


3.1.24	BULLYING – Lakemary School	Effective: 05/21 Revised: 10/21 Reviewed: Approved by Bd. of Dir.: 05/21; 10/21  Kirk Davis, Interim President/CEO
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POLICY STATEMENT

Bullying, intimidation, and harassment are detrimental to the learning environment for both the student and the educator, and all students deserve equal access to a safe, non-hostile learning environment for academic success. Bullying is contrary to State law and the mission of Lakemary. Lakemary prohibits bullying in any form either by a person served, staff member, or parent/guardian towards a person served, staff member, or parent/guardian while on Lakemary properties whether owned or leased, in a Lakemary vehicle, at a Lakemary event, or any other program-sponsored activities. This policy aligns with organizational policies regarding Nondiscrimination (1.2.5), Legal Requirements (1.2.6), Grievance Policy (3.1.10), Rights of Individuals Served (3.1.13).

SCOPE

This policy applies to all Lakemary students, employees, observers, interns, contractors, visitors, or volunteers of Lakemary Residential School. This information is to be included in the school handbook and posted prominently on the Lakemary website for stakeholder access and review. Additionally, this policy is to be distributed annually to parents, guardians, students, and school personnel, including new employees when hired.

DEFINITIONS

As used in this Policy, the following definitions apply.

Bullying: Any intentional gesture or any intentional written, verbal, electronic, or physical act or threat either by a person served, staff member, or parent/guardian that is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive service environment for a person served or staff member that a reasonable person, under the circumstances, knows or should know will have the effect of:

- a) Harming a person served or staff member, whether physically or mentally; or
- b) Placing a person served or staff member in reasonable fear of harm to the student or staff member; or
- c) Damaging the property of a person served or staff member; or
- d) Placing a person served or staff member in reasonable fear of damage to personal property; or
- e) Substantially interfering with the performance of a person served or staff member within a program (e.g., academic performance, work performance, etc.), and/or the ability to participate in or benefit from services, activities, or privileges within their program area(s); or
- f) Any other form of intimidation or harassment prohibited by any policy of Lakemary Center as well as any applicable state and federal laws and rules.

Cyberbullying: Bullying through the use of any electronic communication device through means including, but not limited to, e-mail, instant messaging, text messaging, blogs, mobile phones, pagers, online games, and websites.

- a) This includes transmitting information from a Lakemary approved computer, network, or similar electronic equipment. This may include the transmission of information from a non-Lakemary related location, activity, function, program, or electronic device if the bullying causes substantial disruption to the program environment or facility operations.

POLICY

Bullying may take various forms including, but not limited to: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, retaliation for asserting or alleging an act of bullying, etc.

Bullying on the basis of actual or perceived race, color, national origin, military status, unfavorable discharge status from the military service, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited during each of the following situations:

- a) During any school-sponsored education program or activity.
- b) While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities.
- c) Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.
- d) Through the transmission of information from a computer that is accessed at a non-school-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by a school district or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This item (4) applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred and it does not require a district or school to staff or monitor any non-school-related activity, function, or program.

Any student may report suspected bullying via the Grievance form. This can be done with the assistance of their teacher, therapist, or other staff member. Parent complaints may be received by the student's therapist, school social worker, or school principal. Employee concerns are to be sent to Risk Management. Any reports to Risk Management may be received anonymously. Any student or employee who is determined to have knowingly made false accusations against another individual shall be subject to disciplinary measures.

All alleged incidents of bullying within Lakemary School will be brought to the School Principal for investigation. The School Principal may be contacted through the main phone line (913-557-4000) or through filling out the contact form on the Lakemary website (www.lakemary.org). The School Principal may include Risk Management in the investigation efforts at his/her discretion. All reasonable efforts will be made to conclude any investigation within 10 school days from the date of initial report. Other school support personnel or staff members with knowledge, experience, and training on bullying prevention will be included as appropriate under the circumstances.

Consistent with federal and state laws and rules governing student privacy rights, parents/guardians of all students involved will be notified by the following school day regarding alleged incidents. Parents/guardians who are parties to the investigation will be provided information on the conclusion and have an opportunity to meet with the School Principal or Designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying. Resources

will be provided as appropriate, which may include social work services, counseling, school psychological services, other interventions, and restorative measures. Additional resources will be available for all stakeholders on the Lakemary website (www.lakemary.org).

Any allegations of staff-to-student bullying will be fully investigated by Risk Management and will be reported to the appropriate parties as outlined in Lakemary’s abuse/neglect report policies and procedures. This will include notifying parents/guardians and other pertinent stakeholders.

Any student-to-student incidents of discrimination, harassment, or bullying will be handled in accordance with each student’s Individualized Education Plan and Behavior Intervention Plan (if applicable). The students served at Lakemary are dually diagnosed with intellectual/developmental disabilities (I/DD) and psychiatric/behavioral concerns. Their behaviors may not be intentional or malicious. Therefore, any potential disciplinary action will be addressed on an individualized basis according to each student’s team, and as they believe is appropriate for that student. Potential interventions could include but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.

Reports of bullying or harassment between employees, contractors, volunteers, vendors, and/or visitors shall be handled through Human Resources and the appropriate supervisor. Actions could include mediation, verbal counseling, or other disciplinary measures up to termination for employees.

Any reprisal or retaliation by a person served, staff member, or parent/guardian against an individual who reports bullying is strictly prohibited.

POLICY EVALUATION

The effectiveness of this policy will be evaluated through annual program analysis between Lakemary School and Risk Management Committee. This analysis will review factors including (but not limited to):

- a) Frequency of victimization
- b) Student, staff, and family observations of safety at school.
- c) Identification of areas of the school where bullying occurs.
- d) The types of bullying that are common or occurring.
- e) Bystander intervention or participation.

Policy reference: **NA**

Procedure reference: **Child & Adolescent Program Handbook
Family Program Handbook
Lakemary Day Student Handbook
Parent & Family Handbook
School Procedure Manual**

Application: **Lakemary School**