

SECTION J: STUDENTS

STUDENT VIOLENCE/HARASSMENT/INTIMIDATION/BULLYING

JICK

INTRODUCTION

This **Statewide Bullying Policy** is promulgated pursuant to the authority set forth in §16-21-34 of the General Laws of Rhode Island. Known as the Safe School Act, the statute 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. The purpose of the policy is to ensure a consistent and unified statewide approach to the prohibition of bullying at school.

Nothing in this policy prohibits the Portsmouth School District (PSD) from complying with federal anti discrimination laws.

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1. 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 themselves or of damage to their 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.

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

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.

If the expression, physical act or gesture includes an incident or incidents that may be reasonably perceived as being motivated by characteristics or harassment based on race, color, religion, national origin, ethnicity, genetic information or testing, sex, sexual orientation, age or disability then the matter should be investigated under the District's Anti- Discrimination/Anti-Harassment Policy and Grievance Procedure.

CYBER-BULLYING means bullying through the use of technology or any electronic communication, transmitted in whole or in part electronically.

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:

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

2. SCHOOL CLIMATE

Bullying, cyber-bullying, and retaliation against any person associated with a report of bullying or the investigation thereof is prohibited in all schools that are approved for the purpose of the compulsory attendance statute (§§16-19-1 and 16-19-2) . 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 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.

3. POLICY OVERSIGHT and RESPONSIBILITY

The school principal shall be responsible for the implementation and oversight of this bullying policy.

The school principal shall provide the superintendent, school committee and/or school governing board with a summary report of incidents, responses, and any other bullying-related issues at least twice annually.

For public schools, the prevention of bullying shall be part of the school district strategic plan (§ 16-7.1-2(e)) and school safety plan (§16-21-24).

4. 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:

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

5. REPORTING

The school principal shall establish, and prominently publicize to students, staff, volunteers, and parents/guardians, how a report of bullying may be filed and how this report will be acted upon (See PSD Policy JFCK-E) .

In order for a report of bullying to be investigated or action to be taken, a Bullying Report must be initiated. 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 Bullying Report. No action can be taken unless and until this report is filed.

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

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 by the principal, director or head of school.

Responsibility of Staff: School staff, including volunteers, who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying to school authorities. Failure to do so may result in disciplinary action.

Responsibility of Students: Students who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying to school authorities. Failure to do so may result in disciplinary action. The victim of bullying, however, shall not be subject to discipline for failing to report the bullying. Student reports of bullying or retaliation may be made anonymously; an anonymous report of bullying will trigger an investigation. However, no disciplinary action shall be taken against a student solely on the basis of an anonymous report. **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. Retaliation or threat of retaliation will result in the imposition of discipline in accordance with the school behavior code.

False Reporting/Accusations: 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.

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 designated in the school's policy shall be immune from a cause of action for damages arising from reporting bullying.

6. INVESTIGATION/REPORT

The school principal shall promptly investigate all allegations of bullying, harassment, or intimidation. If the allegation is found to be credible, appropriate disciplinary actions, subject to applicable due process requirements, 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 acts of bullying will also be referred to the school psychologist and/or social worker.

Police Notification: Immediate notification of the local law enforcement agency will be made when circumstances warrant the pursuit of criminal charges against the perpetrator.

Protection: If a student is the victim of bullying:

- a. The school principal, director or head of school will intervene immediately to provide the student with a safe educational environment.
- b. The interventions will be developed, if possible, with input from the student, his or her parent/guardian, and staff.
- c. The parents/ guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation.

7. DISCIPLINARY ACTION

The disciplinary actions for violations of the bullying policy shall be determined by the school/district appropriate authority. 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.

The range of disciplinary actions that may be taken against a perpetrator for bullying, cyberbullying or retaliation shall include, but not be limited to:

- a. Admonitions and warnings
- b. Parental/Guardian notification and meetings
- c. Detention
- d. In-school suspension
- e. Loss of school-provided transportation or loss of student parking pass
- f. Loss of the opportunity to participate in extracurricular activities
- g. Loss of the opportunity to participate in school social activities
- h. Loss of the opportunity to participate in graduation exercises or middle school promotional activities
- i. Police contact
- j. School suspension: No student shall be suspended from school unless it is deemed to be a necessary consequence of the violation of this Policy.

8. 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.

9. 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.

