

**JOURNEY SCHOOL**  
**HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING POLICY**

Discrimination, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, Journey School ("Journey" or "Charter School") prohibits any acts of discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy and related conditions, and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locs, and twists), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age or association with a person or group with one or more of these actual or perceived characteristics or based on any other characteristic protected under applicable state or federal law or local ordinance. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

Journey will take action to investigate, respond, and address misconduct prohibited by this Policy in a timely manner. Journey school staff who witness acts of misconduct prohibited by this Policy shall take immediate steps to intervene when safe to do so.

This policy applies to all acts related to school activity or school attendance occurring within the jurisdiction of Journey, and all acts of Journey's Governing Board ("School Council") in enacting policies and procedures that govern Journey. This policy is inclusive of incidents occurring on the school campus, at school-sponsored events and activities regardless of the location, through school-owned technology, and through other electronic means, whether perpetrated by a student, employee, parent/guardian, volunteer, independent contractor or other person with whom Journey does business..

Journey complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

**Definitions**

**Harassment** may include, but is not necessarily limited to:

- Verbal conduct such as epithets, derogatory jokes, comments or slurs.
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work or school based on any of the protected characteristics listed above.
- Retaliation for reporting or threatening to report harassment.
- Deferential or preferential treatment based on any of the protected characteristics listed above.

**Bullying** is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more

acts committed by a student or group of students as defined in Education Code sections 48900.2, 48900.3, or 48900.4, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- Placing a reasonable student<sup>1</sup> or students in fear of harm to that student's or those students' person or property.
- Causing a reasonable student to experience a substantially detrimental effect on the student's physical or mental health.
- Causing a reasonable student to experience a substantial interference with the student's academic performance.
- Causing a reasonable student to experience a substantial interference with the student's ability to participate in or benefit from the services, activities, or privileges provided by Journey.

**Cyberbullying** generally means bullying that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, video or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

**Electronic act** means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- A message, text, sound, video, or image.
- A post on a social network Internet Web site including, but not limited to:
  - Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above.
  - Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
  - Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
- An act of "Cyber sexual bullying" including, but not limited to:
  - The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to

---

<sup>1</sup> "Reasonable student" is defined as a student, including, but not limited to, a student with exceptional needs, who exercises average care, skill and judgment in conduct for a person of the student's age, or for a person of the student's age with the student's exceptional needs.

school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of “bullying,” above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

- “Cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

### **Bullying and Cyberbullying Prevention Procedures**

Journey has adopted the following procedures for preventing acts of bullying, including cyberbullying. Bullying includes social media bullying, which may involve internet websites with free registration and ease of registration, internet websites offering peer-to-peer instant messaging, internet websites offering comment forums or sections, and internet websites offering image or video posting platforms.

#### **Cyberbullying Prevention Procedures**

Journey advises students:

- To never share passwords, personal data, or private photos online.
- To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- That personal information revealed on social media can be shared with anyone including parents, teachers, administrators, and potential employers. Students should never reveal information that would make them uncomfortable if the world had access to it.
- To consider how it would feel receiving such comments before making comments about others online.

Journey informs its employees, students, and parents/guardians of Journey’s policies regarding the use of technology in and out of the classroom. Journey encourages parents/guardians to discuss these policies with their children to ensure their children understand and comply with such policies.

#### **Education**

Journey employees cannot always be present when bullying incidents occur, so educating students about bullying is a key prevention technique to limit bullying from happening. Journey advises students that hateful and/or demeaning behavior is inappropriate and unacceptable in our society and at Journey and encourages students to practice compassion and respect each other.

Journey educates students to accept all student peers regardless of protected characteristics and about the negative impact of bullying other students.

Journey's bullying prevention education will also help students develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

Journey informs Journey employees, students, and parents/guardians of this Policy and encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

### **Professional Development**

Journey annually makes available the online training module developed by the California Department of Education pursuant to Education Code section 32283.5(a) to its certificated employees and all other Journey employees who have regular interaction with students. That training is linked here:

<https://www.cde.ca.gov/ls/ss/se/bullyres.asp>

Journey informs certificated employees about the common signs that a student is a target of bullying including:

- Physical cuts or injuries
- Lost or broken personal items
- Fear of going to school/practice/games
- Loss of interest in school, activities, or friends
- Trouble sleeping or eating
- Anxious/sick/nervous behavior or distracted appearance
- Self-destructiveness or displays of odd behavior
- Decreased self-esteem

Journey also informs certificated employees about the groups of students determined by Journey and available research to be at elevated risk for bullying and provides its certificated employees with information on existing school and community resources related to the support of these groups. These groups include but are not limited to:

- Students who are lesbian, gay, bisexual, transgender, or questioning youth ("LGBTQ") and those youth perceived as LGBTQ; and
- Students with physical or learning disabilities.

Journey encourages its employees to demonstrate effective problem-solving, anger management, and self-confidence skills for Journey's students.

### **Complaint Procedures**

Journey follows its Uniform Complaint Procedures (UCP) to address reports of unlawful discrimination, harassment, intimidation, or bullying. Reports of unlawful sex-based discrimination, including sexual harassment, may be filed under Journey's Title IX Policy and Grievance Procedures. Journey's UCP Policy and Title IX Policy and Grievance Procedures include further information on filing these types of complaints, the timeline to investigate and resolve the complaints, and the process for appealing such complaints. Copies of Journey's Title IX Policy and UCP Policy are available on the school website.

### **Submitting a Report or Complaint**

All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of misconduct prohibited by this Policy, to intervene when safe to do so, call for assistance, and report such incidents. The School Council requires staff to follow the procedures in this Policy for reporting alleged acts of misconduct prohibited by this Policy.

While submission of a written report is not required, and Journey will investigate and respond to all oral and written reports of misconduct prohibited by this Policy, the reporting party is encouraged to submit a written report. While reports can be made anonymously, further investigation and/or appropriate disciplinary action may not be feasible without further identifying information.

Students are expected to report any and all incidents of misconduct prohibited by this Policy and other verbal or physical abuses to a teacher or staff member immediately. Any student who feels they are a target of such behavior should immediately contact a teacher, counselor, the Executive Director, a staff person or a family member so that the student can get assistance in resolving the issue in a manner that is consistent with this Policy.

Journey acknowledges and respects every individual's right to privacy. All reports and complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process to the greatest extent possible. This includes keeping the identity of the complainant confidential, as appropriate, except to the extent necessary to comply with applicable law, carry out the investigation and/or to resolve the issue, as determined by Journey on a case-by-case basis.

Journey prohibits any form of retaliation against any individual who reports conduct which they believe to be a violation of this Policy, or who participates in an investigation of a possible violation of this Policy.

