

ST. MARY'S HOME FOR CHILDREN POLICIES AND PROCEDURES

Regulation #: TS-010

SUBJECT: School Bullying/Cyber-Bullying Policy

PHILOSOPHY / PURPOSE: This Policy and related procedures are in effect to ensure compliance with RI General Law §16-21-34 Safe School Act, which recognizes *“that the bullying of a student creates a climate of fear and disrespect that can seriously impair the student's health and negatively affect learning. Bullying undermines the safe learning environment that students need to achieve their full potential”*. Nothing in this policy prohibits St. Mary's Home for Children George N. Hunt Campus School from complying with federal antidiscrimination laws. 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. This section does not create or alter any tort liability.

DEFINITIONS:

BULLYING means the use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof directed at a student that:

- a. Causes physical or emotional harm to the student or damage to the student's property;
- b. Places the student in reasonable fear of harm to himself/herself or of damage to his/her property;
- c. Creates an intimidating, threatening, hostile, or abusive educational environment for the student;
- d. Infringes on the rights of the student to participate in school activities; or
- e. 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. Bullying most often occurs as repeated behavior and often is not a single incident between the bullying/cyber-bullying offender(s) and the bullying victim(s).

CYBER-BULLYING means bullying 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 or facsimile communications. *(See Also TS-009 Student Internet Safety and Acceptable Use Policy. Note that policy prohibits students from accessing social networking sites in school).*

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

- a. The creation of a web page or blog in which the creator assumes the identity of another person;
- b. The knowing impersonation of another person as the author of posted content or messages; or
- c. 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 clauses (a) to (e) of the definition of bullying.

AT SCHOOL means on school premises; at any school-sponsored activity or event whether or not it is held on school premises; on a school-transportation vehicle; at an official school bus stop; using property or equipment provided by the school; or acts which create a material and substantial disruption of the education process or the orderly operation of the school.

POLICY / PROCEDURES: All employees, interns and / or volunteers working in any capacity or role (including but not limited to FT, PT, Per Diem or filling in) within the Campus School must follow the policy and subsequent procedures related to the Safe School Act as indicated below.

- Bullying, cyber-bullying, and retaliation against any person associated with a report of bullying, or the investigation of bullying, is prohibited.
- All employees, interns and/or volunteers in the school are responsible to take all reasonable measures to prevent bullying at school. Such measures may include participation in training, professional development and prevention activities, parental workshops, and student assemblies among other strategies.
- All employees, interns and/or volunteers in the school, at all times, are responsible to model courteous behavior to each other, to students, and to school visitors. 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.
- The Director of Education is responsible:
 - For the implementation and oversight of this bullying policy and procedures, including submission of a summary report of incidents, responses, and any other bullying-related issues to the Executive Director at least twice annually (in January and June).
 - To ensure students, staff, volunteers and parents/legal guardians are provided with information regarding this Policy, including 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.
 - To ensure the Policy is distributed no less than annually to students, staff, volunteers, and parents/legal guardians (in September); and
 - To ensure that it is referenced / included as appropriate in related disciplinary policies as well as the Student Handbook.
 - To prominently publicize to students, staff, volunteers, and parents/guardians, how a report of bullying may be filed and how the report will be acted upon.

In re: Reporting

- Any student who believes he/she is being bullied should immediately report such circumstances to school staff (Teacher, TA, Unit staff working in school, Secretary, Director(s), School Clinician, etc. – any adult in the school). The student may report via a **Bullying / Cyberbullying Report Form** or verbally. Forms must be given to the Director of Education.
- Students who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying. Failure to do so may result in disciplinary action. **The victim of bullying will 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.
- Employees, interns and/or volunteers in the school who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying to the Director of Education via the **Bullying / Cyberbullying Report Form**.

Failure to do so may result in disciplinary action.

