

# **Virtual Preparatory Academy at Lucerne Comprehensive School Safety Plan**

**2022-2023**

<https://lucerne.virtualpreparatoryacademy.com>  
8560 Aliento Rd., Lucerne Valley, CA 92356  
36 75051 0138107  
Phone: (888) 885-0284

## **Administration**

Michelle Romaine: Head of School  
Kristen Mandell: Principal

## **Board**

**Rina Fernandez**  
**Jack Pierce**  
**Stephanie Van Epps**

Date of Adoption:  
2/15/23

## **Comprehensive School Safety Plan Purpose**

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at 2235 W Foothill Blvd. Upland, CA 91786.

## **Safety Plan Vision**

The Virtual Preparatory Academy at Lucerne Comprehensive School Safety Plan (CSSP) was established to ensure the health and safety of pupils and staff, in compliance with California SB 719 and AB 115. Staff and student health and safety are very important at Virtual Academy Preparatory at Lucerne (VPAL). While Virtual Preparatory Academy at Lucerne is an online school there are no physical classrooms utilized for instruction. Immunization forms and other pertinent medical records will be kept (confidentially) on file by the school administration. Parents are expected to ensure that their children obtain proper immunizations prior to matriculating pursuant to Chapter 1 (commencing with §120325) of Part 2 of Division 105 of the Health and Safety Code. The school may exempt students from enrolling who are not properly immunized pursuant to §48216 (a-c) of the Education Code. Those parents who are having difficulty obtaining immunizations for their children will be provided information on where to get immunized in their community. All pertinent and required health and safety documentation is collected at time of hire or enrollment as appropriate. Copies of employee records and student records can be made available at the request of the School District.

## **Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)**

### Child Abuse Reporting Definitions

1. Child Abuse includes the following: a) A physical injury inflicted by other than accidental means on a child by another person. b) Sexual abuse of a child. c) Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody. d) Unlawful corporal punishment or injury resulting in a traumatic condition. e) Neglect of a child or abuse in out-of-home care. 2. Mandated Reporters are those people defined by law as childcare custodians, health practitioners, child visitation monitors, and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report: Teachers, administrators, supervisors of child welfare and attendance, certificated pupil personnel employees, school psychologists, licensed nurses, counselors, and those instructional aides or other classified employees trained in child abuse reporting. 3. Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation.

### Duty to Report

In conformance with the requirements of the Penal Code, any school employee who has knowledge of or observes a child in their professional capacity or within the scope of their employment whom they know or reasonably suspects has been a victim of child abuse shall report the known or suspected instance of child abuse to the local law enforcement and/or child protective agency immediately or as soon as practically possible by telephone, and shall prepare and send a written report thereof within 36 hours of receiving the information concerning the incident. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166. For the purposes of this reporting procedure and the Penal Code, "reasonable suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like situation, drawing when appropriate on their training and experience, to suspect child abuse. Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the School Director or designee as soon as possible after the initial verbal report by telephone. When so notified, the School Director shall inform the Chief Executive Officer or designee. Administrators so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law and school regulations. At the mandated reporter's request, the School Director may assist in the completion and filing of these forms. If the mandated reporter does not disclose their identity to a school administrator, they shall at least provide or mail a copy of the written report to the school without their signature or name.

**Legal Responsibility and Liability** Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse. If a mandated reporter fails to report an instance of child abuse, which they know to exist or reasonably should know to exist, then they are guilty of a misdemeanor punishable by confinement in jail for up to six months, a fine of up to \$1,000, or both. The mandated reporter may also be held civilly liable for damages resulting from any injury to the child after a failure to report. When two or more persons who are required to report have joint knowledge of a suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them, and a single report made and signed by that person. However, if any person who knows or should know that the designated person failed to make the report, that person then has a duty to do so. Within 36 hours of suspicion of child abuse, a written report must be sent, faxed, or submitted electronically. The written report should be completed on form SS 8572, "Suspected Child Abuse Report," which can be downloaded at: [http://ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://ag.ca.gov/childabuse/pdf/ss_8572.pdf) (Appendix C).

### Child Abuse Training Requirement

All school employees must annually complete the mandated reporter training requirement as determined by the school administration. The training must be completed no later than October 15th every year. Newly hired employees are required to complete the training course within six (6) weeks of employment. Proof of completion of the training will be kept on file by Human Resources.

