

Bullying & Hazing Policy

Policy Information

Series A - Foundations and Commitments

FILE: AF

BULLYING & HAZING POLICY

I. Policy

- A. It is the policy of the Bourne Public Schools to provide a learning and working atmosphere for students free from bullying and/or hazing. Bullying and/or hazing on the basis of race, color, religion, national origin, ethnicity, genetic information or testing, sex, sexual orientation, gender identity, age, homelessness or disability (hereinafter “membership in a protected class”) will not be tolerated. Complaints of bullying and/or hazing based on a student’s membership in a protected class will be processed under the Student Anti-Harassment Policy and Grievance Procedure, Policy JIIA.
- B. It is a violation of this policy for any administrator, teacher or other employee, or any student to engage in or condone bullying and/or hazing in school or to fail to report or otherwise take reasonable corrective measures when they become aware of an incident of bullying and/or hazing.
- C. This policy is not designed or intended to limit the school's authority to take disciplinary action or take remedial action when such bullying and/or hazing occurs out of school but has a connection to school, or is disruptive to an employee's or student's work or participation in school related activities.
- D. Reports of cyber bullying by electronic or other means, occurring in or out of school will be reviewed and, when a connection to work or school exists, will result in discipline. Parents of students alleged to have engaged in cyber bullying and/or hazing will be invited to attend a meeting at which the activity, words or images subject to the complaint will be reviewed. A student disciplined for cyber bullying will not be readmitted to the regular school program until his or her parent(s) attend such meeting.
- E. It is responsibility of every employee, student and parent to recognize acts of bullying and/or hazing, and take every action necessary to ensure that the applicable policies and procedures of this school district are implemented.
- F. Any employee or student who believes that he or she has been subjected to bullying and/or hazing has the right to file a complaint and to receive prompt and appropriate handling of the complaint. Further, all reasonable efforts shall be made to maintain the confidentiality and protect the privacy of all parties, but proper enforcement of this policy may require disclosure of and/or all information received.
- G. The Building Principal or designee shall be responsible for assisting employees and students seeking guidance or support in addressing matters relating to any form of bullying and/or hazing.

II. Definitions

A. Bullying Prohibited

Bullying may take a variety of forms. It is unacceptable in a school or work environment. As a result, no student or employee shall be subjected to harassment, intimidation, bullying, or cyber bullying in any public educational institute.

B. “Bullying and Cyber Bullying” means unwelcome written, electronic, verbal or physical acts or gestures where a student or employee feels coerced, intimidated, harassed or threatened and under the circumstances (1) may cause a reasonable person to suffer physical or emotional harm to a student or employee, (2) may cause damage to another student’s or employee’s property, or (3) may cause a disruptive or hostile school environment. The behavior must interfere with an employee’s ability to perform his or her duties or with a student’s academic performance or ability to perform his or her duties or with a student’s academic performance or ability to learn, or interfere with a student’s ability to participate in or benefit from services, activities, or privileges:

- a. That are being offered through the School District; or
- b. During any education program or activity; or
- c. While in school, on school equipment or property, in school vehicles, on school buses, at designated school bus stops, at school-sponsored activities or at school sanctions events;

C. Through the use of data, telephone or computer software that is accessed through a computer, computer system, or computer network or any public education institute.

D. As used in this section, ‘electronic communication’ means any communication through an electronic device including a telephone, cellular phone, computer or pager.

B. Hazing Prohibited

The term ‘hazing’ shall mean any conduct or method of initiation, even if consented to, into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person.

1. Such conduct shall include, but is not limited to, whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

2. Whoever knows that another person is the victim of hazing and is at the scene of such activity, shall, to the extent that such person can do so without danger or peril to himself or others, report such activity to an appropriate law enforcement official as soon as reasonably practicable.

C. Retaliation Prohibited

Retaliation in any form against any person who has made or filed a complaint relating to bullying and/or hazing is forbidden. If it occurs, it could be considered grounds for dismissal of staff personnel and/or removal from the educational setting for a student. A referral to law enforcement may be made.

