

USD 377

BULLYING PLAN 2012

8/17/2012

Atchison County Community Schools
Steve Wiseman, Superintendent

USD 377 BULLYING PREVENTION PLAN

The district is actively engaging in a whole school campaign to prevent bullying and harassment in our schools. This involves strong commitment and a willingness to work together on the part of everyone involved. The plan incorporates the training and professional development of all school personnel, students and parents. The following are elements of the plan:

1. CODE OF CONDUCT

Each school's code of conduct will be effectively communicated to all students as an essential part of a district wide school campaign to prevent bullying.

2. ESTABLISH AN ENVIRONMENT OF REPORTING ALL INSTANCES OF BULLYING

Any child who is bullied by another child or adult, or who sees another child being bullied, is encouraged to report the incident to building administration, counselor or adult advocate. Junior-senior high school students will be assigned an adult advocate to support greater personalization of each student's needs. Research has demonstrated that personalized learning initiatives can decrease disruptive behavior.

3. COACHING STUDENTS ON WHAT TO DO

Coaching on what to do when being bullied and how to describe the incidents to adults will be made available to children in the early stages of the implementation of this program.

4. TRAINING AND STAFF DEVELOPMENT

Experts from outside the school will be utilized to train staff, students and parents in strategies to be implemented in the prevention of bullying and harassment. District-wide training will be provided to staff members to assist the district in developing a Whole School Bullying Prevention/Intervention Program.

5. DEVELOPING POSITIVE RELATIONSHIPS

Junior-senior high school students will be assigned to a homeroom teacher advocate for their entire junior-senior high school career.

USD 377 BULLYING & HARASSMENT PLAN CONTINUED

6. CHARACTER EDUCATION PROGRAM

All schools will implement character education activities into the school curriculum. Students exhibiting bullying behavior will be counseled and trained in character development and exhibiting positive social behaviors. Leadership initiatives will be incorporated into the character education and training of students. Social skills instruction will be incorporated into class room activities and school events. Video resources, handouts and other materials will be utilized to increase students' awareness of when they are being bullied and how to respond.

7. DEVELOPING A COMMON LANGUAGE

A common vocabulary related to bullying, harassment and positive interpersonal relations is essential to the success of the program. When the language used in bullying awareness activities becomes the language of the school, the incidents of bullying will diminish. This common vocabulary will be used across the curriculum in character education initiatives.

USD 377 BULLYING

The USD 377 board of education prohibits acts of harassment or bullying. The board of education has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Harassment or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and school's ability to educate its students in a safe environment. Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

"Harassment or bullying" is any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts- i.e. internet, cell phone, personal digital assistant (pda), or wireless hand held device) that is reasonably perceived as being motivated either by any actual act or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristic. Such behavior is considered harassment or bullying whether it takes place on or off school property, at any school-sponsored function, or in a school vehicle.

"Harassment" is conduct that meets all of the following criteria:

- is directed at one or more pupils;
- substantially interferes with educational opportunities, benefits, or programs of one or more pupils;
- adversely affects the ability of a pupil to participate in or benefit from the school district's educational programs or activities because the conduct, as reasonably perceived by the pupil, is so severe, pervasive, and objectively offensive as to have this effect; and,
- is based on a pupil's actual or distinguishing characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics.

"Bullying" is conduct that meets all of the following criteria:

- is directed at one or more pupils;
- substantially interferes with educational opportunities, benefits, or programs of one or more pupils;
- adversely affects the ability of a pupil to participate in or benefit from the school district's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing emotional distress; and,
- is based on a pupil's actual or distinguishing characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics.

The USD 377 board of education expects students to conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

The USD 377 board of education believes that standards for student behavior must be set cooperatively through interaction among the students, parents and guardians, staff, and community members of the school district, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of students, staff, and community members.

The USD 377 board of education believes that the best discipline is self-imposed, and that it is the responsibility of staff to use disciplinary situations as opportunities for helping students learn to assume responsibility and the consequences of their behavior. Staff members who interact with students shall apply best practices designed to **prevent** discipline problems and encourage students' abilities to develop self-discipline.

Since bystander support of harassment or bullying can support these behaviors, the district prohibits both active and passive support for acts of harassment or bullying. The staff should encourage students to support students who walk away from these acts when they see them, constructively attempt to stop them, or report them to the designated authority.

The USD 377 board of education requires its school administrators to develop and implement procedures that ensure **both** the appropriate consequences **and** remedial responses to a student or staff member who commits one or more acts of harassment or bullying. The following factors, at a minimum, shall be given full consideration by school administrators in the development of the procedures for determining appropriate consequences and remedial measures for each act of harassment or bullying.