Reporting procedures training resources: Mandated Reporter Online Training for School Personnel

<https://mandatedreporter.ca.com/training/school-personnel> Safeguarding Children Through Distance Learning - Foster Youth Services (CA Dept of Education) <https://www.cde.ca.gov/ls/pf/fy/cps202006.asp>

## Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

### Disaster Response Procedures

Virtual Preparatory Academy at Lucerne (VPAL) will take all necessary measures to keep students, staff and visitors safe in the event of a disaster, as set forth in this Plan.

#### Overview – What is an Emergency?

An emergency is a duly proclaimed existence of conditions of disaster or extreme peril to the safety of persons or property caused by air pollution, fire, flood or floodwater, storm, epidemic, riot, earthquake, intruder or other causes. This may be beyond the control of the services, personnel, equipment and resources of VPAL and require the combined efforts of state and local governments. Schools must be prepared to respond to an emergency or traumatic event in an organized and timely manner so that students and staff can continue to function effectively without additional trauma or the development of additional emergencies.

#### Purpose of Emergency Plan

All personnel must complete training on the School Safety Plan. Planning, preparation, and training will help staff personnel learn the proper course of action in an emergency. This plan will provide step-by-step guidelines to help deal with emergencies that may occur.

This plan cannot foresee all possible circumstances of an emergency. Staff must be prepared to evaluate all the circumstances and make sound judgments based on the situation. As VPAL acquires physical facilities, this School Safety Plan will be amended to include additional procedures for fire drills, drop procedure, and other matters specific to physical facilities.

#### Definitions

- All Clear communicates to students and staff that the emergency is over and normal school operations can resume.
- Emergency Damage Assessment is the inspection process used immediately following an emergency to determine if it is safe to resume occupancy of school facilities. This assessment should be performed following any event with the potential to cause damage to school facilities or equipment.
- Lockdown is initiated to isolate students and school staff from danger on or near the campus when movement within the school and within rooms on the campus might put students and staff in jeopardy. Lockdown is used to prevent intruders from entering occupied areas of the buildings.
  - Lock the doors
  - Close and lock windows, and close blinds or cover windows
  - Turn off lights
  - Silence all electronic devices
  - Remain silent
  - Use strategies to silently communicate with first responders if possible
  - Hide along the wall closest to the exit but out of the view from the hallway (allowing for an ambush of the intruder and for possible escape if the intruder enters the room)
  - Remain in place until the release from lockdown by school administration or evacuated by law enforcement.
- Shelter In Place is implemented when there is a need to isolate students and staff from the outdoor environment to prevent exposure to airborne contaminants. The procedures include closing and sealing doors, window and vents; shutting down the building heating, ventilation and air conditioning systems to prevent exposure to the outside air and turning off pilot lights. Shelter In Place allow for the free movement of staff and students within the building, although one should not leave the room until further instructions are received. Those in buildings with exterior passageways must remain in the room while Shelter In Place is instituted. It is appropriate for, but not limited to, gas leaks, external chemical release, dirty bombs and hazardous material spills.
- Take Cover is implemented when it is necessary to move to and take refuge in the best shielded areas within the school building. It is appropriate for, but not limited to, severe windstorms and tornados.
  - Move students/staff into the school's permanent buildings, on the ground floor
  - Group students/staff together at the furthest point away from windows on the floor
  - Face the wall with backs to the windows, crouch down on knees and elbows, hands covering the back of heads/necks
  - If a tornado warning or potentially damaging windstorm occurs at dismissal, delay dismissalAn order to Take Cover should remain in place until the National Weather Service has lifted the warning.
- Duck, Cover and Hold On is the action taken during an earthquake to protect students/staff from flying and falling debris. Duck, Cover and Hold On is an appropriate action for use during an earthquake or explosion. Immediate Evacuation and an Emergency Damage Assessment must be performed prior to occupancy of any of the site's buildings, following any event prompting the use of Duck, Cover and Hold On.

- Evacuation is implemented when conditions make it unsafe to remain inside the building(s). This action provides for the orderly movement of students and staff along prescribed routes from inside school buildings to a designated outside area of safety.
- Off-Site Evacuation is implemented when it is unsafe to remain on the school campus, and evacuation to an off-site assembly area is required. This action provides for the orderly movement of students and staff along prescribed routes from inside school buildings to a designated area of safety off campus. In some situations, Off Site

Evacuation may require the use of busing.

Reunification should be used following any Off-Site Evacuation.

- Early Release may be implemented when circumstances make keeping students at school inadvisable. The Executive Director or designee must authorize an Early Release. During an Early Release, students follow normal dismissal procedures.
- Structured Reunification is the process used to reunify children with their parents, guardians or caregivers, following a school emergency. Regular dismissal procedures are not followed.

