

No. 251

SECTION: PUPILS

TITLE: BULLYING/CYBERBULLYING

CATASAUQUA AREA SCHOOL DISTRICT

ADOPTED: December 4, 2008
REVISED: July 9, 2012
REVIEWED: June 15, 2015
READOPTED: June 15, 2015

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1. Purpose	The Board is committed to providing a safe, positive learning environment for district students. The Board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence. Therefore, the Board prohibits bullying by district students.	4
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2. Definitions	Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in, or is directed to and accessed in, a school setting, that is severe, persistent or pervasive, and has the effect of doing any of the following:	11
SC		12
§ 1303.1-A		13
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	1. Substantially interfering with a student’s education.	16
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	2. Creating a threatening environment.	18
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	3. Substantially disrupting the orderly operation of the school.	20
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	Bullying , as defined in this policy, includes cyberbullying, which is bullying through communication by means of an electronic device, telephone, wireless phone or other wireless communication device, computer, or pager, including, but is not limited to, text, picture, image, and/or audio transmissions such as e-mail, instant messaging, chat rooms, blogs and other web postings, social media, personal profile websites, or voice messaging/answering machines. Acts of cyberbullying which originate outside the school setting but are directed to and accessed in a school setting are subject to this policy to the extent they substantially disrupt the educational process of the school district or there is a significant risk that they will substantially disrupt the educational process of the school district.	22
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3. Policy	<p data-bbox="402 172 954 205">251. – BULLYING/CYBERBULLYING</p> <p data-bbox="1269 172 1360 205" style="text-align: right;">Page 2</p> <p data-bbox="402 247 1409 682">Bullying may include a wide variety of behaviors, with deliberate intent to hurt, humiliate, demean, dehumanize, embarrass, or incite another person. Some examples of acts which may constitute bullying include, but are not limited to: hitting, kicking, spitting, pushing, pinching, physically restraining, committing sexual acts, and other actions which cause physical harm; invasion of another’s personal space in an aggressive manner; placing another in reasonable fear of physical harm; damaging, extorting, or taking another’s personal property; placing another in reasonable fear of damage to or loss of personal property; taunting, malicious teasing, name-calling, threats, threatening looks, gestures, or actions, false accusations, sexual innuendo/remarks, spreading rumors, manipulating social relationships or environments, engaging in social exclusion, ridiculing, and intimidating.</p> <p data-bbox="402 724 1409 793">The term bullying shall not be interpreted to infringe upon a student’s right to engage in speech or conduct protected by the federal or state Constitution.</p> <p data-bbox="402 835 1409 1012">School setting means in the school, on school grounds, in school vehicles, at a designated bus stop, at any activity sponsored, supervised or sanctioned by the school, while utilizing school district equipment or technology, or while traveling to or from school or a school sponsored, supervised, or sanctioned activity.</p> <p data-bbox="402 1087 1188 1123">The Board prohibits all forms of bullying by district students.</p> <p data-bbox="402 1165 1409 1306">The Board encourages students who have been bullied, and students who have witnessed another student being bullied or have reason to believe that another student has been bullied, to promptly report such incidents to the building principal, or a teacher, nurse, counselor, or administrator.</p> <p data-bbox="402 1348 1409 1488">Parents/guardians of district students shall receive information regarding this policy and shall be requested to report any suspected incidents of bullying (whether involving their own children or other district students) to the building principal, or to a teacher, nurse, counselor, or administrator.</p> <p data-bbox="402 1530 1409 1707">All district employees (including, but not limited to, teachers, nurses, counselors, secretaries, custodians, bus drivers, and aides) who observe acts of bullying shall take reasonable steps to intervene to stop such conduct in accordance with the district’s bullying intervention programs, unless intervention would threaten the safety of the employee or another person.</p>	<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p> <p>29</p> <p>30</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p> <p>36</p> <p>37</p> <p>38</p> <p>39</p> <p>40</p> <p>41</p> <p>42</p> <p>43</p> <p>44</p> <p>45</p> <p>46</p> <p>47</p> <p>48</p> <p>49</p>
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	All district employees who have received a report of a bullying incident from a student, parent/guardian, or other person, who have witnessed a student being bullied, or have reason to believe that a student has been bullied, shall promptly report such incidents to the building principal. In the absence of the building principal, the reports shall be made to the assistant principal or other person in charge of the building, who shall then forward the reports to the principal as soon as possible and take any actions necessary in the meantime.		5
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	The Board directs that complaints of bullying shall be investigated thoroughly and promptly by the building principal or another administrator appointed by the Superintendent. The investigation should include interviews with the accused and the alleged victim, and the investigator shall inform the parents/guardians of the accused and alleged victim of the complaint and investigation. In determining whether alleged conduct constitutes bullying, the totality of the circumstances, the nature of the alleged conduct, and the context in which the alleged conduct occurred shall be investigated and considered.		13
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	If the complainant or accused is not satisfied with the determination of the principal or other administrator, he/she may appeal the decision to the Superintendent, who may conduct a supplemental investigation if he/she deems it advisable.		22
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	If the investigation or appeal results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action reasonably calculated to ensure that such conduct ceases and will not recur, subject to the due process procedures contained in Policy 233 (relating to suspensions and expulsions), where applicable.		27
Policy 233			28
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	Whenever a complaint of bullying contains allegations which would also constitute discrimination or harassment prohibited by Policy 128 (relating to nondiscrimination), the district shall follow the procedures and comply with the provisions set forth in Policy 128 in addition to the requirements of this Policy.		33
