

## Policy

### Bullying/Cyberbullying

5144.1

#### (1) Purpose

Creating and maintaining a safe and welcoming learning environment for all students is a high priority in all Intermediate Unit schools. A safe school environment free from bullying is necessary for students to learn and achieve high academic standards. Bullying behavior disrupts the educational process, therefore it will not be tolerated in any school setting. 24 P.S. §13-1303.1-A(a)-(e)

#### (2) Definitions

*Bullying* - For the purposes of this Policy, bullying means an intentional electronic, written, verbal or physical act, or a series of acts (a) directed at another student or students (b) which occurs in a school setting, (c) that is severe, persistent or pervasive, and (d) that has the effect of doing any of the following:

- (2.1) Substantially interfering with a student's education;
- (2.2) Creating a threatening environment; or
- (2.3) Substantially disrupting the orderly operation of the school. 24 P.S. §13-1303.1-A(d)(e)

For example, bullying could be cyberbullying, and/or a form of harassment in which the behavior is intended, or perceived to intend, to harm or cause distress to another. It may include, but is not limited to, actions such as verbal taunts, physical aggression, extortion of money or possessions, exclusion from peer groups within school, name-calling, and derogatory statements, including any discriminatory statements prohibited by and consistent with the Intermediate Unit's nondiscrimination and harassment policies.

The term cyberbullying shall not be interpreted to infringe upon a student's right to engage in legally protected speech or conduct.

**School Setting** – school settings means in the school, on school grounds, in school vehicles, at a designated bus stop, or at any activity sponsored, supervised, or sanctioned by the Intermediate Unit. 24 P.S. §1303.1-A(e)

#### (3) Authority

The Board prohibits all forms of bullying in any school setting. Any violation of this Policy shall be considered an infraction of the Code of Student Conduct, with discipline implemented accordingly, and on a case-by-case basis. All bullying behavior that is believed to be a violation of the Pennsylvania Crimes Code will be reported to the police. 24 P.S. §13-1303.1-A; CSIU Policies.

This Policy shall be implemented through the cooperative efforts of the Executive Director, the Senior Leaders' Team, the Intermediate Unit administrators, the school employees, the parents/guardians, the students, the school volunteers, law enforcement, and the Intermediate Unit's community.

(4) Delegation of Responsibility

Any person, including but not limited to, victims, witnesses, parents/guardians, employees, guests, and students discovering bullying shall report the incident to a CSIU teacher, counselor, or administrator. School employees will provide immediate interventions consistent with this Policy, unless the intervention would be a threat to the person's safety. If the person's safety is at issue the person must report the incident to the Executive Director, and/or designee, for further investigation.

Each student must be responsible to respect the rights of others and to ensure an atmosphere free from bullying.

The Executive Director, or designee, must (a) ensure that this Policy is reviewed annually with students, and (b) in cooperation with other appropriate Intermediate Unit administrators ensure that this Policy is reviewed every three (3) years, then, if applicable, recommend necessary changes to the Board of Directors.

The Intermediate Unit administrators must annually provide the following information with the Safe Schools Report:

- The Board of Director's Bullying Policy
- A report of the Intermediate Unit's bullying incidents
- Information on the development and implementation of the bullying prevention, intervention, and education programs.

(5) Guidelines

(5.1) Notices

The Code of Student Conduct, which shall contain this Policy, must be disseminated annually to students. 24 P.S. §13-1303.1-A; 22 Pa. Code §12.3.

This Policy must be accessible in every classroom. The Policy must be posted in a prominent location within each school building where notices are usually posted, and posted on the Intermediate Unit's web site. 24 P.S. §13-1303.1-A

(5.2) Bullying Prevention, Intervention, and Education Programs

The Intermediate Unit must educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. 47 U.S.C. §254(h)(5)(B)(iii).

Bullying prevention, intervention, and education programs must also be provided that consists of Intermediate Unit-wide actions, classroom-level activities, individual interventions, and community involvement.

- (5.2.1) *Intermediate Unit-wide actions* include, but are not limited to, training for school staff and students and adoption of the following Intermediate Unit-wide anti-bullying rules:
- We do not bully others.
  - We help students who are bullied.
  - We include students who are left out.
  - We tell an adult at school and an adult at home when somebody is being bullied.
- (5.2.2) *Classroom level activities* include, but are not limited to, consistent interventions, use of rules, reinforcement of pro-social behavior and incorporation of bullying themes.
- (5.2.3) *Individual interventions* include, but are not limited to, follow up with both victims and bullies that may include consequences, provisions for making restitution, and counseling referrals, as appropriate.
- (5.2.4). *Community involvement* encourages partnerships with families, community organizations and agencies to implement the Intermediate Unit's bullying prevention, intervention, and education programs.