Structured Reunification requires:

- Maintaining accurate information on the location of each child
- Preventing unauthorized individuals from having access to or removing children
- Verifying the identity of individuals coming to take custody of children
- Verifying each individual has the legal right to take custody the child for which they have asked
- Keeping record of who each student is released to, the method used to verify their identity and the time of the pick-up

#### General Emergency Actions

Emergency Actions are a set of simple directives and alert level procedures that may be implemented across a number of emergency situations. When an emergency occurs, it is critical that staff members take immediate steps to protect themselves and others. With Emergency Actions in place, staff can follow specific directions without having to learn extensive protocols for each of several dozen different emergency situations. The site safety team will decide which Emergency Actions to implement, based on the situation. The most common immediate emergency actions are listed below. Staff members must become familiar with each emergency action and be prepared to perform assigned responsibilities. All students must be taught what to do when any of the common emergency actions are implemented.

#### **School Suspension, Expulsion and Mandatory Expulsion Guidelines**

Virtual Preparatory Academy at Lucerne (VPAL) complies with applicable state laws regarding suspension and expulsion. The VPAL Suspension and Expulsion policy will be reviewed annually and be provided in the VPAL Parent/Guardian and Student Handbook. Suspension/Expulsion Procedures.

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 et seq., which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 et seq. The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion. When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property. To ensure compliance with federal and state constitutional procedural and substantive due process requirements, the Charter School will provide advance notice of the disciplinary offenses and procedures and students will be afforded the opportunity to respond to charges prior to the imposition of a suspension or expulsion. The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion. A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according to due process to such students.

### **Sexual Harassment Policies (EC 212.6 [b])**

Sexual Harassment includes, but is not limited to, making unwelcome advances, requests for sexual favors, hostile treatment, sexual desire, or other verbal or physical conduct of a sexual nature and includes harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity or gender expression. Unlawful sexual harassment need not be motivated by sexual desire and may include situations that began as reciprocal relationships, but that later cease to be reciprocal. Harassment can also include offensive remarks about a person's sex. For example, it is illegal to harass a woman by making offensive comments about women in general. Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex. The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer. There are two distinct categories of Sexual Harassment.

**Quid Pro Quo:** Sexual harassment occurs when an individual's submission to or rejection of unwelcome sexual advances or other conduct based on sex is made an explicit or implicit term of employment or is used as a basis for employment promotion or other decisions affecting that individual; and is used as a basis for employment promotion or other decisions affecting that individual; and  
**Hostile Work Environment:** Sexual harassment occurs when unwelcome sexual conduct has the purpose or effect of unreasonably interfering with an individual's job performance or creates an intimidating, hostile, or offensive working environment, even if it does not lead to tangible or economic job consequences.

### **Retaliation**

As used in this policy, retaliation is defined as any adverse employment action taken against an employee because the employee engaged in a protected activity. Protected activities may include, but are not limited to, reporting, or assisting in reporting suspected violations of this policy and/or cooperating in investigations or proceedings arising out of a violation of this policy. Adverse employment action is conduct or an action that materially affects the terms and conditions of the employee's employment status or is reasonably likely to deter the employee from engaging in protected activity. Even actions that do not result in a direct loss of compensation may be regarded as an adverse employment action when considered in the totality of the circumstances.

Examples of retaliation under this policy include but are not limited to: demotion; suspension; reduction in pay; denial of a merit salary increase; failure to hire or consider for hire; refusing to promote or consider for promotion because of reporting a violation of this policy; harassing another employee for filing a complaint; denying employment opportunities because of making a complaint or for cooperating in an investigation; changing someone's work assignments for identifying harassment or other forms of discrimination in the workplace; treating people differently such as denying an accommodation; or not talking to an employee when otherwise required by job duties, or otherwise excluding the employee from job-related activities because of engagement in activities protected under this policy.

#### Reporting Violations of this Policy:

Anyone who is subjected to or witnesses behavior that they believe violates this policy, is encouraged, if they feel comfortable doing so, to immediately tell the offending individual that the behavior is inappropriate and to stop the behavior. The individual should also report the alleged violation to their supervisor or the Human Resources Department of the Organization immediately after the incident. If the alleged offender is the employee's supervisor or manager, the employee should report the conduct to any other supervisor, manager, or the Human Resources Department. You will be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses. Although preparation of a written report is encouraged, it is not required. If you prefer to make a complaint in person, contact the Human Resources Department.