Policy 128			34
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	No student or district employee shall make a knowingly false accusation of bullying against any student.		39
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	No student or district employee shall retaliate against any student or district employee for reporting bullying or for assisting or testifying in a bullying investigation or hearing, so long as the reporting, assisting, or testifying was done in good faith.		42
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	Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying. Each district employee shall be responsible to maintain an educational environment free from bullying.		5
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4. Delegation of Responsibility	The Superintendent or designee shall develop administrative regulations to implement this policy.		10
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SC § 1303.1-A	The Superintendent or designee shall ensure that this policy and administrative regulations, including the procedures for reporting bullying incidents, are reviewed with students within ninety (90) days after their adoption and thereafter at least once each school year.		13
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	The Superintendent or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and make a report to the Board, including any recommendations for revisions to this policy. The Board shall thereafter review the report and re-adopt this policy with or without revisions.		18
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5. Guidelines	District administration shall provide the following information with the annual Safe School Report under School Code § 1303-A(b):		25
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SC § 1303.1-A;			27
22 Pa. Code	1. Board’s Bullying Policy.		28
§ 12.3			29
	2. Report of bullying incidents.		30
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	3. Information on the development and implementation of any bullying prevention, intervention or education programs.		32
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	The Code of Student Conduct, which shall contain this policy, shall be disseminated annually to students.		36
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	This policy shall be available in every classroom. The policy shall be posted in a prominent location within each school building where such notices are usually posted and on the district Internet web site.		39
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6. Confidentiality	The Board recognizes that both the alleged victim and the accused have a strong interest in maintaining the confidentiality of the allegations and related information. Thus, confidentiality of all parties and witnesses shall be maintained with respect to the filing, investigation, and disposition of all complaints under this policy as much as possible, to the extent consistent with the district's legal obligations to investigate, take appropriate action, and comply with the Family Educational Rights and Privacy Act (FERPA) and other applicable laws, regulations, rules, constitutional requirements, orders, and discovery or disclosure obligations. The district shall not disclose the name of a complainant (or the student on whose behalf a complaint has been filed) to an accused if the alleged victim or the parent/guardian of an alleged victim who is a minor student so requests, but the scope of a reasonable response to the complaint may be limited as a result (<i>e.g.</i> , disciplinary action against an accused individual may be limited or precluded).		4
22 U.S.C. § 1232g			5
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	Notwithstanding anything to the contrary in this policy, while a complainant has the right to learn the outcome of his/her complaint (<i>i.e.</i> , to learn whether the complaint was investigated and whether bullying was found), the district shall not disclose to a complainant any sanction or discipline recommended or imposed upon a student to the extent such disclosure is prohibited by the Family Educational Rights and Privacy Act (FERPA) or other applicable laws, regulations, rules, constitutional requirements, or orders. (An exception may apply, for example, in the case of a sanction that directly relates to the victim, such as an order that a violator/bully stay away from the victim.)		19
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7. Programs	The Superintendent shall develop and implement bullying prevention, intervention, and education programs. Such programs shall provide district staff and students with appropriate training in awareness of the nature and problems of bullying, and for effectively responding to, intervening in, and reporting incidents of bullying.		30
SC § 1303.1-A			31
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8. Consequences for Violations	A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include:		37
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SC § 1303.1-A	1. Counseling within the school.		40
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	2. Parental conference.		42
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	3. Loss of school or bus privileges.		44
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	4. Transfer to another school building, classroom or school bus.		46
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	5. Exclusion from school-sponsored activities.		48
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	6. Detention.		4
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	7. Suspension.		6
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	8. Assignment to an alternative educational placement.		8
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	9. Expulsion.		10
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	10. Counseling/Therapy outside of school.		12
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	11. Referral to law enforcement officials.		14
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20 U.S.C. § 1400 <i>et seq.</i> ;	Any disciplinary action for a violation of this policy is subject to the limitations		16
34 CFR 300.530	of applicable law, including, but not limited to, the Individuals with Disabilities		17
through 300.536;	Education Act (IDEA) and federal and state implementing regulations, and		18
22 Pa. Code §	Policy 113.1 (relating to discipline of students with disabilities).		19
14.143; Policy			20
113.1.	Depending on the severity of the incident, the principal may also take		21
	appropriate steps to ensure student safety. These may include implementing a		22
	safety plan; separating and supervising the students involved; providing staff		23
	support for students as necessary; and developing a supervision plan with the		24
	parents/guardians.		25
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	Nothing in this policy shall prevent the district from referring incidents or the		27
	results of its own investigations to law enforcement officials when appropriate,		28
	or prevent the district, any victim, or any accused from seeking additional		29
	redress under any other applicable civil or criminal law.		30
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