10. OTHER REDRESS

This section doesn't 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.

11. ADOPTION OF POLICY

The Portsmouth School Committee hereby adopts this policy, in its entirety effective immediately.

Policy Adopted: 1/28/20
Policy Revised: 12/12/23

Portsmouth School Department
Portsmouth, Rhode Island

Portsmouth School District Bullying Report and Investigation Form

JICK-A

This School Bullying Investigation Form is to be used to document the investigation and comply with the reporting requirements for all alleged incidents of school bullying consistent with School Committee Policy JICK.

REPORTING: Complete one School Bullying Investigation Form for each alleged victim.

School Administrator completing form: _____

Position: _____

Date reported to Principal/Designee: _____

Time reported: _____

Required investigation completion date (reported date + 10 days): _____

Person reporting incident:

Name: _____ Role: _____

Name of Alleged Victim	Age	School	Grade	Notes

Name(s) of Alleged Perpetrator(s)	Age	School	Grade	Notes

Date(s) of incident: _____

Location(s) of incident: (Check all that apply)

____ on school property

____ at school sponsored event or activity

____ on school bus

____ off campus

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Description of alleged bullying:

INVESTIGATION:

Date investigation began: _____

Investigator: _____

Incident reported to parent/guardian of alleged victim within 24 hrs.? ☐ Yes ☐ No

Initials: _____

Student	Parent/Guardian	Date of Notification	Time of Notification	Method of Notification
Notes:				

Incident reported to parent/guardian of alleged perpetrator(s) within 24 hrs.? ☐ Yes ☐ No

Initials: _____

Student	Parent/Guardian	Date of Notification	Time of Notification	Method of Notification
Notes:				

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What actions were taken to investigate this incident? (Check all that apply)

☐ Interviewed alleged student victim
social worker

☐ Assessment by school psychologist or

☐ Interviewed alleged perpetrator(s)
(list name/role):

☐ Interviewed teachers and/or school staff

☐ Interviewed witnesses

☐ Other:

Investigation Findings/Evidence of Bullying:

Definitions of bullying:	Evidence:
<input type="checkbox"/> Physically harmed the student	
<input type="checkbox"/> Damaged the victim's property	
<input type="checkbox"/> Caused emotional distress to the victim	
<input type="checkbox"/> Interfered with the victim's educational opportunities	
<input type="checkbox"/> Created a hostile educational environment	
<input type="checkbox"/> Substantially disrupted the orderly operation of the school	
<input type="checkbox"/> Created an 'imbalance of power' between victim and perpetrator	

INVESTIGATION DETERMINATION:

Based on this investigation, school administration determines the following:

1. In the 'evidence of bullying' section above, there was at least one 'investigation finding'.

☐ Yes- proceed to next section

☐ No- stop bullying investigation and process as standard discipline investigation

2. Does this investigation conclude that this incident is a single significant incident?

☐ Yes – this is a substantiated incident of bullying – proceed to next section

☐ No – proceed to section below

3. Does this investigation conclude that this incident is a pattern of incidents?

☐ Yes – this is a substantiated incident of bullying – proceed to next section

☐ No – stop bullying investigation and process as standard discipline investigation

Furthermore, if the incident is perceived as being motivated by characteristics of harassment based on race, color, religion, national origin, ethnicity, genetic information or testing, sex, sexual orientation, age, or disability then the matter should also be investigated under the district's Anti-Discrimination/ Anti-Harassment Policy and Grievance Procedure.

INTERVENTIONS/CONSEQUENCES:

Victim	Perpetrator	Intervention/Consequences	Notes

In the event bullying is determined, referral to appropriate school-based counseling and/or social services shall be offered to bullying victims and perpetrators.

NOTIFICATION REQUIREMENTS:

Within 10 school days of completing an investigation, the principal/designee will notify the parents of the students involved of the finding and the results of the investigation.

Documentation of notification:

Student	Parent/Guardian	Date of Notification	Method of Notification	Notes

Additional pertinent information gained during investigation: (attach a separate sheet if necessary)

All supporting documents pertinent to this investigation, including statements, notes, etc. must be attached to this form as well as maintained by the school principal.

Principal/Designee: _____ Date: _____

Signature

Principal/designee must submit all substantiated reports of bullying to the Superintendent/designee upon completion of the investigation.

Date received at Superintendent office: _____

Initials: _____