Supervisors who observe harassing conduct or receive information regarding alleged unlawful harassment or discrimination should immediately advise the Human Resources Department of the Organization so that the Organization can try to resolve it. Anonymous complaints will also be investigated. The method will depend on the details provided in the anonymous complaint.

The reported matter will be promptly and thoroughly investigated by qualified personnel in a timely and impartial manner and the investigation will be documented and tracked. To the extent possible, the Organization will endeavor to keep the reporting of the applicant or employee's concerns confidential; however, complete confidentiality cannot be guaranteed when it interferes with the Organization's ability to fulfill its obligations under this policy. It is the obligation of all employees, volunteers, or interns to cooperate fully in the internal investigation process.

After reviewing all the evidence, a timely determination will be made concerning whether reasonable grounds exist to believe that discrimination, retaliation and/or harassment has occurred. If the investigation determines that prohibited discrimination, retaliation, harassment, or other conduct which violates the Organization's policy has occurred, the Organization will take disciplinary action against those who engaged in the misconduct, up to and including termination of employment, and appropriate action will be taken to remedy the injury, if any, to the employee subjected to the misconduct. If appropriate, Human Resources Department will advise all parties concerned of the results of the investigation. The Organization will not retaliate against you for filing a good faith complaint or for cooperating in providing information in the investigation of any complaint, and will not tolerate or permit retaliation by management, employees, or co-workers.

The Organization encourages all employees to report any incidents forbidden by this policy immediately so that complaints can be timely, fairly, and completely resolved. If any employee, volunteer, or intern believes that the above procedure has not resolved his or her situation, that person may contact the California Department of Fair Employment and Housing ("DFEH") or the federal Equal Employment Opportunity Commission ("EEOC") to file a claim. The DFEH and EEOC serve as neutral fact finders and will attempt to assist the parties to voluntarily resolve their disputes. In the event that the DFEH or EEOC is unable to obtain voluntary resolution and finds that harassment or discrimination has occurred, the DFEH and the EEOC may award reinstatement or monetary damages. To obtain the telephone number for the most convenient EEOC office, call 800-669-4000. For the most convenient DFEH office, call 800- 884-1684.

#### **A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)**

Virtual Preparatory Academy at Lucerne (VPAL) wants students to know they are valued and contribute to daily operation of the school as well as its success. Students are respected and their opinion and skill in solving problems is valued. Students are able to approach their learning with confidence and with the assurance that this school is their home. VPAL welcomes the direct involvement of parents and community members. Copies of VPAL's suicide prevention and anti-bullying policies are available with administration and at the VPAL office.

VPAL also maintains a Fingerprinting Policy, which is summarized in this Section.

#### **Criminal Background Checks**

As required by law, all individuals working or volunteering at the School will be required to submit to a criminal background investigation.

No person with a violent or serious felony conviction outlined in Education Code Sections 44830.1, 45122.1, 45123, and 45124 will be employed by VPrep. Additionally, employment with VPrep will be subject to subsequent arrest notifications provided by the Department of Justice (Education Code Section 45125(2)(j)).

No condition or activity will be permitted that may compromise the School's commitment to the safety and the well-being of students taking precedence over all other considerations. Conditions that preclude working at the School include conviction of a controlled substance or sex offense, or a serious or violent felony. Additionally, should an employee, during his/her employment with the School, be charged or convicted of any offense, the employee must immediately report the charge or conviction to the Head of School.

Assessment of Current Status: At this time, there has been no reports of crime, suspensions or expulsions. In addition, while meeting with the school safety committee it has been assessed that there has been zero reports or suspicion of crime at the school/school-related functions.

Virtual Preparatory Academy at Lucerne (VPAL) is a non-classroom based-online school program. By nature, students are not in physical classrooms, and the school would only be in custody of students in the event of in person annual state test proctoring. In the event that students are in direct care of the school during any disaster (including earthquakes, fire, natural disaster, harmful threat, etc.), school personnel will follow the safety protocol and procedures of the rented or visiting facility. Special consideration will be taken for students with disabilities in all cases.