CONSEQUENCES/REMEDIATION

Factors for Determining Consequences

- Age, development, and maturity levels of the parties involved
- Degree of harm
- Surrounding circumstances
- Nature and severity of the behavior(s)
- Incidences of past or continuing pattern(s) of behavior
- Relationship between the parties involved
- Context in which the alleged incident(s) occurred

Factors for Determining Remedial Measures

Personal

- Life skill competencies
- Experiential deficiencies
- Social relationships
- Strengths
- Talents
- Traits
- Interests
- Hobbies
- Extra-curricular activities
- Classroom participation
- Academic performance

Environmental

- School culture
- School climate
- Student-staff relationships and staff behavior toward student
- General staff management of classrooms or other educational environments
- Staff ability to prevent and de-escalate difficult or inflammatory situations
- Social-emotional and behavioral supports
- Social relationships
- Community activities
- Neighborhood culture
- Family situation

CONSEQUENCES/REMEDIATION CONTINUED

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of harassment or bullying may range from positive behavioral interventions up to and including suspension or expulsion, in the case of a student, or suspension or termination in the case of an employee, as set forth in each student handbook or employee handbook.

Consequences for a student who commits an act of harassment or bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the board of education's approved code of conduct. Remedial measures shall be designed to: ***correct the problem behavior; prevent another occurrence of the behavior; and protect the target (victim) of the act.*** Effective discipline should employ a school-wide approach to adopt a rubric of bullying offenses and the associated consequences. The consequences and remedial measures may include, but are not limited to, the examples below:

Examples of Consequences

- Admonishment
- Temporary removal from the classroom
- Loss of privileges
- Classroom or administrative detention
- Referral to disciplinarian
- In-school suspension during the school week or the weekend, for students
- Out-of-school suspension
- Legal action
- Expulsion or termination

Examples of Remedial Measures

Personal

- Framing the aggressive behavior as a failed attempt to solve a real problem or reach a goal. The adult assists the misbehaving student to find a better way to solve the problem or meet the goal.
- Restitution and restoration
- Transformative conferencing/restorative justice
- Peer support group
- Corrective instruction or other relevant learning or service experience
- Supportive discipline to increase accountability for the bullying offense
- Supportive interventions, including participation of an Intervention and referral Services team, peer mediation, etc.
- Behavioral assessment or evaluation, including, but not limited to, a referral to a Child Study Team, as appropriate

CONSEQUENCES/REMEDIATION CONTINUED

The USD 377 board of education requires the principal and/or the principal's designee to be responsible for determining whether an alleged act constitutes a violation of this policy. In doing so, the principal and/or the principal's designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. The investigation is to be completed within three school days after the report or complaint is made.

The USD 377 board of education prohibits reprisal or retaliation against any person who reports an act of harassment or bullying. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

The USD 377 board of education prohibits any person from falsely accusing another as a means of harassment or bullying. The consequences and appropriate remedial action for a person found to have falsely accused another as a means of harassment or bullying may range from positive behavioral interventions up to and including suspension or expulsion. Consequences and appropriate remedial action for a *school employee* found to have falsely accused another as a means of harassment or bullying shall be disciplined in accordance with district policies, procedures, and agreements.

The USD 377 board of education requires school officials to annually disseminate the policy to all school staff, students, and parents, along with a statement explaining that it applies to all applicable acts of harassment and bullying that occur on school property, at school-sponsored functions, or on a school bus. The superintendent shall develop an annual process for discussing the school district policy on harassment and bullying with students and staff.

The school district shall incorporate information regarding the policy against harassment or bullying into each school employee training program and handbook.

Informal Complaint Process

Anyone may use informal procedures to report and resolve complaints of harassment, intimidation, or bullying. At the building level, programs may be established for receiving anonymous complaints. Such complaints must be appropriately investigated and handled consistent with due process requirements. Informal reports may be made to any staff member, although staff shall always inform complainants of their right to, and the process for, filing a formal complaint. Staff shall also direct potential complaints to an appropriate staff member who can explain the informal and formal complaint process and what a complainant can expect. Staff shall also inform an appropriate supervisor or designated staff person when they receive complaints of harassment, intimidation, or bullying, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

Informal remedies include an opportunity for the complainant(s) to explain the conduct to the alleged perpetrator that the conduct is unwelcome, disruptive, or inappropriate either in writing or face-to-face; a statement from a staff member to the alleged perpetrator that the alleged conduct is not appropriate and could lead to discipline if proven or repeated; or a general public statement from an administrator in a building reviewing the district harassment, intimidation and bullying policy without identifying the complainant, parent, guardian, or because the district believes the complaint needs to be more thoroughly investigated.