(5.3) Complaint Procedure

When a student believes that s/he is a victim of bullying, the student is strongly encouraged to report a complaint of bullying, orally or in writing, to the supervisor, counselor, teacher or another school employee. If the supervisor or Intermediate Unit administrator is the subject of a bullying complaint, the student shall promptly report the complaint directly to the Executive Director, or Executive Director's designee.

All school employees are required to report incidents of alleged bullying/cyberbullying and alleged violations of this Policy to their supervisor or their supervisor's designee. An employee shall be subject to disciplinary procedures consistent with the current collective bargaining agreement, as applicable, and Intermediate Unit Policy for failure to report.

Complaints of bullying must be investigated by the program supervisor/supervisor's designee, or Executive Director/Executive Director's designee, as applicable, promptly, and corrective action must be taken when allegations are verified. The investigation must include interviews with students (separately), parents/guardians, and Intermediate Unit and School District employees; reviews of Intermediate Unit and School District records; and any other appropriate means of investigation.

Confidentiality of all parties must be maintained, consistent with the Intermediate Unit's legal and investigative obligations. The incident must be maintained as a confidential record in the discipline file of both the victim and the bully. 20 U.S.C. § 1232g.

When an investigation substantiates that bullying has occurred, the program supervisor/supervisor's designee, or Executive Director/Executive Director's designee, as applicable, must inform employees who work with the offending student and the victim about the bullying so that the employees may more closely monitor for future incidents of bullying.

The supervisor/supervisor's designee or Executive Director/Executive Director's designee will contact the parent/guardian of both the bully and the victim.

#### (5.4) Consequences for Violation

A founded charge against an Intermediate Unit employee shall subject such employee to disciplinary action, up to and including discharge. CSIU Policies 4116.13, 4116.23

A founded charge against a Intermediate Unit student shall subject such student to disciplinary action. Appropriate consequences and remedial actions range from positive behavioral interventions to and including suspension or expulsion, and may include counseling within the Intermediate Unit or School, parental conferences, detentions, separating the student(s) being bullied from the perpetrator(s), warnings, usage restrictions, loss of school privileges, reassignment, oral or written reprimands, detentions, suspensions, expulsions, counseling outside of the Intermediate Unit or School District, reporting to law enforcement, and/or legal proceedings.

Any violation of this Policy shall be considered an infraction of the Code of Student Conduct and any other applicable Intermediate Unit policy, with discipline implemented accordingly on a case-by-case basis. Any violation of the Pennsylvania Crimes Code will be reported to the police department.

Victims and their parents/guardians shall be made aware of appropriate counseling, agency services and safety plan developments described in the Intermediate Unit's victimization procedures.

#### (5.5) Retaliation

The Intermediate Unit prohibits reprisal or retaliation against any person who in good faith reports an act of bullying. The supervisor/supervisor's designee, in accordance with the Code of Student Conduct and/or other Intermediate Unit policies, will determine the consequences and remedial actions for students, and the Executive Director/Executive Director's designee for employees. Any violation of the Pennsylvania Crimes Code will be reported to the police department.

#### (5.6) False Reports

The supervisor and/or Executive Director, in accordance with the Code of Student Conduct and/or other Intermediate Unit policies, will determine the consequences and remedial actions for a student found to have falsely accused another as a means of harassment, intimidation or bullying. The Executive Director will determine consequences and remedial actions for an employee found to have falsely accused another as a means of harassment, intimidation or bullying. Any violation of the Pennsylvania Crimes Code will be reported to the police department.

Further Reference: CSIU Board Policy/Administrative Regulations 5000, 5144, 6000

Legal Authorization: Pennsylvania School Code – 24 P.S. §5-510; 24 P.S. §13-1303-A, and 24 P.S. §13-1303.1-A; State Board of Education Regulation – 22 Pa. Code §12.3; Federal Protecting Children Act - 47 U.S.C. §254(h)(5)(B)(iii); Family Educational Rights and Privacy Act – 20 U.S.C. §1232g; State Board of Education Regulation – 22 Pa. Code §12.3

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