

## **Model Policy to Address Bullying, Harassment and Intimidation**

The \_\_\_\_\_ School Division believes that all students have a right to a safe and healthy school environment. Accordingly, the \_\_\_\_\_ School Division prohibits acts of harassment, intimidation or bullying of any student.

A safe and civil environment in school is necessary for students to learn and achieve high academic standards; harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. Since students learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect and refusing to tolerate harassment, intimidation or bullying.

Behavior that infringes on the safety of any student will not be tolerated. A student shall not bully, harass, or intimidate another student through words or actions.

### **Definitions**

**A. "Bullying"** means systematically and chronically inflicting physical hurt or psychological distress on one or more students. It is further defined as: unwanted purposeful written, verbal, nonverbal, or physical behavior, including but not limited to any threatening, insulting, or dehumanizing gesture, by an adult or student, that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation, is carried out repeatedly and is often characterized by an imbalance of power.

Bullying may involve, but is not limited to:

1. unwanted teasing
2. threatening
3. intimidating
4. stalking
5. cyberstalking
6. cyberbullying
7. physical violence
8. theft
9. sexual, religious, or racial harassment

10. public humiliation
11. destruction of school or personal property
12. social exclusion, including incitement and/or coercion
13. rumor or spreading of falsehoods

**B. "Harassment"** means any threatening, insulting, or dehumanizing gesture, use of technology, computer software, or written, verbal or physical conduct directed against a student that:

1. places a student in reasonable fear of harm to his or her person or damage to his or her property;
2. has the effect of substantially interfering with a student's educational performance or opportunities, or benefits;
3. has the effect of substantially negatively impacting a student's emotional or mental well-being; or
4. has the effect of substantially disrupting the orderly operation of a school environment.

**C. "Cyberstalking"** means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

**D. "Cyberbullying"** is defined as the willful and repeated harassment and intimidation of a person through the use of digital technologies, including, but not limited to, email, blogs, texting on cell phones, social websites (e.g., MySpace, Facebook, Twitter, etc.), chat rooms, "sexting", instant messaging, or video voyeurism.

**E. "Bullying", "Cyberbullying", and/or "Harassment"** also encompass:

1. retaliation against a student by another student or school employee for asserting or alleging an act of bullying, harassment, or discrimination.
2. retaliation also includes reporting a baseless act of bullying, harassment, or discrimination that is not made in good faith.
3. perpetuation of conduct listed in the definition of bullying, harassment, and/or discrimination by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student by:

- a) incitement or coercion;
- b) accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the school system; or
- c) acting in a manner that has an effect substantially similar to the effect of bullying, harassment, or discrimination.

**F. "Bullying," "Cyberbullying", "Harassment," and "Discrimination"** (hereinafter referred to as bullying, as defined in Section A, for the purpose of this Policy) also encompass, but are not limited to, unwanted harm towards a student in regard to his/her real or perceived: sex, race, color, religion, national origin, age, disability (physical, mental, or educational), marital status, socio-economic background, ancestry, ethnicity, gender, gender identity or expression, linguistic preference, political beliefs, sexual orientation, or social/family background or being viewed as different in its education programs or admissions to education programs and therefore prohibits bullying of any student by any Board member, school division employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored events, on school buses, and at training facilities or training programs sponsored by the school or school division.

### **Policy Prohibiting Bullying**

The school division policy prohibiting bullying is included in the student code of conduct and includes but is not limited to the following:

- Any student who engages in bullying, intimidation or harassment shall be subject to disciplinary action up to and including expulsion.
- Students are expected to immediately report incidents of bullying, intimidation or harassment to the principal or designee.
- Students can rely on staff to promptly investigate each complaint of bullying, intimidation or harassment in a thorough and confidential manner.
- If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached after consulting the school principal, the student or

the parent of the student should contact the local superintendent or his or her designee.

- The school division prohibits retaliatory behavior against any complainant or any participant in the complaint process.

All students and/or staff shall immediately report incidents of bullying, harassment and intimidation to the school principal or designee.

School staff members are expected to immediately intervene when they see a bullying incident occur.

Each complaint of bullying shall be promptly investigated.

This policy applies to students on school grounds, while traveling on a school bus to and from school or a school-sponsored activity and during a school-sponsored activity.

Bullying, harassment or intimidation will not be tolerated. Disciplinary action will be taken after each incident of bullying and upon a finding of guilt. Disciplinary action after the first incident of bullying may include but is not limited to the following:

- Loss of a privilege
- Reassignment of seats in the classroom, cafeteria or school bus
- Reassignment of classes
- In-school suspension
- Out-of-school suspension
- Detention
- Expulsion (through appropriate due process hearing)
- Assignment to an alternative school (through appropriate due process hearing)

If necessary, counseling and other interventions should also be provided to address the social-emotional, behavioral, and academic needs of students who are victims of bullying and students who commit an offense of bullying.

Students, parents/guardians and other stakeholders may report incidents of bullying to an administrator, teacher, counselor or other staff member by using the school division's complaint procedures or by calling the \_\_\_\_\_.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

- All staff, students and their parents will receive a summary of this policy prohibiting bullying, harassment and intimidation at the beginning of the school year as part of the student code of conduct.
- The school shall keep a report of bullying, harassment and intimidation and the results of an investigation confidential.
- Staff are expected to immediately intervene when they see a bullying incident occur or upon receipt of any report of bullying, harassment or intimidation.
- People witnessing or experiencing bullying are encouraged to report the incident to the school principal designee.

### **Procedures to Address Bullying**

The following actions will be taken when bullying is reported:

#### **Investigate**

Upon receipt of any report of bullying, schools will direct an immediate investigation involving appropriate personnel. The investigation should begin no later than the following school day. The investigation shall include interviewing the alleged perpetrator(s) and victim(s), identified witnesses, teacher(s) and staff members and reviewing video surveillance if available. School police, school counselors, school social workers and/or other support staff should be utilized for their expertise as determined by the circumstances of the matter.

#### **Notify**

At an appropriate time during or after the investigation, parents/guardians of the accused and the victim must be notified. If the incident involves an injury or similar situation, appropriate medical attention should be provided and the parent/guardian should be notified immediately.

#### **Discipline**

Upon confirming that bullying has occurred, the accused student should be charged with bullying and given an age-appropriate consequence which shall include, at minimum and without limitation, disciplinary action or counseling as appropriate under the circumstances.

Students in grades six through twelve found to have committed the offense of bullying for the third time in a school year shall be assigned to an alternative school through appropriate due process by disciplinary hearing officers, panels, or tribunals.

Schools should clearly communicate to all parties that retaliation following a report of bullying is strictly prohibited and may result in strong disciplinary action.

**Follow Up**

Follow up is important to the accused and the victim. Implement a planned method to provide after-care and follow up. Reiterate to all the previously stated prohibition on retaliation.