

SUBJECT: BULLYING - ADMINISTRATIVE PROCEDURE

Date of Original Procedure: March 11, 2021

Date of Next Review:

Cancels Policy Code: None

Revision Date:

JURISDICTION: RSU 73 Schools**PROCEDURE: BULLYING - ADMINISTRATIVE PROCEDURE**

This procedure is intended as guidance for school administrators in carrying out their responsibilities when bullying is alleged to have occurred. It provides important definitions as well as steps for reporting, investigating, and responding to allegations of bullying.

Bullying behavior alleged to be based on race, color, ancestry, national origin, sex, sexual orientation, gender identity or expression, religion, or disability should be addressed under the procedures set forth in the Student Harassment and Sexual Harassment procedure, ACAA-R, rather than under this procedure.

Bullying Reports:**Students and Parents / Guardians**

Students who believe they have been bullied or who have witnessed or learned about an act of bullying should report this behavior to the building principal and/or school counselor/social worker.

Parents / Guardians may report bullying on behalf of their children or when they have witnessed or are aware of the occurrence of bullying to the building principal and/or school counselor/social worker.

Reports of bullying may be made anonymously, but no disciplinary action shall be taken against a student solely on the basis of an anonymous report.

Any student who has been determined to have made a false report of bullying will be subject to disciplinary consequences.

School Employees

For the purpose of this procedure, "school employees" include coaches, advisors for co-curricular or extracurricular activities, and volunteers.

All school employees are expected to intervene when they see acts of bullying in progress and are required to report incidents of bullying they have witnessed or become aware of to the building principal as soon as practicable.

School employees who fail to report bullying or who have made a false report of bullying will be subject to disciplinary consequences up to and including termination, in accordance with any applicable collective bargaining agreement.

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Contractors, service providers, visitors, or community members who have witnessed or become aware of bullying are encouraged to report such incidents to the building principal.

Form of Reports

Complaints or reports of bullying may be made orally or in writing, but all reports will be recorded in writing by school personnel authorized to receive complaints or reports, using the school unit's reporting form (JICK-E1).

School employees are required to make reports of bullying to the principal in writing. Although students, parents, and others, as identified above, may make bullying reports anonymously, all persons reporting incidents of bullying are encouraged to identify themselves.

Bullying reports may be made anonymously, but in no instance will action be taken against any person or organization affiliated with the schools solely on the basis of an anonymous report.

The building principal will forward a copy of the report to the Superintendent by the end of the next school day.

Interim Safety Measures

The building principal may take such interim measures as he/she deems appropriate to ensure the safety of the targeted student and to prevent further bullying and will inform the parents of the targeted student of measures taken.

School personnel should be careful to respect the confidentiality of the student information when communicating with the parents of a student who has reported being bullied. It should be sufficient to inform the parents of what the school is doing to protect the student from further bullying and to convey that the incident will be investigated and appropriate disciplinary consequences will be applied, without providing details that would be considered a violation of FERPA or an invasion of privacy.

Investigation

The building principal will ensure that all reports of bullying and retaliation are investigated promptly and that documentation of the investigation and the outcome is prepared and forwarded to the Superintendent within a reasonable period of time.

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The determination of whether particular conduct constitutes bullying requires reasonable consideration of the circumstances, which include the frequency of the behavior at issue, the location in which the behavior occurs, the ages and maturity of the students involved, the activity or context in which the conduct occurs, and the nature and severity of the conduct.

Response to Bullying by Students

If bullying has been substantiated, the building principal or designee as appropriate under the circumstances will determine the appropriate disciplinary consequences, which may include detention, suspension or expulsion; alternative discipline; remediation; and/or other intervention.

Alternative discipline includes, but is not limited to:

1. meeting with the student and the student's parents or guardians;
2. reflective activities, such as requiring the student to write an essay about the student's misbehavior;
3. mediation when there is a mutual conflict between peers, rather than one-way negative behavior, and when both parties freely choose to meet;
4. counseling;
5. anger management;
6. health counseling or intervention;
7. mental health counseling;
8. participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution circles, and restorative conferencing;
9. community service; and
10. In-school detention or suspension, which may take place during lunchtime, after school, or on weekends.

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In order to remediate any substantiated incident of bullying to counter the negative impact of bullying and reduce the risk of future bullying incidents, the building principal may refer the targeted student / victim, perpetrator, or other involved persons to counseling or other appropriate services.

If the bullying behavior appears to be a criminal violation, the building principal will notify local law enforcement authorities.

If the bullying has been substantiated, the building principal will provide written notification to:

1. the parents / guardians of the targeted student, including the measures being taken to ensure the student's safety; and
2. the parents / guardians of the student found to have engaged in bullying, including the process of appeal.

All communications to parents must respect the confidentiality of student and employee information as provided by federal and Maine law and regulations.

Appeals

Any appeal of the building principal's decisions in regard to consequences for bullying must be submitted, in writing, within 14 calendar days of the parental notification. The Superintendent will review the investigation report and actions taken and decide whether to sustain or deny the appeal. The Superintendent's decision shall be final.

Cross Reference: ACAA-R - Student Harassment and Sexual Harassment Procedure
JICK - Bullying
JRA-R - Student Education Records and Student Information