## **Discrimination and Harassment**

### **Unlawful Harassment Policy**

It is the policy of Virtual Preparatory Academy at Lucerne (VPAL) to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, age, disability, marital status, citizenship, or any other characteristic protected by law. VPAL prohibits any such discrimination or harassment. It is VPAL's mission to provide a professional work and learning environment free of harassment, that maintains equality, dignity, and respect for all. It is a violation of this policy for any student, teacher, administrator, or other employee of VPAL to harass a student, teacher, administrator, or other employee through conduct or communication. This policy applies to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to VPAL (e.g., an outside vendor, consultant, or customer). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

### **What is Harassment?**

Harassment can take many forms. As used in the CSSP, the term "harassment" includes:

1. Offensive remarks, comments, jokes, or slurs pertaining to an individual's race, religion, sex, age, national origin or ancestry, disability, citizenship, veteran status, or any other protected status defined by law.
2. Offensive sexual remarks, sexual advances, flirtations, or requests for sexual favors, regardless of the gender of the individuals involved.
3. Offensive physical conduct, including touching, regardless of the gender of the individuals involved, including threats of harm, violence, or assault.
4. Offensive pictures, drawings, photographs, or other communications, including email.
5. Threatening reprisals of an employee's refusal to respond to requests for sexual favors or for reporting a violation of this policy.
6. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, regardless of gender, when:
  - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
  - b. Submission to, or rejection of, such conduct by an individual is used as a basis of employment decisions affecting such individual.



c. Such conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile or offensive working environment.

#### **Responsibility**

All VPAL students, staff, and administrators have a responsibility for keeping their work and educational environment free of harassment.

#### **Reporting**

VPAL encourages reporting of all actual or perceived incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. However, VPAL cannot resolve a harassment claim that has not been reported. Employees are responsible for reporting claims to the school, and the school in turn will take all necessary steps to address the employee's concerns. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor, and/or the school administration. In addition, VPAL encourages individuals who believe they are being subjected to such conduct promptly to advise the offender that their behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. VPAL recognizes, however, that an individual may prefer to pursue the matter through informal or formal complaint procedures. Every effort will be made to keep such reports as confidential as possible, although it is understood that an investigation will normally require the involvement of third parties.

#### **Investigation/Complaint Procedure**

All complaints of harassment will be promptly investigated. If the investigation substantiates the accusations, the appropriate corrective action will be taken. This may include, but is not limited to, reprimand, suspension, or dismissal, depending on the nature and severity of the offense. Additionally, appropriate action will also be taken in the event the accusations are intentionally false or malicious in intent.

#### **Informal Procedure**

If for any reason an individual does not wish to address their offender directly, or if such action does not successfully end the offensive conduct, the individual should notify their immediate supervisor who may, if the individual so requests, talk to the alleged offender on the individual's behalf. In addition, there may be instances in which an individual seeks only to discuss matters with one of the school's designated representatives, and such discussion is encouraged. An individual reporting harassment, discrimination or retaliation should be aware; however, that VPAL may decide it is necessary to take action to address such conduct beyond an informal discussion. This decision will be discussed with the individual. The best course of action in any case will depend on many factors and, therefore, the informal procedure will remain flexible. Moreover, the informal procedure is not a required first step for the reporting individual.

#### **Formal Procedure**

As noted above, individuals who believe they have been the victims of conduct prohibited by this policy statement, or believe they have witnessed such conduct, should discuss their concerns with their supervisor, school administrator or the Director of Human Resources. VPAL encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality and discretion will be maintained throughout the investigation process to the extent consistent with adequate investigation and appropriate corrective action. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination as VPAL believes appropriate under the circumstances. If a party to a complaint does not agree with the school's resolution, that party may appeal to the VPAL School Director or Director of Human Resources. False and malicious complaints of harassment, discrimination or retaliation as opposed to complaints which, even if erroneous are made in good faith, may be the subject of appropriate disciplinary action.

VPAL wants to ensure that all employees can work in an environment free from harassment, discrimination, and retaliation. VPAL will make every reasonable effort to ensure that all concerned are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately. Any employee who has any questions or concerns about these policies may speak with their supervisor, the School Director, or the Director of Human Resources. Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion to avoid allegations of harassment. The law and the policies of VPAL prohibit disparate treatment based on sex or any other protected characteristic, with regard to terms, conditions, privileges, and prerequisites of employment. The prohibitions against harassment, discrimination, and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

## **Bullying, Cyber-Bullying and Harassment**

Virtual Preparatory Academy at Lucerne (VPAL) strives to provide a safe and welcoming environment for all students to learn. Bullying, cyber-bullying, and harassment based on sex, race, color, national origin, or disability is unlawful and will not be tolerated. In addition to prohibiting harassment, discrimination, and retaliation, VPAL prohibits intimidation and bullying of employees and students.

