

SCHOOL BULLY PREVENTION

School-wide Bully Prevention Program

The District is committed to support each school in their adoption of a school-wide bully prevention program that prohibits harassment and bullying on the basis of sex, race, color, national origin, or disability. The school bullying prevention program must be implemented throughout the year.

Coordinating Committee

Each school shall establish a site-based committee that is responsible for coordinating the school's bully prevention program including the design, approval and monitoring of the program.

Reporting Requirements

Bullying is unacceptable and a culture of openness is the best way to counter such behavior. It is the responsibility of each member of the school community: pupils, staff and parents to report instances of bullying or suspicions of bullying, with the understanding that all such reports will be listened to and taken seriously. Any school employee with reliable information that would lead a reasonable person to suspect a person is a target of bullying shall immediately report it to the administration.

Investigative Procedures

- Each school is required to have a procedure for the administration to promptly investigate in a timely manner and determine whether bullying has occurred.
- All confirmed bullying incidents must be reported to the Department of Education by the principal or the principal's designee within five (5) working days.
- Some acts of bullying may also be crimes, which must be reported to the police and/or the Department of Education pursuant to the school crime reporting law (14 *Del. C.* § 4112).

Non-Classroom Supervision

Each school is responsible for developing a plan of supervision in non-classroom areas. This plan must be discussed and reviewed each year.

Bullying Parameters

Bullying is usually defined as involving repeated acts of aggression that aim to dominate another person by causing pain, fear or embarrassment. However, one act alone may constitute bullying if the requisite intent and effect set forth in the definition are met.

Bullying may be perpetuated by an individual or a group. It may be direct or indirect. Although a person may be repeatedly bullied, a different person might be doing the bullying each time, which may make it difficult to recognize that bullying is occurring. An act is intentional if it is the person's conscious objective to engage in conduct of that nature. The actions listed below are some examples of intentional actions, which may become bullying depending on their reasonably foreseeable effect:

- Physical bullying: Pushing, shoving, kicking, destroying of property, tripping, punching, tearing clothes, pushing books from someone's hands, shooting/throwing objects at someone, gesturing, etc.
- Verbal bullying: Name calling, insulting, making offensive comments, using offensive language, mimicking, imitating, teasing, laughing at someone's mistakes, using unwelcome nicknames, threatening.
- Relational Bullying: Isolation of an individual from his or her peer group, spreading rumors.
- Cyber-bullying: Bullying by using information and communication technologies. Cyberbullying may include but is not limited to:
 1. Denigration: spreading information or pictures to embarrass,
 2. Flaming: heated unequal argument online that includes making rude, insulting, or vulgar remarks,
 3. Exclusion: isolating an individual from his or her peer group,
 4. Impersonation: Using someone else's screen name and pretending to be them,
 5. Outing or Trickery: forwarding information or pictures meant to be private.
- Sexual Bullying: Unwanted touching of a sexual nature, unwanted talking about private parts, unwanted comments about target's sexuality or sexual activities.

This list should be used by way of example only, and is not exhaustive. Such actions become bullying if they meet the definition with regard to intent and reasonably foreseeable effect. This policy is not intended to prohibit expression of religious, philosophical or political views, provided that the expression does not substantially disrupt the education environment. Similar behaviors that do not rise to the level of bullying may still be prohibited by other District policies or building, classroom or program rules.

Consequences For Bullying

The following, including a combination of the following, may be considered by administrators to be the appropriate range of consequences for bullying:

- Conference with parent/guardian
- Detention/extended day
- In-school suspension
- Out of school suspension
- Referral to Superintendent for expulsion
- Report to law enforcement officials

Retaliation

Retaliation for reporting bullying is prohibited. The consequences and appropriate action for a person who engages in retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

Procedure to Communicate with Medical and Mental Health Professionals

The following procedures for communication between school staff members and medical professionals who are involved in treating students for bullying issues must be followed:

- Pediatricians/Primary Care Physicians and Mental Health Professionals are important links in the overall wellness of the whole child. The ability to communicate appropriately to identify the optimal health care needs of the child is necessary when issues at school impact the physical and emotional health of the child. This is especially true in bullying due to the social nature of the problem. Release of information forms must be signed by the parent, guardian or relative caregiver pursuant to 14 *Del. C.* § 202(f) or legal guardian in order for the primary care physician or mental health professional to communicate with school personnel regarding any treatment of a child. Releases should be signed both at school and at the physician or mental health professional's office before communication may take place according to HIPPA and FERPA guidelines.
- If a parent refuses to sign a release form at school, the school will review this policy with them, explaining the reasons the release would be advantageous to the parent's child.
- After confirmation that a child has been involved in a bullying incident, if the administrator or designee recommends a mental health evaluation be completed, the school may:
 1. Require that return to school will be contingent upon the clinical evaluation providing recommendations and treatment plan if identified as appropriate.
 2. Require that the student remain in in-school suspension and that return to regular class schedule will be contingent upon the clinical evaluation providing recommendations and treatment plan if identified as appropriate.
- A summary of the evaluation shall be shared at a meeting with student, parent/guardian, and school administrator or designee prior to return to school or the general population.

Accountability

Each school shall notify the District in writing of its compliance with this policy and submit a copy of the procedures adopted under this policy by December 1 of each school year. Each school shall verify for the District the method and date the policy has been distributed to all students, parents, faculty, and staff.

Other Defenses

The physical location or time of access of a technology-related incident is not a valid defense in any disciplinary action initiated under this policy provided there is sufficient school nexus. This section does not apply to any person who uses data or computer software accessed through a computer, computer system, computer network or other

electronic technology when acting within the scope of his or her lawful employment or investigation of a violation of this policy in accordance with school district policy and with the approval of the Superintendent.

Relationship to Other Laws

An incident may meet the definition of bullying and also the definition of a particular crime under State or federal law. Nothing in this policy shall prevent school officials from fulfilling all of the reporting requirements of § 4112, Title 14 of the Delaware Code, or from reporting probable crimes that occur on school property or at a school function, which are not required to be reported under that section. Nothing in this section shall abrogate the reporting requirements for child abuse or sexual abuse set forth in Chapter 9 of Title 16 of the Delaware Code, or any other reporting requirement under State or federal law.

Nothing in the School Bully Prevention Policy or its regulation shall supersede or be construed in such a manner as to conflict with any state or federal laws concerning special education or individuals with disabilities.

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Caesar Rodney School District, Wyoming, Delaware