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8245: Bullying, Intimidation and Harassment

Bullying, cyber-bullying, intimidation, harassment and retaliation against any person associated with a report of bullying or the investigation thereof are prohibited in the public schools of East Greenwich, RI in accordance with the , known as the Safe Schools Act, promulgated by the Rhode Island Department of Education pursuant to the authority set forth in R.I.G.L. 16-21-34. The prevention of bullying is part of the East Greenwich school district's strategic plan (R.I.G.L. 16-7.1-2e) and school safety plan (R.I.G.L. 16-21-24).

East Greenwich public schools are committed to providing a safe and supportive learning environment free from bullying, harassment and intimidation. This policy has equal application to activities during the academic day, extracurricular activities during and after the academic day, including during distance learning sessions, or as otherwise provided in this Policy.

1. **School Atmosphere.** School staff shall take all reasonable measures to prevent bullying at school. Such measures may include professional development and prevention activities, parental workshops, and student assemblies among other strategies. School faculty, administration and staff, at all times, will model correct and courteous behavior to each other, to students, and to visitors to the school. Abusive or humiliating language or demeanor will not be accepted. Additionally, students and their families are expected to exhibit courteous behavior to all members of the learning community in school and at school sponsored events.

2. **Definition of Bullying:** Bullying (which, henceforth, includes Intimidation and Harassment) means an intentional written, verbal, or an electronic expression, or a physical act or threat of a physical act or gesture or any combination thereof that:

    - Would have the effect of physically or emotionally harming someone, damaging someone's property, placing someone in reasonable fear of harm to his/her person, or placing someone in reasonable fear of damage to his/her property;
    - Creates an intimidating, threatening, hostile or abusive educational environment;
    - Infringes on the rights of students to participate in school activities; or
    - Materially and substantially disrupts the education process or the orderly operation of a school.

    The expression, physical act or gesture may include, but is not limited to, an incident or incidents that may be reasonably perceived as being motivated by characteristics

such as: race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression or mental, physical, or sensory disability, intellectual ability or by any other distinguishing characteristic. See EGSD Policy # 1210 Non-Discrimination and Complaint Resolution.

Bullying most often occurs as repeated behavior and often is not a single incident between the bullying/cyber-bullying offender(s) and bullying victim(s).

3. **Forms of Bullying:** Bullying can take many forms including, but not limited to:

- Physical: intentional assault, battering, pushing, kicking, hitting or any use of violence. In most circumstances bullying does not include a mutual fight between two students of roughly equal strength who are angry with each other. Such fights are subject to discipline as a violation of school rules prohibiting fighting.

- Social / Emotional: slurs, innuendos, demeaning comments or jokes, drawings/notes, pranks, gestures, threats, stalking, taunting, racial taunts, name calling, sarcasm, extorts, shunning. Bullying also occurs when a student or a group of students organize a campaign of shunning against another student or when a student or a group of students maliciously spread rumors about another student.

- Sexual: unwanted physical attention or contact; sexual comments; unwanted or inappropriate focus on the issues of sexuality, sexual orientation or gender identity.

- Racial/Ethnic: taunts, gestures, graffiti, jokes, demeaning comments

- Cyber-bullying: the use of electronic communications (including verbal, textual or graphic) created and transmitted by any electronic device to humiliate, harass, embarrass, tease, intimidate, threaten or slander another individual. Cyber-bullying can occur through the use of technology or any electronic communication, which shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data, texting or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages, facsimile communications, telephone, cellular phone, text messaging device and/or personal data assistance device.

Forms of cyber-bullying may include, but are not limited to:

- The creation of a web page or blog in which the creator assumes the identity of another person;
- The knowing impersonation of another person as the author of posted content or messages; or
- The distribution by electronic means of a communication to more than one person or the posting of materials on an electronic medium that may be

accessed by one or more persons, if the creation, impersonation, or distribution results in any of the conditions enumerated in the definition of bullying.