VPAL believes that all students and employees should be treated with respect in the school and workplace. It is the commitment of the VPAL and its management to ensure this place of work is free from negative and aggressive behaviors, and that the school and work environment is aimed at providing high quality services in an atmosphere of respect, collaboration, safety, and equality. All students and employees have the right to be treated with dignity and respect. School and workplace bullying by anyone working for VPAL or on its behalf toward any student or employee is strictly prohibited. Any student or employee engaging in school or workplace bullying may be subject to discipline, up to and including termination. As part of its commitment to encouraging positive and healthy behaviors, VPAL has established training on bullying for all employees and managers. Training is included as part of VPAL's harassment and discrimination training. Training will identify factors which contribute to a bully-free environment, familiarize participants with responsibilities under this policy, and provide steps to overcoming a bullying incident. School and workplace bullying, also known as abusive conduct, is malicious conduct that a reasonable person would find hostile, offensive, and unrelated to a legitimate business interest.

- Bullying, cyber-bullying, or harassment based on sex includes sexual harassment or bullying and gender-based harassment or bullying. Sexual harassment or bullying is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Gender-based harassment or bullying is nonsexual intimidation or abusive behavior toward a student based on the student's actual or perceived sex, including harassment based on gender identity, gender expression, and nonconformity with gender stereotypes. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic or written statements, or conduct that is physically threatening, harmful or humiliating. The conduct can be carried out by school employees, other students, and non-employee third parties. Both male and female students can be victims of harassment or bullying based on sex, and the harasser or bully and the victim can be of the same sex. Bullying based on sex constitutes sexual harassment.
- Bullying, cyber-bullying, or harassment based on race, color, or national origin refers to intimidation or abusive behavior toward a student based on actual or perceived race, color, or national origin. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating. The conduct can be carried out by school employees, other students, and non-employee third parties. Bullying based on race, color, or national origin constitutes racial harassment.
- Bullying, cyber-bullying, or harassment based on disability refers to intimidation or abusive behavior towards a student based on actual or perceived disability. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. The conduct can be carried out by school employees, other students, and non-employee third parties. Bullying based on disability constitutes disability harassment. If a student is being harassed in the school environment, it is important to report it immediately to the appropriate school administrator. Harassment comes in many forms including: Spam (unsolicited emails not about the course), Threatening communications, Offensive communications or any other kind of communication that makes the student, parent, legal guardian, and learning coach feel comfortable.

## Procedures for Preventing Acts of Bullying and Cyber-bullying

Internet Safety and Network Etiquette It is the policy of Virtual Preparatory Academy at Lucerne (VPAL) to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications;

- (b) prevent unauthorized access and other unlawful online activity;
- (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and
- (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

VPAL students, are expected to follow the rules of network etiquette or netiquette. The word "netiquette" refers to common-sense guidelines for conversing with others online.

VPAL students abide by these standards:

- Avoid sarcasm, jargon, and slang
- Swear words are unacceptable
- Do not harass or threaten others
- Do not use all capital letters (this is considered yelling)
- Never use derogatory comments, including those regarding race, age, gender, sexual orientation, religion, ability, political persuasion, body type, physical or mental health
- Focus your responses on the questions or issues being discussed, not on the individuals involved
- Be constructive with your criticism, not hurtful
- Review your messages before sending them. Remove easily misinterpreted language and proofread for typos
- Respect other people's privacy
- Do not broadcast online discussions, and never reveal other people's email addresses
- Do not post personal information, (personal information, Social Media Apps, YouTube, Facebook, email address etc.

## Student Computer Use Policy

### Permitted Use

- VPAL shall permit the student and the responsible teaching adult to use the equipment and materials of VPAL solely for the education of the student while enrolled at VPAL and for no other purpose.
- Students and the responsible teaching adult are only permitted to visit websites for the purpose of VPAL related educational research.

Prohibited Use - Only software that is required by VPAL will be allowed on the VPAL computer. All other software will be prohibited.

- Users shall not use the equipment, software, online classrooms, and other materials of VPAL view, download, save, receive, or send material related to or including any of the following:
- Illegal activities
- Offensive content of any kind, including pornographic material

- Content that promotes discrimination on the basis of race, gender, national origin, age, marital status, sexual orientation, religion, or disability
- Threatening or violent behavior
- Gambling or wagering
- Commercial messages.
- Religious, political, or racial messages
- Messages that misrepresent yourself
- Download of any software on the VPAL computer
- Websites or chat rooms that are not for the purpose of VPAL related education.