

Towards Respectful Relationships Within and Without Schools

A POLICY TO PREVENT BULLYING

1. PURPOSE AND SCOPE

It is the intention of the Gloucester Public Schools to provide a learning and working atmosphere for students, employees and visitors in which they feel physically and emotionally secure - free from sexual harassment, bullying, hazing, and intimidation.

This policy reflects the requirements of the law as it relates to bullying, and the School Committee's understanding that students and staff perform at their best when they are free from a hostile working environment.

In order to achieve the intention to provide an atmosphere in which staff and students feel physically and emotionally secure, the school district will:

- a) implement the new statute concerned with bullying,
- b) establish clear expectations regarding behaviors that are not acceptable,
- c) establish responsibilities on the part of staff, students and parents for responding to unacceptable behavior,
- d) provide training for all categories of personnel and make available training for parents, with the aim of ensuring that there is a consistent and informed response to unacceptable behaviors;
- e) ensure that developmentally appropriate curricular experiences are provided at all grades with the aim of fostering respectful relationships;
- f) establish protocols for the investigation of alleged unacceptable behavior, and the recording of the outcomes of such investigations;
- g) liaise with community based organizations with an interest in the development of resilience among youth, and respectful relationships within schools and the community; and
- h) regard this policy document as the district's plan for responding to harassment in schools in all its forms.

Schools tend to reflect the communities they serve. It is therefore understood that the creation of a culture within schools and the community in which adults and students feel emotionally and physically secure is the responsibility of school administration, school staff, parents, students, and the wider community.

1.1 Bullying

"Bullying" is defined as the repeated 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 victim that:

- (i) causes physical or emotional harm to the victim or damage to the victim's property;
- (ii) places the victim in reasonable fear of harm to himself or of damage to his property;
- (iii) creates a hostile environment at school for the victim;
- (iv) infringes on the rights of the victim at school; or
- (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber- bullying.

Bullying should not be confused with isolated conflicts between students or staff. Research on bullying identifies it as behavior that occurs repeatedly, that is intended to harm the victim, and that involves a power imbalance between the victim and the person or persons who are bullying.

“Cyber-bullying” is defined as bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data 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.

Cyber-bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber- bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (V), inclusive, of the definition of bullying.

1.2 Conflicts that are not or may not be bullying

- Students jostling for position at a water fountain.
- Name calling arising out of a single and specific moment of disagreement or anger between students.
- Two students get into a fight. One suffers a bloody nose.

Notice that in all cases of significant conflict, such as in the last example, intervention by teachers or other school **personnel should occur** even if the case is not judged to be a one of “bullying”.

Conflicts that are likely cases of bullying

- Name calling that is done repeatedly, clearly intended to cause discomfort. *Aggravating circumstance:* student doing name calling is older than victim; or, several students are engaged in the name calling of a single individual.
- One student repeatedly initiates fights or **physical discomfort** with a second and is apparently intent on harming the second student. *Aggravating circumstance:* the initiating student is larger/stronger than the second; the initiator is egged on or supported by one or more other students; the initiating student shows a pattern of victimizing other students.
- One student uses a social networking site to post offensive picture of a second student, pictures clearly intended to cause ridicule and discomfort to that student; the student also engages in other acts or gestures harmful to victim. *Aggravating circumstance:* the student posting pictures is joined by other students in posting negative statements or images about the victim.

2 POLICY

2.1 Prohibition Of Unacceptable Behavior

Bullying as defined above, shall be prohibited:

- (i) on school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a school district or school, or through the use of technology or an electronic device owned, leased or used by a school district or school and
- (ii) at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

2.2 Gloucester Bullying Prevention & Intervention Plan

As required by M.G.L. Chapter 71, Section 37O, the Gloucester Public Schools has developed a Comprehensive Bullying Prevention and Intervention Plan (the Plan) in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians. The Plan includes provisions for the following:

- Procedures for responding to and investigating reports of bullying

- Strategies for protecting those who report bullying
- Notice to the parents or guardians of students involved in bullying, including perpetrators and victims
- Notice to students of the anti-bullying policy through student handbooks
- Confidentiality of records
- Appropriate services for students who have been bullied or who are bullies

The Gloucester Public School will review the Plan every other year.

LEGAL REFERENCES

1. An Act Relative To Bullying In Schools, 2010 (Senate, No. 2404)
2. Title VII of the 1964 Civil Rights Act, Section 703
3. Title IX of the 1972 U.S. Civil Rights Act.
4. Chapter 151C, Massachusetts General Laws
5. M.G.L. Chapter 76 § 5
6. M.G.L. Chapter 269 § 17, 18, 19
7. M.G.L. Chapter 71, §§82, 84
8. Gloucester Public Schools Policy Manual, File JK, Student Discipline

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