

PROHIBITION AGAINST BULLYING, HAZING, HARASSMENT AND CYBER-BULLYING

It is the policy of the Portsmouth School Department (PSD) to provide an educational environment free from bullying, hazing, harassment, and cyberbullying in accordance with RIGL 16-21-26. PSD recognizes that such occurrences are disruptive of the educational process and threatens the safety of students, staff, volunteers, and other members of the school community.

Definitions**1. Bullying**

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

- a. placing the student or students in reasonable fear of harm to the student's or students' person or property;
- b. causing a substantially detrimental effect on the student's or students' physical or mental health;
- c. substantially interfering with the student's or students' academic performance; or
- d. substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is illustrative and non-exhaustive.

2. Hazing

Hazing is defined as any activity that recklessly or intentionally endangers the mental health, physical health, or safety of a student for the purpose of initiation or membership in or affiliation with any organization recognized by the School Committee.

Hazing is any act that subjects a student to electronic, written, physical, or verbal harassment, mental or physical discomfort, intimidation, embarrassment, ridicule, or demeaning activity committed by an individual student or group of students for the purpose of initiation, maintaining membership, or holding office in any organization, club, or athletic team.

Endangering the physical health shall include, but not be limited to, any brutality of a physical nature, such as whipping; beating; branding; forced calisthenics; exposure to the elements; forced consumption of any food, alcoholic beverage, drug or controlled

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substance; or other forced physical activity that could adversely affect the physical health or safety of the individual.

Endangering the mental health shall include any activity, that would subject an individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact, forced conduct, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.

3. Harassment

Harassment includes any unwelcome electronic, written, physical, or verbal conduct, contact, or communication that is motivated by or related to individual characteristics such as race, color, national origin, gender, economic status, disability, religion, religious affiliation, or sexual orientation, and that creates an intimidating, hostile, or offensive educational environment. Although harassment that creates a hostile environment may take many different forms, some examples include name calling and other derogatory comments, jokes, gestures or looks, posting or distribution of derogatory pictures, notes or graffiti, blocking, pushing, hitting, or other forms of physical aggression. Where harassment is sexual, it may also include such conduct as persistent unwelcome attempts to interact with someone, spreading of rumors, aggressive physical contact such as kissing, touching, or pulling at clothes in a sexual way.

Sexual harassment also includes unwelcome sexual advances or requests for sexual favors when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of the receipt of educational or other school-related benefits, or
- b. Submission to or rejection of such conduct by an individual is used as the basis for educational or other school-related decisions affecting that individual.

4. Cyberbullying

Cyberbullying is a subset of bullying, hazing, and harassment. For purposes of this policy, cyberbullying is defined as the use of email, instant messaging, chat rooms, pagers, cell phones, or other forms of information technology to deliberately bully, haze, harass, threaten, or intimidate someone. Cyberbullying can include, but is not limited to, such acts as making threats, provocative insults, or demeaning remarks about another student's distinguishing characteristic such as race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, or unfavorable discharge from military services.

PROHIBITION AGAINST BULLYING, HAZING, HARASSMENT AND CYBERBULLYING (cont.)**Prohibited Conduct**

It shall be a violation of the School Committee policy for a student, employee, or school visitor to bully on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic.

No student shall be subjected to bullying:

1. during any school-sponsored education program or activity;
2. while in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities; or
3. through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.

It shall be a violation of the School Committee policy for a student, employee, or any school visitor to bully, haze, harass, or cyberbully a student or to engage in conduct which would actively or passively support acts of bullying, hazing, harassment, or cyberbullying.

It shall be a violation of the School Committee policy for a student to report false allegations or a false complaint of bullying, hazing, harassment, or cyberbullying.

It shall also be a violation of the policy for an employee, student, or any school visitor to retaliate against a student for instituting a good-faith complaint of bullying, hazing, harassment, or cyberbullying.

Complaints

A student who feels that s/he has been bullied, hazed, harassed, or cyberbullied should inform a PSD staff member. All school employees are required to report alleged violations of this policy to the principal or his/her designee. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy.

There are no express time limits for initiating complaints under this School Committee policy; however, every effort should be made to bring complaints to the attention of appropriate authorities as soon as possible while memories are fresh and witnesses continue to be available.

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Complaints will be investigated. If it is determined that a violation has occurred, prompt corrective action will be taken. During the investigation, confidentiality will be maintained to the utmost extent possible. Complainants will be offered counseling and other assistance when appropriate and will be informed of the results of any investigation.

Intervention/Remediation

In addition to the prompt investigation of complaints of bullying, hazing, harassment, or cyberbullying, and direct intervention when such prohibited activities are verified, the following learning strategies may be implemented:

1. Planned professional development programs addressing targeted problems including what constitutes safe and acceptable internet use;
2. Formal or informal information or data collection regarding specific disciplinary or student problems;
3. Modeling by school personnel of positive, respectful, and supportive behavior towards students;
4. Employing classroom strategies that instruct students on how to work together in a collaborative and supportive atmosphere; and
5. Gather input from parents, law enforcement, and other community members regarding positive responses to bullying, hazing, harassment, and cyberbullying.

Disciplinary Consequences

1. Violation of this policy may result in discipline. If the harasser is an employee, discipline will be determined in accordance with School Committee policy and the provisions of any applicable collective bargaining agreement. Students who violate the policy will also be subject to appropriate discipline in accordance with School Committee policy and the school's Code of Conduct. This may include suspension and/or expulsion.
2. Students may be disciplined for acts of bullying, hazing, harassment, or cyberbullying occurring on or off-campus and/or outside of school hours in the same manner they are otherwise subject to discipline for acts that violate PSD policies and/or procedures when acts could: (1) affect the school climate or atmosphere; (2) affect the peace, health, safety, or welfare of students, teachers, or any other personnel; and/or (3) disrupt or interfere with school or school activities. Any violation is subject to suspension or recommendation for suspension or expulsion.

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CYBERBULLYING** (cont.)

3. The parents/guardians of students who commit any act of bullying, hazing, harassment, or cyberbullying will be notified.
4. PSD reserves the right to make referrals for these students to appropriate mental health and law enforcement professionals.

Notification

PSD shall annually communicate this policy to students and their parents/guardians. This annual notification shall include disseminating information to all students and parents/guardians explaining the serious disruption caused by bullying, hazing, harassment, and cyberbullying, and that these behaviors will be taken seriously and are not acceptable in any form.