LINCOLN PUBLIC SCHOOLS
SAFE SCHOOL ACT STATEWIDE BULLYING POLICY

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 Lincoln Public Schools from complying with federal antidiscrimination 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 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.

If the expression, physical act or gesture includes an incident or incidents that may be reasonably perceived as being motivated by (a) characteristics or harassment based on race, color, religion, national origin, ethnicity, genetic information or testing, , age or disability then the matter should be investigated under the District's Anti-Discrimination/Anti-Harassment Policy and Grievance Procedure, or (b) a pattern of behavior where one person uses threats of, or actually uses physical, sexual, verbal or emotional abuse to control his or her dating partner, then the matter should be investigated under the District's Teen Dating Violence and Sexual Violence Policy;.or if the behavior could meet the definition of Title IX Sexual Harassment it should be investigated under the District's Title IX Sexual Harassment Policy.

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.

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

a. The creation of any digital or print media 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: In the context of this policy, the phrase "at school" includes the following places and situations:

a. on school premises,
c. at any school-sponsored activity or event whether or not it is held on school premises,
d. on a school-transportation vehicle,
e. at an official school bus stop,
f. while students are walking to or from school,
g. using property or equipment provided by the school, or
h. Any other place, including off school property, where bullying occurs which creates 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 Lincoln Public Schools buildings and grounds. 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, director, or head of school shall be responsible for the implementation and oversight of this bullying policy.

The school Principal, director, or head of school shall provide the superintendent, school committee and/or school governing board with a summary report of incidents, responses, and any other bullying-related issues quarterly.

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, director or head of school 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, director or head of school 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.

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 are persons who may file a report of bullying.

Any student or staff member who believes he/she is being bullied is obligated to promptly 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, provided, however, that 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/RESPONSE

The school Principal, director or head of school 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 continuous and/or serious 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 serious or persistent 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.
d. If the bullying involved a violent criminal offense, the victim may seek transfer rights under the No Child Left Behind Act.

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, cyber bullying or retaliation shall include, but not be limited to:

a. Admonitions, warnings and counseling
b. Parental/ Guardian notification and meetings
c. Detention
d. Assignment of additional community/school service
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. Classroom exclusion

k. Short term school suspension (10 or fewer days of suspension) or long term suspension (suspensions of more than 10 days)
l. Transfer to another school

Any retaliation efforts shall be immediately referred to the School Resource Officer.

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. Please refer to Lincoln Public Schools Computer and Internet Acceptable Usage Policy.

10. OTHER REDRESS

This section 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.

11. ADOPTION OF POLICY

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

Adopted: 11/19/07
Revised Policy First Reading: 9/9/13
Second Reading: 10/21/13
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TOWN OF LINCOLN SCHOOL COMMITTEE, Lincoln, Rhode Island