4. **At School:** In the context of these regulations the phrase, 'at school' includes the following places and situations:
    - On school premises,
    - On a school bus or other school vehicle,
    - At school bus stops,
    - While students are walking to or from school,
    - Using property or equipment provided by the school,
    - Using curricular or other materials utilized by the school or the district,
    - At any school-sponsored activity or event, whether or not held on school premises, or
    - Acts, which create a material and substantial disruption of the education process or the orderly operation of the school.
    - During distance learning sessions.

5. **Disciplinary Sanctions:** Disciplinary sanctions for bullying shall balance the need for accountability with the need to teach appropriate behavior. The severity of the disciplinary action shall be aligned to the severity of the bullying behavior. The range of disciplinary actions that may be taken against a perpetrator for bullying, cyber-bullying or retaliation shall include, but not be limited to:
    - Admonitions and warnings
    - Parental/Guardian notification and consultation.
    - Loss of the opportunity to participate in extracurricular activities
    - Loss of the opportunity to participate in school social activities
    - Loss of the opportunity to participate in graduation exercises or middle school promotional activities
    - Loss of school provided transportation or parking pass
    - Detention
    - Police contact
    - In school suspension
    - Short term school suspension (10 or fewer days of suspension) or long term school suspension (suspension for more than 10 days), No student shall be suspended from school unless it is deemed to be a necessary consequence of the violation of this policy.
    - Expulsion/Removal

6. **Social Services/Counseling:** Referral to appropriate counseling and/or social services currently being offered by schools or communities shall be provided for bullying victims, perpetrators and appropriate family members of said students.

7. **Information Dissemination:** The school principal shall ensure that students, staff, volunteers, and parents/legal guardians are provided information regarding this Policy.

This information shall include methods of discouraging and preventing this type of behavior, the procedure to file a complaint , and the disciplinary action that may be taken against those who commit acts in violation of this policy. This policy shall be:

- Distributed annually to students, staff, volunteers, and parents/legal guardians
- Included in student codes of conduct, disciplinary policies, and student handbooks
- A prominently posted link on the home page of the school/district website that shall include the procedure to file a complaint.

8. Reporting Procedure: The principal of each school in the East Greenwich School District shall establish, and prominently publicize to students, staff, volunteers, and parents, how a report of bullying may be filed and how this report will be acted upon.

The victim of bullying, anyone who witnesses an incidence of bullying, and anyone who has credible information that an act of bullying has taken place may file a report of bullying.

Any student or staff member who believes he/she is being bullied should report such circumstances to an appropriate staff member, teacher or administrator, immediately.

9. Parents/Guardians: Parents/guardians of the victim of bullying and parents/guardians of the alleged perpetrator of the bullying shall be notified within twenty-four (24) hours of the incident report. When there is a reasonable suspicion that a child is bullying or a victim of bullying, the parents/guardians of the child will be notified immediately by the principal.

10. Responsibility of Staff: School staff shall take all reasonable measures to prevent bullying and shall report all acts of bullying that come to their attention. In this context, the staff includes volunteers working in the school. Failure to report incidents of bullying may be subject to disciplinary action. The victim of bullying, shall, however, not be subject to discipline for failing to report the bullying.

11. Responsibility of Students: Students who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place are obligated to report the bullying to school authorities. Failure to do so may result in disciplinary action. The victim of bullying shall, however, not be subject to discipline for failing to report the bullying. Student reports of bullying or retaliation may be made anonymously provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report.

12. Investigation of Bullying: The principal or their designee shall promptly investigate all allegations of bullying, harassment or intimidation. If the allegation is found to be credible, appropriate disciplinary sanctions, subject to any appropriate due process procedures, will be imposed. The School Resource Officer or other qualified staff may be utilized to mediate bullying situations. The investigation will include an assessment by the school psychologist

and/or social worker of what effect the bullying, harassment or intimidation has had on the victim. A student who engages in continuous and/or serious acts of bullying will also be referred to the school psychologist or social worker.

