

SECTION: PUPILS

TITLE: BULLYING/CYBERBULLYING

ADOPTED: October 27, 2008

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# MINERSVILLE AREA SCHOOL DISTRICT

<b>249. BULLYING/CYBERBULLYING</b>	
<p><b>1. Purpose</b> 24 P.S. §13-1303.1-A(e)</p>	<p>Creating and maintaining a safe and welcoming learning environment for all students is a high priority in all School District schools. A safe school environment free from bullying is necessary for students to learn and achieve high academic standards. Bullying behavior disrupts the educational and learning process, and may present an obstacle to the academic, vocational, social, emotional, and other development of students. Bullying and cyberbullying can also escalate into more serious violent or cyberspace crimes. Therefore, bullying and cyberbullying will not be tolerated in any school setting.</p>
<p><b>2. Definitions</b> 24 P.S. §13-1303.1-A(e)</p>	<p><b>Bullying</b> - 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:</p> <ol style="list-style-type: none"> <li>(1) Substantially interfering with a student’s education;</li> <li>(2) Creating a threatening environment; or</li> <li>(3) Substantially disrupting the orderly operation of the school.</li> </ol>
<p>MASD Policies</p>	<p>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 School District’s nondiscrimination and harassment policies.</p> <p>The term cyberbullying shall not be interpreted to infringe upon a student’s right to engage in legally protected speech or conduct.</p>
<p>24 P.S. §13-1303.1-A(e)</p>	<p><b>School Setting</b> – 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 School District.</p>
<p><b>3. Authority</b> 24 P.S. §13-1303.1-A MASD Policies</p>	<p>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</p>

	<p>reported to law enforcement.</p> <p>This Policy shall be implemented through the cooperative efforts of the Superintendent, the Superintendent’s Team, the building administrators, the school employees, the parents/guardians, the students, the school volunteers, law enforcement, and the School District’s community.</p> <p>Any person discovering bullying shall report the incident to a Minersville Area School District teacher, counselor, or administrator. School employees will provide immediate interventions consistent with this Policy. Students are also required to immediately report bullying.</p>
<p><b>4. Delegation of Responsibility</b></p>	<p>Each student must be responsible to respect the rights of others and to ensure an atmosphere free from bullying.</p>
<p>24 P.S. §13-1303.1-A</p>	<p>The Superintendent, or designee(s), must (a) ensure that this Policy is reviewed annually with students, and (b) in cooperation with other appropriate School District administrators ensure that this Policy is reviewed every three (3) years, then, if applicable, recommend necessary changes to the Board of School Directors.</p>
<p>24 P.S. §13-1303.1-A and 24 P.S. §13-1303-A</p>	<p>The School District administrators must annually provide the following information with the Safe School Report:</p> <ul style="list-style-type: none"> <li>a. The Board of School Director’s Bullying Policy</li> <li>b. A report of the School District’s bullying incidents</li> <li>c. Information on the development and implementation of the bullying prevention, intervention, and education programs</li> </ul>
<p><b>5. Guidelines</b></p>	<p><b><u>Notices</u></b></p>
<p>24 P.S. §13-1303.1-A 22 Pa. Code §12.3</p>	<p>The Code of Student Conduct, which shall contain this Policy, must be disseminated annually to students.</p>
<p>24 P.S. §13-1303.1-A</p>	<p>This Policy must be accessible in every classroom. This Policy must be posted in a prominent location within each school building where notices are usually posted, and posted on the School District’s website.</p>
	<p><b><u>Bullying Prevention, Intervention, and Education Programs</u></b></p>
<p>47 U.S.C. §254(h)(5)(B)(iii) MASD Policy 815</p>	<p>The School District 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.</p>
<p>24 P.S. §13-1303.1-A(a)</p>	<p>Bullying prevention, intervention, and education programs must also be provided that consists of school-wide actions, classroom-level activities, individual</p>

interventions, and community involvement.

a. *School-wide actions* include, but are not limited to, training for school staff and students and adoption of the following district-wide anti-bullying rules:

1. We do not bully others.
2. We help students who are bullied.
3. We include students who are left out.
4. We tell an adult at school and an adult at home when somebody is being bullied.

b. *Classroom level activities* include, but are not limited to, consistent interventions, use of rules, reinforcement of pro-social behavior and incorporation of bullying themes.

c. *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.

d. *Community involvement* encourages partnerships with families, community organizations and agencies to implement the School District's bullying prevention, intervention, and education programs.

#### **Complaint Procedure**

When a student believes that s/he is a victim of bullying, the student and/or parent(s) shall promptly report a complaint of bullying, orally or in writing, to the building principal, counselor, teacher or another school employee. If the building principal is the subject of a bullying complaint, the student and/or parent(s) shall promptly report the complaint directly to the Superintendent or Superintendent's designee.

All school employees are required to report incidents of alleged bullying and alleged violations of this Policy to the building principal or the principal's designee. An employee shall be subject to disciplinary procedures consistent with the current collective bargaining agreement, as applicable, School District policies, and federal, state, and local laws for failure to report.

Complaints of bullying must be investigated by the principal/principal's designee, or Superintendent/Superintendent's designee, as applicable, promptly, and corrective action must be taken when allegations are verified. Confidentiality of all parties must be maintained, consistent with the School District's legal and investigative obligations. The incident must be maintained as a confidential record in the

<p>MASD Policies</p>	<p>discipline file of both the victim and the bully.</p> <p>The building principal/principal’s designee or Superintendent/Superintendent’s designee will contact the parent/guardian of both the bully and the victim.</p> <p><b><u>Consequences for Violation</u></b></p> <p>A founded charge against a School District employee shall subject such employee to disciplinary action, up to and including discharge.</p> <p>A founded charge against a School District 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, parental conferences, detentions, separating the student(s) being bullied from the perpetrator(s), warnings, usage restrictions, loss of privileges, reassignment, oral or written reprimands, detentions, suspensions, expulsions, and/or legal proceedings.</p> <p>Any violation of this Policy shall be considered an infraction of the Code of Student Conduct and any other applicable School District policy, with discipline implemented accordingly on a case-by-case basis. Any violation of the Pennsylvania Crimes Code will be reported to law enforcement.</p> <p>Victims and their parents/guardians shall be made aware of appropriate counseling, agency services and safety plan developments described in the School District’s victimization procedures.</p> <p><b><u>Retaliation</u></b></p> <p>The School District prohibits reprisal or retaliation against any person who in good faith reports an act of bullying. The principal/principal’s designee, in accordance with the Code of Student Conduct and/or other School District policies, will determine the consequences and remedial actions for students, and the Superintendent/Superintendent’s designee for employees. Any violation of the Pennsylvania Crimes Code will be reported to law enforcement.</p> <p><b><u>False Reports</u></b></p>
<p>MASD Policies</p>	<p>The principal, in accordance with the Code of Student Conduct and/or other School District 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 Superintendent 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 law enforcement.</p>

**References:**

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

MASD Board Policies, Administrative Regulations, Rules, and Procedures