is severe, persistent, or pervasive; and
- (4) that has the effect of doing any of the following:
 - (i) substantially interfering with a student's education;
 - (ii) creating a threatening environment; or
 - (iii) substantially disrupting the orderly operation of the school.

24 Pa. Stat. § 13-1303.1-A(e)



Bullying and cyber-bullying shall encompass acts that occur outside a school setting if those acts meet the requirements found in (1), (3) and (4) listed above.

"School setting" shall mean in the school; on school grounds; on school property; using school equipment and technology; on a school service or electronic, web-based internet or online programs; in school vehicles; and at a designated bus stop or at any activity sponsored, supervised, or sanctioned by the school. The definition shall also include the time students necessarily spend traveling to and from school or school-sponsored activities. Any student whose out-of-school conduct materially interferes with or substantially disrupts the educational process in the school is also subject to this policy.

Cyberbullying

Cyber-bullying is often seen by sending harmful or cruel material, text messages and/or images or engaging in other forms of social aggression and bullying using the Internet, cell phones, personal digital assistants ("PDAs") or other technology resources.

All students, staff, volunteers and contractors shall comply with the Roberto Clemente's Internet Safety and Responsible Use Policy, which is required under the Children's Internet Protection Act ("CIPA"), and review the Roberto Clemente's Social Media Policy when using any technology resources.

Cyber-bullying via the Internet is conducted through any one or more of a number of methods, including, but not limited, to:

- Email sent to the intended victim;
- Blog entries regarding the intended victim;
- Posts on social networking websites;
- Posting victim's pictures on the Internet or networking websites with derogatory phrases or questions attached to them;
- Using instant messaging tools to harass victims;
- Creating an Internet parody of the intended victim;
- Creating fake Internet profiles for the victim on a public website;
- Creating or accessing an unauthorized website which harasses or bullies the victim;
- Using camera phones and/or digital cameras to take embarrassing photographs of students and/or staff and posting them online;
- Excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

Cell phones are also often used for cyber-bullying by calling or text messaging the victim and/or using a victims' cell phone to text or call another victim using harassing language.



The use of the Internet or Roberto Clemente email does not necessarily have to involve the creation of the offensive materials. Rather, the person creating the offensive material may do it on a home computer and then use the Charter School's computers to take such actions as accessing it, viewing it, displaying it for others to see, disseminating copies of it to others or otherwise publicizing the contents.

Hazing

Title 18 - Chapter 28 was added October 19, 2018. P.L.535, No.80, is also known as the "Timothy J. Piazza Antihazing Law." Chapter 28 defines the following:

§ 2802. Hazing.

(a) Offense defined.--A person commits the offense of hazing if the person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a minor or student into or with an organization, or for the purpose of continuing or enhancing a minor or student's membership or status in an organization, causes, coerces or forces a minor or student to do any of the following:

- (1) Violate Federal or State criminal law.
- (2) Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the minor or student to a risk of emotional or physical harm.
- (3) Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.
- (4) Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
- (5) Endure brutality of a sexual nature.
- (6) Endure any other activity that creates a reasonable likelihood of bodily injury to the minor or student.

(b) Grading.--

- (1) Except as provided under paragraph (2), hazing is a summary offense.
- (2) Hazing shall be a misdemeanor of the third degree if it results in or creates a reasonable likelihood of bodily injury to the minor or student.

(c) Limitation.--Hazing shall not include reasonable and customary athletic, law enforcement or military training, contests, competitions or events.

Secondary school: Any public or private school within this Commonwealth providing instruction in grades 7 through 12 or any combination of those grades.

The CEO or designee shall ensure that students are informed of the secondary school's policy as it applies to grades 7 through 12 taught at the Roberto Clemente Secondary school, including the secondary school's rules, penalties and program of enforcement. This policy must be posted on Roberto Clemente's publicly accessible Internet website.

The CEO or designee will provide a program for the enforcement of this policy required under 18 Pa. C.S.A. 2801 *et seq.* and shall adopt appropriate penalties for violations of the policy to be



administered by the Roberto Clemente's CEO or their designees responsible for the sanctioning or recognition of the organizations covered by this policy.

Guidelines

Students shall conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents and guardians, staff, and community members of Roberto Clemente, 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 school and community property on the part of students, staff, and community members.

Since bystander support of bullying, cyberbullying and hazing can bolster these types of behaviors, Roberto Clemente prohibits both active and passive support for acts of bullying, cyberbullying and hazing. The staff should encourage all students to refuse to engage in these acts and to report them immediately to the principal or designee of Roberto Clemente.

Student, Parent/Guardian, and Employee Reporting

Roberto Clemente strongly encourages all students and parents/guardians who become aware of any act of bullying to immediately report that conduct. Any student who feels he or she has been bullied or cyber-bullied shall have the right to file a complaint of such bullying. Students may report acts of bullying to their teachers, school leadership or other school employees supervising school-sponsored activities. Parents/Guardians may contact faculty or school leadership to report acts of bullying. All reports will be treated in a confidential manner.

Any staff member who sees any incidents of bullying or cyber-bullying must immediately report the incident(s) to the school principal. 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 to the school principal may be made anonymously, but formal disciplinary action *may not* be based solely on the basis of an anonymous report.