13. Police Notification: When, in the discretion of the principal or his/her designee, bullying involves conduct that may violate the criminal law, the police may be notified. The district has an obligation to report to the appropriate authorities instances that jeopardize the health or safety of individuals on school property.

14. Prohibition Against Retaliation: Retaliation or threats of retaliation in any form designed to intimidate the victim of bullying, those who are witnesses to bullying, or those investigating an incident of bullying shall not be tolerated. In most cases, retaliation or threat of retaliation will result in the imposition of a short or long-term school suspension and, in appropriate cases, expulsion and/or referral to the police. (R.I.G.L. 11-42-2 Extortion and blackmail) (R.I.G.L. 11-59-2 Stalking prohibited)

15. Prohibition against False Reports of Bullying: False reports concerning bullying will be subject to appropriate school discipline, including short or long-term suspension from school. A school employee, school volunteer or student who knowingly makes a false accusation of bullying or retaliation shall be disciplined in accordance with the school behavior code.

16. Reports in Good Faith: A school employee, school volunteer, student, parent/legal guardian, or caregiver who promptly reports, in good faith, an act of bullying to the appropriate school official shall be immune from a cause of action for damages arising from reporting bullying.

17. Individualized School Safety Plan: If a student is the victim of serious or persistent bullying, the principal of the school will immediately intervene to provide safety for the student and prepare a written school safety plan outlining what steps will be taken to provide the student with a safe educational environment. Wherever possible, such steps will allow the least amount of disruption for the alleged victim. This plan will be developed, if possible, with input from the parents of the student. Staff members who are to implement the plan will help formulate it. The parents/guardians of a victim shall be notified of the action taken to prevent any further acts of bullying or retaliation. However, in accordance with the Family Educational Rights and Privacy Act, interventions or consequences applied to an individual shall not be shared with other parties, except to the extent they have been reported to outside agencies or authorities, or as needed to comply with an individualized school safety plan.

In the instance that school officials and the parents of a child who feels him/herself to be a victim disagree as to whether or not the behavior of another child rises to the level of bullying as defined in this policy, reasonable efforts will still be made to ensure that the parents and child feel that the educational environment is safe.

18. Help for the Victim of Bullying: If the victim's mental health has been placed at risk appropriate referrals will be made. If the bullying included a violent criminal offense the victim of the bullying will be informed of any school transfer rights he or she may have under the Federal *No Child Left Behind Act*.

19. Instruction in the Prevention of Bullying: Faculty, staff, administration and students shall be given instruction in this district's Policy and Regulations against bullying. This instruction shall include methods of discouraging and preventing bullying, along with instruction in how to file a complaint against bullying, and the disciplinary action that may be taken against those who commit acts of bullying.

20. Parent Education: Parent education regarding this policy is also an important piece of prevention efforts. The policy will be included in every student handbook from grades K-12. At the start of each school year, parents/guardians will be requested to sign an anti-bullying form.

21. Social Networking: Students shall be prohibited from accessing social networking sites in school, except for educational or instructional purposes and with the prior approval from school administration

22. Reports to the Superintendent and to the School Committee: School principals will provide the Superintendent of Schools and the School Committee with data on an annual basis that includes the incidents of bullying that have taken place in the schools under their respective supervision. Such data will include a statement describing what remedial action has been taken to address bullying.

23. Reports to Other Schools: A school principal will send a report of documented bullying to the principal of the following school. Information related to prior incidents will be shared with appropriate faculty and staff at the discretion of the principal.

24. Other Redress: This policy does not prevent a victim of bullying, cyber-bullying or retaliation from seeking redress under any other available law, either civil or criminal. Nor does this policy create or alter any tort liability.

References:

The Family Educational Rights and Privacy Act (FERPA) - 20 U.S.C. § 1232g; 34 CFR Part 99
R.I. Gen. Laws § 16-21-24
R.I. Gen. Laws § 16-21-33
R.I. Gen. Laws § 16-21-34
R.I. Gen. Laws § 16-7.1-2(e)
Safe School Act Statewide Anti-Bullying Policy - 200 RICR § 30-10-2