

POLICY RELATED TO PUPIL SERVICES

Bullying, Teen Dating Violence, and Sexual Violence

Bullying, Teen Dating Violence, and Sexual Violence disrupts a school's ability to educate students and threatens public safety by creating an atmosphere in which such behavior can escalate into violence. All students, faculty and staff have a right to work and study in a safe, supportive environment that is free from harassment, intimidation, and bullying.

Bullying, Teen Dating Violence, and Sexual Violence is prohibited in the public schools of Burrillville, RI [R.I.G.L. §§ 16-21-26, 16-21-30].

It is the policy of the Burrillville Public Schools that all students, faculty and staff be treated with respect. Neither sexual harassment nor harassment on the basis of race, religion, national origin, gender, ancestry, age, handicap, sexual orientation, or color will be tolerated may also be punishable under our harassment policy, and that the victim also has the option of proceeding under that harassment policy. The purpose of this policy is to:

- Raise school-wide awareness about bullying, teen dating violence, and sexual violence;
- Provide direction in responding to incidents; and
- Prevent new incidents of bullying, dating violence, and sexual violence.

At all times, school staff 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. To the extent possible the influence of cliques and other exclusive school groupings will be diminished by the creation of a range of inclusive school activities in which students will be encouraged to participate [R.I.G.L. 16-38-4 Exclusive Clubs].

The Equal Employment Opportunity Commission (EEOC) has issued regulations under title VII of the Civil Rights Act of 1964 entitled Sexual Harassment and Title IX of the Education Act of 1972, Anti-Discrimination Laws.

General Definitions: Harassment, intimidation, or bullying means intentional written, verbal, electronic, or physical act or threat of an act or threat of a physical act that is under a totality of the circumstances a reasonable person should know will have the effect of physically harming a student, faculty or staff, damaging the property of a student faculty or staff, placing a student, faculty or staff in reasonable fear of harm to his or her person or property or is sufficiently severe, persistent, or pervasive that creates an intimidating, threatening, or abusive educational experience for a student.

Definition of Bullying: Bullying occurs when a student, while at school, intentionally assaults, batters, threatens, harasses, stalks, menaces, intimidates, extorts, humiliates, or taunts another student, faculty or staff. Bullying also occurs when a student or group of students maliciously spread rumors about another student. In most circumstances, bullying does not include a mutual fight between 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.

Definition of Cyber bullying: Cyber bullying is the use of modern communication technologies and online forums (such as instant messaging, text messaging, blogs, email, chat rooms, and social networks) to embarrass, humiliate, threaten, or intimidate an individual in the attempt to gain power and control over them.

Dating Violence: Dating violence is a pattern of behavior where one person uses threats of, or actually uses physical, sexual, verbal or emotional abuse to control his/her dating partner.

Sexual Assault: Sexual assault includes behaviors that are attempted or perpetrated against a victim's will or when a victim cannot consent because of age, disability, or the influence of alcohol or drugs. Sexual assault may involve actual or threatened physical force, use of weapons, coercion, intimidation, or pressure and may include:

- Intentional touching of someone in ways that are unwanted;
- Voyeurism;
- Exposure to exhibitionism;
- Undesired exposure to pornography; or
- Public display of images that were taken in a private context or when the victim was unaware.

At School: In the context of these regulations, the phrase at school includes the following places and situations:

- In any location of the school (classroom, lavatory, locker room, gymnasium, etc.)
- Anywhere on school property
- On a school bus or other school vehicle
- At school bus stops
- While students are walking to or from school
- At any school-sponsored activity or event, whether or not held on school premises

Disciplinary Sanctions: As a school community, we believe in progressive discipline to educate our students. Repeated offenses will result in more severe consequences. Disciplinary consequences will be determined on a case-by-case basis and reflect the number and severity of disciplinary issues. Parents are important partners in the disciplinary process. Communication with parents will be open and frequent as we work together to solve disciplinary issues for the safety and well being of students.

Disciplinary Sanctions for bullying, teen dating violence, and sexual violence may include:

- 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
- Loss of school bus transportation
- Assignment of additional community/school service
- Classroom exclusion
- Short-term (10 or fewer days) school suspension or long-term suspension (suspension of more than 10 days)
- Admonitions, warnings and counseling

Reporting Procedures: Burrillville Public Schools shall establish a procedure for reporting, filing, and acting upon reports of incidents of bullying, teen dating violence, and sexual violence. The procedure will be publicized to staff, parents, students, and volunteers. The person(s) responsible for reporting are:

- The victim
- Anyone who witnessed any act covered by this policy
- Anyone with credible information that an act covered by this policy is or has taken place.

A complaint form is attached to this policy, in the Burrillville High School and Burrillville Middle School handbooks, and on the Burrillville School Department website. Additional forms can be found in every classroom, guidance office and Principal's office. Reports should be made to an adult within the school system.