Investigation Procedures

Upon learning about a bullying or cyberbullying incident, school leadership or designee shall interview students involved in the incident(s) and thoroughly investigate. The investigation is to be commenced within three (3) school days after a report of any bullying is received. The school principal or designee shall immediately notify the parent or guardian of the perpetrator of the



bullying and the parent or guardian of the victim of the bullying of the alleged incident.

It shall be the responsibility of the school principal or designee to investigate promptly and thoroughly any and all bullying and cyber-bullying complaints received or referred by other individuals and to make recommendations based upon the investigation. The principal shall be responsible for determining whether an alleged act constitutes a violation of this policy. In determining whether alleged conduct constitutes bullying or cyber-bullying, the totality of circumstances, nature of the conduct, and context in which the alleged conduct occurred shall be investigated. The investigation may include interviews with students, parents/guardians and school staff, and the review of school records. If the investigation results in a substantiated charge of the bullying, Roberto Clemente shall take prompt corrective action to ensure the bullying and/or cyber-bullying ceases and will not reoccur.

Consequences/Intervention

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying or cyber-bullying may range from a mental health assessment, a parent conference, suspension or other consequences as provided in Roberto Clemente discipline policies.

In some cases, bullying and/or cyber-bullying may constitute criminal activity and the Police Department will be notified. This may lead to a criminal investigation and criminal charges against the student or staff.

Consequences for a student who commits an act of bullying and/or cyber-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 Roberto Clemente's student 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.

Retaliation Prohibited

The Board of Trustees strictly prohibits retaliation or reprisal against any person who reports bullying and/or cyber-bullying incidents. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment used against a person who reports, in good faith, incident(s) of bullying and/or cyber-bullying. Disciplinary action against any person who retaliates or engages in reprisals for reporting such behavior(s) may include sanctions up to and including expulsion or suspension for students and termination for staff engaging in such prohibited conduct. The consequences and appropriate remedial action shall be determined after consideration of the nature, severity, and circumstances of the act.



False Accusations

The Board of Trustees prohibits any person from falsely accusing another of bullying and/or cyber-bullying. The consequences and appropriate remedial action for a student found to have falsely accused another of bullying and/or cyber-bullying may range from positive behavioral interventions up to and including suspension or expulsion. Consequences and appropriate remedial action for an employee found to have falsely accused another of bullying and/or cyber-bullying shall be disciplined in accordance with Roberto Clemente's policies, procedures, and agreements.

Disabled Students

For those students who meet the disability definitions of IDEA and/or Section 504, both Section 504 and Title II protect these disabled students from bullying or hazing by teachers, other school employees, and third parties. Such prohibited behavior can trigger a school's obligation to address disability-based harassment, remedy a denial of a free and appropriate public education ("FAPE"), or both. The U.S. Department of Education's Office of Civil Rights ("OCR") would find a disability-based harassment violation under Section 504 and Title II when: (1) a student is bullied or hazed based on a disability; (2) the bullying or hazing is sufficiently serious to create a hostile environment; (3) school officials know or should know about the bullying or hazing; and (4) the school does not respond appropriately.

Compliance

As required by the Federal Broadband Data Improvement Act of 2008, the Roberto Clemente shall educate elementary and secondary school aged students with computer access to the Internet about appropriate online behavior, including online interaction with other individuals on social networking websites, and in chat rooms and educate them regarding cyberbullying awareness and response.

The Board of Trustees directs the Administration to develop any procedures necessary to implement this policy and to develop appropriate prevention, intervention and education strategies related to bullying and cyberbullying.

Acts of bullying and cyberbullying are prohibited by and a violation of the Roberto Clemente's Acceptable Use and Internet Safety Policy and its Child Internet Protection Act (CIPA) Policy.

Roberto Clemente will comply with all applicable federal and state laws relating to bullying and cyberbullying and hazing, including, but not limited to, the requirements delineated in the Pennsylvania Charter School Law, 24 P.S. § 1701-A, *et seq.*, the Federal Children's Internet Protection Act (CIPA), 47 U.S.C. § 254(h) and (l), and the Neighborhood Children's Internet Protection Act (N-CIPA) and any applicable implementing regulations and the PA Anti-Hazing



Law (P.L. 1595, No.175).

Roberto Clemente will also comply with Chapter 711 of Title 22 of the Pennsylvania Code, the Public School Code, the applicable House Bill 1067 Public School Code amendments relating to safe schools and bullying, and applicable provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) and its applicable implementing regulations regarding the discipline of special education students and thought-to-be eligible students who engage in an act of bullying.

Specifically, with regard to the PA Safe Schools Act, Roberto Clemente administration shall annually provide the following information with the Safe School Report:

1. The Board's Anti-Bullying Policy.
2. Report of all bullying incidents.
3. Information on the development and implementation of any bullying prevention, intervention, or education programs.

Training

To ensure bullying does not occur on school campuses, the Charter School will provide staff with development training in bullying prevention and cultivate acceptance and understanding in all students and staff to build each school's capacity to maintain a safe and healthy learning environment.

Notification To Students.

Within ninety (90) days of adoption of this policy, or any subsequent changes thereto, and at least one (1) time during each school year thereafter, school leadership will arrange that this policy will be reviewed with the students in the building to ensure their awareness of the same.

The policy shall be available on the school web site, in each classroom and posted prominently in at least one location in each building in such a location as other such notices are posted. The policy shall also be incorporated into the school's student discipline policy.



TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

Adopted this 15th day of September, 2026

DR. LYNN COLUMBA

President

ALEX ROLÓN

Secretary