III. Guidelines for Investigating Bullying and/or Hazing Claims

Complaints of bullying and/or hazing based on a student's membership in a protected class as defined in paragraph IA will be processed under the Student Anti-Harassment Policy and Grievance Procedure, Policy JIIA. In school systems, hazing may take many forms and cross many lines. The situation may be an instance of staff member to staff member, staff member to student, student to staff member, or student to student. Guidelines for dealing with any charge of hazing are as follows:

A. By law, hazing is defined by the victim's perception in combination with objective standards or expectations. What one person may consider acceptable behavior may be viewed as hazing by another person. Therefore, in order to protect the rights of both parties, it is important that the victim make it clear to the harasser that the behavior is objectionable.

B. In all charges of hazing, bullying, or intimidation, the victim should describe in writing the specifics of the complaint to ensure that the subsequent investigation is focused on the relevant facts. Oral and anonymous complaints will be reviewed but are inherently difficult to investigate and may not be procedurally fair; as a result, no disciplinary action shall be taken on anonymous complaints unless verified by clear and convincing evidence. All other complaints will be reviewed based on a preponderance of evidence standard.

C. Any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of hazing, bullying, or intimidation shall immediately report it to the administration; each school shall document any prohibited incident that is reported and confirmed, and report all hazing, intimidation, bullying or cyber bullying and the resulting consequences, including discipline and referrals, to the Superintendent's office as they occur.

D. A good faith report from a staff member renders the staff member immune from discipline for making a report and is considered to have been made in the course of the staff member's employment for purposes of M.G.L. c. 258. As a result, the school district shall indemnify staff members from any cause of action arising out of good faith report of hazing or the district's subsequent actions or inaction in connection thereto.

E. If an instance of student to student hazing is reported to a staff member other than an administrator, the staff member **must** inform the Assistant Principal or the Building Principal.

F. If a situation involving a charge of staff member to student hazing is brought to the attention of any staff member, the staff member should notify the Building Principal or Assistant Superintendent immediately.

G. In a situation involving a charge of student to staff member hazing the staff member should notify the Building Principal or the Assistant Superintendent.

H. In a situation involving a charge of staff member to staff member hazing the staff member should notify the Building Principal or the Assistant Superintendent.

I. Once a charge of hazing has been made, including charges of mental, emotional or physical harassment as well as threats to a person's safety or position in the school or work environment, the following course of action should be taken.

1. The Building Principal should investigate the charge through discussions with the individuals involved. In situations involving allegations against a staff member, he/she should be informed of his/her rights to have a third party present at the time of the discussion. In situations involving students the Principal should engage the appropriate classroom or special subject area teacher. Parents will be informed of the situation and invited to participate in resolution discussions. It is important that the situation be resolved as confidentially and as quickly as the circumstances permit.
2. If the harasser and the victim are willing to discuss the matter at a resolution meeting in the presence of the Principal/designee or Assistant Superintendent, a supportive faculty member and/or parent should be included in the discussion. During this discussion, the offending behavior should be described by the victim and administration, a request for a change in behavior should be made, and a promise should be made that the described behavior will stop. If circumstances do not permit a face to face meeting the administration will represent the victim's position. Follow-up verification procedures will be explained. Failure to comply after a resolution meeting will result in appropriate discipline.

J. If after a resolution meeting with the involved parties, the Building Principal determines that further disciplinary action must be taken, the following could occur:

1. In instances involving student to student or student to staff member hazing, the student may be subject to discipline including but not limited to counseling, suspension, and in appropriate cases expulsion.
2. In instances involving staff member to student and staff member to staff member hazing, findings will be reported to the Superintendent of Schools for further action. Personnel action may also be initiated at this point, consistent with the applicable law and collective bargaining agreement.

3. In all cases a referral to law enforcement will be considered by the Principal or Superintendent based on the circumstances. School officials will coordinate with the Police Department to identify a police liaison for hazing cases.

IV. Confidentiality:

Reports of bullying and/or hazing should be kept completely confidential, consistent with necessary investigation procedures, with the goal of protecting the victim and stopping the behavior.

For further information about these guidelines or help with bullying and/or hazing problems or any other form of harassment, consult the Assistant Superintendent of the Bourne Public Schools.

If the alleged harasser is responsible for conducting an investigation, the Superintendent or School Committee shall designate an alternative Harassment Coordinator, who is the Assistant Superintendent.

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