- All reporters should be aware that 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 will not be tolerated. Additionally, anyone who knowingly makes a false accusation of bullying or retaliation shall be disciplined in accordance with policies and procedures in place. The Director of Education is responsible to determine the appropriate action with input from Team members (e.g. self, Teacher, TA, School Clinician, Special Education Director, LEA, Supervisor, Clinical Director, Unit Staff / Psychiatrist / Others as appropriate to child's treatment team).
- Anyone who promptly reports, in good faith, an act of bullying to the Director of Education will be immune from a cause of action for damages arising from reporting bullying.
- Students, and staff / interns /volunteers will be trained as to completion of the Form no less than annually at the start of each school year, and for new staff/students as a part of their acclimation to the school and agency.
 - The **Bullying / Cyberbullying Report Form** (attached) will be maintained by the Director of Education in the School Office, within all classrooms, conference room, School Clinician office and Director's offices.
 - Forms must be completed and turned in no later than the end of the day on which the bullying took place / was reported / suspected / or observed.
 - Forms must be turned in to the Director of Education who is responsible to maintain the Forms along with documentation of the investigation and subsequent actions taken in response to the Report. This must be maintained separate and apart from the student(s) school and clinical records, however **does not preclude the need for other forms of agency documentation** based on the individual situation (e.g. a CPS call and form may also be required; an Incident Form may also be required; a clinical Case Note may be required, etc.).

In re: Investigation

- The Director of Education is responsible to promptly investigate all Reports and allegations of bullying, harassment, or intimidation. If the allegation is found to be credible, appropriate disciplinary actions (and any subsequent mediation / plans for reintegration within the school community) will be determined with input from Team members (e.g. self, Teacher, TA, School Clinician, Special Education Director, LEA, Supervisor, Clinical Director, Unit Staff / Psychiatrist / Others as appropriate to child's treatment team).
- The investigation **must** include an assessment by the School Clinician (or Clinical Director, Residential Clinician or On Call Clinician in his/her absence) of what effect the bullying, harassment or intimidation has had on the victim.
- 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 either a bully or a victim of bullying, the parents/ guardians of the child will be notified immediately.* The Director of Education is responsible to determine which Team member will notify parents/legal guardians (e.g. self, Teacher, TA, School Clinician, Special Education

Director, Supervisor, etc.).

- Notification to North Providence Police will be made when circumstances warrant the pursuit of criminal charges against the perpetrator.
- As indicated in Reporting section above, the Director of Education is responsible to maintain documentation of the investigation and subsequent actions taken in response to the Report. *This must be maintained separate and apart from the student(s) school and clinical records, however does not preclude the need for other forms of agency documentation based on the individual situation (e.g. a CPS call and form may also be required; an Incident Form may also be required; clinical Case Note, etc.).*
- Actions taken can include referral to appropriate counseling and/or social services currently being offered by St. Mary’s Home for Children or another community organization (including service referrals / recommendations for the bullying victims, perpetrators and/or their family members).
- If a student is the victim of serious or persistent bullying, the Director of Education is responsible to intervene immediately to provide the student with a safe educational environment. The interventions will be developed, if possible, with input from the student, his or her parent/guardian, and staff / Team. In those circumstances, the Director of Education is responsible to notify the parents/ guardians of the victim of the action taken to prevent any further acts of bullying or retaliation.

In re: Disciplinary Actions

- Disciplinary actions for violations of the bullying policy 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. St. Mary’s Home for Children reserves the right to see each case by itself, and treat it with the sensitivity needed to ensure that practices are in keeping with the high standards and ethical objectives expected at the agency.
- The range of disciplinary actions that may be taken against a perpetrator for bullying, cyberbullying or retaliation shall include, but not be limited to: warnings; parent/guardian notification and meetings; detention / alternate learning environment / in-school suspension; loss of school-provided transportation; loss of the opportunity to participate in extracurricular / social / graduation or promotional activities; police contact; school suspension: *No student shall be suspended from school unless it is deemed to be a necessary consequence of the violation of this Policy.*

ADOPTION OF POLICY: The George N. Hunt Campus School and St. Mary’s Home for Children hereby adapt this policy in its entirety effective immediately.

Policy Name:	School Bullying/Cyber-Bullying
Domain:	School; Regulations; Administrative; Milieu
Policy Location:	
Date of Adoption:	4/3/2017
Approved by:	<i>Robert Picirelli</i> Director of Education
Effective Date:	4/3/2017
Date(s) of Revision:	
References:	Refer also to TS-009 Student Internet Safety and Acceptable Use Policy, which is within the (e-rate) School Technology Plan