Responsibility of Staff: School Staff shall take all reasonable measures to prevent bullying and shall report all aspects of bullying that may come to their attention. All reports should be made to the principal. Such reporting should be documented using the proper complaint form. In this context, the staff includes volunteers working in the school. A school employee who promptly reports the incident of harassment, intimidation, or bullying to the appropriate school official designated by the school district's policy, and who makes this report in compliance with the procedures in the policy prohibiting harassment, intimidation, or bullying is not liable for damages arising from any failure to remedy the reported incident [R.I.G.L. 16-21-26 (8)].

Administrator and Staff Training: The school shall provide training on the Burrillville School Department's bullying, teen dating violence, and sexual violence policy to all staff that have significant contact with students, including educators, school nurses and mental health staff, administrators, custodial and food service staff, and parents.

Per the *Lindsay Ann Burke Act*, the training shall specifically include, but not be limited to:

- Basic principles and warning signs of dating violence
- The Burrillville bullying, teen dating violence and sexual violence policy.

Student Education: On-going, age-appropriate education on healthy relationships shall be provided to all students in grades K-12, with specific instruction relating to teen dating violence taught yearly in grades 7-12. Per the *Lindsay Ann Burke Act* this curriculum shall include but not be limited to:

- Defining teen dating violence;
- Recognizing dating violence warning signs; and
- Characteristics of healthy relationships.

Additionally, students shall be provided with the school district's bullying, teen dating violence, and sexual violence prevention policy. Upon written request to the school principal by a parent or legal guardian of a pupil less than eighteen (18) years of age and within a reasonable period of time after the request is made, said parent or legal guardian shall be permitted to examine the health education instruction materials at the school in which his/her child is enrolled.

Social Skills Training: the school health program and school counseling services will include appropriate social skills training to help students avoid isolation and to help them interact in a healthy manner.

Responsibility of Students: Students who observe any act covered by this policy or who have reasonable grounds to believe an act is taking or has taken place in violation of this policy are obligated to report the incident to school authorities. Failure to do so may result in disciplinary action. The victim of the bullying shall however, not be subject to discipline for failure to report the bullying.

Investigation: The principal of his/her designee shall investigate all allegations of acts in violation of this policy. If the allegation is found to be credible, appropriate disciplinary sanctions, subject to appropriate due process procedures, will be imposed. The investigation will include an assessment by the appropriate school personnel of the effect the incident has had on the victim.

Police Notification: When the act involves conduct that involves criminal law, the police will be notified.

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

Prohibiting Against Retaliation: Retaliation or threats of retaliation in any form designated to intimidate a victim, those who are witnesses to an incident, or those investigating the incident, shall not be tolerated. In most cases, retaliation or the threat of retaliation will result in imposition of short- or long-term school suspension. In appropriate cases, school officials will refer to [R.I.G.L. 11-42-2 Extortion and Blackmail] [R.I.G.L. 59-2 Stalking Prohibited].

Prohibiting Against False Reporting: False reports of acts covered by this policy will be subject to appropriate school discipline, including short and long-term suspension from school.

Individualized School Safety Plan: If a student is the victim of an act in violation of this policy and as a result, does not feel safe in his or her school environment, the principal of the school shall prepare a written school safety plan outlining what steps will be taken to provide the student with a safe educational environment. 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.

Mediation Board: The principal of each school in the district of Burrillville may establish a Mediation Board to resolve complaints of bullying in circumstances where mediation may provide an appropriate remedy. The Mediation Board may, when appropriate, include students.

Voluntary Participation in Mediation: No student who is the victim of bullying shall be required to participate in mediation or to accept any apology tendered by the bullying student. The decision of a victim of bullying not to participate in a mediation program shall not diminish the obligation of the school to impose discipline against the student who has committed the act of bullying.

Bullying Prevention Task Force: The principal in each school in this district shall establish a Bullying Prevention Task Force. This Task Force may include parents, school staff, and law enforcement officers, as well as community members and, if age allows, students. The purpose of this task Force will be to develop policies and programs to educate students and staff about the harm caused by bullying. The Task Force may also create programs to prevent or diminish bullying. The program recommendations of the Task Force shall be subject to review by the School Committee before programs are implemented. The duties of the Bullying Prevention Task Force may be assigned to the school's student intervention team [R.I.G.L. 16-7.1-2] or the school's School Improvement Team [R.I.G.L. 16-53.1-2].

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BURRILLVILLE SCHOOL DEPARTMENT

HARASSMENT/BULLYING COMPLAINT RESOLUTION FORM

Name of Complainant: _____ **Position:** _____

Complaint Filed Against: _____ **Position:** _____

Investigation was conducted:

Informally at the building level

Formally at the district level

| | |
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| <i>Signatures indicate agreement and acceptance of the stated resolution and that all parties have received a copy of this form, the complaint form, and the investigation report</i> | |
| Complainant _____ | Date: _____ |
| Accused Party _____ | Date: _____ |
| Administrator _____ | Date: _____ |

Completed Complaint Form is to be attached to this Resolution Form.