FORMAL COMPLAINT PROCESS

Anyone may initiate a formal complaint of harassment, intimidation or bullying, even if the informal complaint process is being utilized. Complainant(s) should not be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or what kind of hearing may result. Efforts should be made to increase the confidence and trust of the person making the complaint. The district will fully implement the anti-retaliation provisions of this policy to protect complainant(s) and witness(es). Student complainants and witnesses may have a parent or trusted adult with them, if requested, during any district initiated investigatory activities. The superintendent or designee may conclude that the district need to conduct an investigation based on information in their possession regardless of the complainant's interest in filing a formal complaint.

The following process shall be followed:

- A.** All formal complaints shall be in writing. Formal complaints shall set forth the specific acts, conditions or circumstances alleged to have occurred that may constitute harassment, intimidation or bullying. A district administrator may

draft the complaint based on the report of the complainant, for the complainant to review and sign.

- B. Regardless of the complainant's interest in filing a formal complaint, the district administrator may conclude that the district needs to draft a formal complaint based on the information in the officer's possession.
- C. A district administrator shall investigate all formal, written complaints of harassment, intimidation or bullying, and other information in the compliance officer's possession that the officer believes requires further investigation.
- D. When the investigation is completed the district administrator shall compile a full written report of the complaint and the result of the investigation. If the matter has not been resolved to the complainant's satisfaction, the superintendent shall take further action on the report.
- E. The superintendent or designee shall respond in writing to the complainant and the accused within thirty days, stating:
 - a. That the district intends to take corrective action; or
 - b. That the investigation is incomplete to date and will be continuing; or
 - c. That the district does not have adequate evidence to conclude that bullying, harassment or intimidation occurred.
- F. Corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty days after the superintendent's written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.
- G. If a student remains aggrieved by the superintendent's designee's response, the student may pursue the complaint as one of discrimination pursuant to Policy GAAA, Nondiscrimination or a complaint pursuant to Policy KN, complaint Concerning staff or Programs.
- H. Students will be provided with age-appropriate information on the recognition and prevention harassment, intimidation or bullying, and their rights and responsibilities under this and other district policies and rule at student orientation sessions and on other appropriate occasions, which may include parents. Parents shall be provided with copies of this policy and procedure and appropriate materials on the recognition and prevention of harassment, intimidation and bullying.

Cross References:

Policy GAAA – Equal Opportunity and Nondiscrimination

Policy GAAB - Complaints of Discrimination

Policy JDDC - Bullying

Policy KN, KN-R – Complaints

The 2008 Legislature amended the anti-bullying statute and effective July 1, 2008, requires school districts to:

- 1) adopt and implement a plan to address cyberbullying, and
 - 2) adopt policies prohibiting bullying on school property, in school vehicles, or at school-sponsored activities, and
 - 3) adopt and implement a plan to address bullying, which must include provisions for training and education of staff and students.
 - 4) upon request of a school district, the state board shall assist in the development of a grade appropriate curriculum for character development programs.
-

Shown below are the provisions of the anti-bullying legislation:

Section 1. K.S.A. 2007 Supp. 72-8256 is hereby amended to read as follows: 72-8256. (a) As used in this section:

(1) “Bullying” means: (A) Any intentional gesture or any intentional written, verbal, **electronic** or physical act or threat that is sufficiently severe, persistent or pervasive that creates an intimidating, threatening or abusive educational environment for a student or staff member that a reasonable person, under the circumstances, knows or should know will have the effect of:

- i. Harming a student or staff member, whether physically or mentally;
- ii. Damaging a student’s or staff member’s property;
- iii. Placing a student or staff member in reasonable fear of harm to the student or staff member; or
- iv. Placing a student or staff member in reasonable fear of damage to the student’s or staff member’s property; or

(B) **cyberbullying**, or

(C) any form of intimidation or harassment prohibited by the board of education of the school district in policies concerning bullying adopted pursuant to this section or subsection (e) of K.S.A. 72-8205, and amendments thereto.

(2) “Cyberbullying” means bullying by use of any electronic communication device through means including, but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games and websites.

(3) “School vehicle” means any school bus, school van, other school vehicle and private vehicle used to transport students or staff members to and from school or any school-sponsored activity or event.

(b) The board of education of each school district shall adopt a policy to prohibit bullying on school property, in a school vehicle or at a school-sponsored activity or event.

(c) The board of education of each school district shall adopt and implement a plan to address bullying or **while utilizing** on school property, in a school vehicle or at a school sponsored activity or event. Such a plan shall include provisions for the training and education for staff members and students.

(d) The board of education of each school district may adopt additional policies relating to bullying pursuant to subsection (e) of K.S.A. 72-8205, and amendments thereto.