

West Hartford Public School District

Agenda Item: Motion by Lib Brassil Spinella, Bruce Putterman, and Terry Schmitt to Accept Revised Policy 5550 -- **First Reading**

Meeting Date: December 6, 2011

From: Lib Brassil Spinella, Bruce Putterman, and Terry Schmitt

Through: Karen L. List, Superintendent of Schools

Recommendation:

THAT the Board of Education accept as a First Reading the following policy which was revised by the Board Policy Subcommittee:

5550 former title--“Bullying Behavior in the Schools”
new title—“Safe School Climate Plan—Anti-Bullying”

Note: Words in (*italics*) within parentheses are being removed from the current policy and words in **Bold** are being added to the current policy.

Background:

Since these revisions constitute substantial change, they are being brought to the Board as a First Reading.

The Board is in the process of reviewing and revising, where appropriate, all of its policies, section by section. Board Policy Books are divided into 8 sections or series: 1000s Community Relations, 2000s Administration, 3000s Business, 4000s Personnel, 5000s Students, 6000s Instruction, 7000s Board Operations, 8000s Bylaws.

The Board has appointed a sub-committee comprised of Lib Brassil Spinella, Bruce Putterman, and Terry Schmitt to meet regularly with Kimberly Boneham, Assistant Corporation Counsel, and Tom Moore, Assistant Superintendent for Administration. The Policy Subcommittee has spent many hours considering its own recommendations, input from Corporation Counsel and the administration, and reviewing certain policies from other districts.

As reviewed and revised policies are approved by the full Board, they are put on the West Hartford Public Schools website.

Lib Brassil Spinella, Bruce Putterman, Terry Schmitt, Tom Moore, Eileen Howley, and Kimberly Boneham will be available to answer any questions.

**Agenda Item:
IV.B.**

POLICY 5550

(Students)

Bullying Behavior in the Schools

The West Hartford Board of Education promotes a safe and secure school climate conducive to teaching and learning. In accordance with state law, it is the policy of the West Hartford Board of Education that any form of bullying behavior, whether in the classroom, on school property or at school-sponsored events, is prohibited. Such behavior is disruptive of the educational process and, therefore, not acceptable behavior in this district.

The Superintendent shall be responsible for developing and implementing regulations to address the existence of bullying in the schools. As provided by statute, such regulations shall: (1) enable students to anonymously report acts of bullying to teachers and school administrators and require that students be notified annually of the process by which they may make such anonymous reports, (2) enable the parents or guardians of students to file written reports of suspected bullying, (3) require teachers and other school staff who witness acts of bullying or receive student reports of bullying to notify school administrators in writing, (4) require school administrators to investigate any written reports made under this section and to review any anonymous reports except that no disciplinary action shall be taken solely on the basis of an anonymous report, (5) include a prevention and intervention strategy as defined below for school staff to deal with bullying, (6) provide for the inclusion of language in student codes of conduct concerning bullying, (7) require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed and invite them to attend at least one meeting, (8) require each school within the district to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and within available appropriations, report such number to the Department of Education, annually and in such manner as prescribed by the Commissioner of Education (9) direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline, and (10) identify the appropriate school personnel, which may include, but shall not be limited to, pupil services personnel, responsible for taking a bullying report and investigating the complaint.

The notification required pursuant to subdivision (7) above shall include a description of the response of school staff to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations.

POLICY 5550

For purposes of this policy, “bullying” shall mean any overt acts by a student or group of students directed against another student with the intent to ridicule, harass, humiliate, or intimidate the other student while on school grounds, on a school bus, or at a school-sponsored activity, which acts are committed more than once against any student during the school year.

For purposes of this policy, “School-Sponsored Activity” shall mean any activity conducted on or off school property that is sponsored, recognized or authorized by the Board of Education.

For purposes of this policy, “prevention and intervention strategy” may include, but is not limited to, (1) implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education, (2) a school survey to determine the prevalence of bullying, (3) establishment of a bullying prevention coordinating committee with broad representation to review the survey results and implement the strategy, (4) school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts, (5) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur, (6) including of grade-appropriate bullying prevention curricula in kindergarten through high school, (7) individual interventions with the bully, parents, and school staff, and interventions with the bullied child, parents, and school staff, (8) school-wide training related to safe school climate, and (9) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions.

Students who engage in bullying behavior shall be subject to school discipline up to and including expulsion in accordance with the Board's policy on student discipline.

Effective July 1, 2009, this policy and the applicable regulations shall be included in the school district's publication of the rules, procedures, and standards of conduct for schools and in all student handbooks.

Legal Reference: Connecticut General Statutes:
10-222d Policy on bullying behavior
10-233a through 10-233f

*Adopted: February 4, 2003
Revised: November 21, 2006
Revised: January 20, 2009)*

Students

Safe School Climate Plan—Anti-Bullying

I. PURPOSE

The West Hartford Board of Education is dedicated to promoting and maintaining a positive learning environment where all students are welcomed, supported, and feel socially, emotionally, intellectually and physically safe in school.

II. BULLYING PROHIBITED

- A. Bullying is prohibited on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased, or used by the local or regional board of education.
- B. Bullying is also prohibited outside of the school setting if such bullying results in any of the following: (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school.
- C. Any form of discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying is strictly prohibited.

III. DEFINITIONS

- A. “Bullying” means (1) the repeated use by one or more students of a written, oral, or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district, or (2) a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that:
 - (a) Causes physical or emotional harm to such student or damage to such student’s property,
 - (b) Places such student in reasonable fear of harm to himself or herself, or of damage to his or her property,
 - (c) Creates a hostile environment at school for such student,
 - (d) Infringes on the rights of such student at school, or
 - (e) Substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but not be limited to, a written, oral, or electronic communication or physical gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental, or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

- B. “Cyberbullying” means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile devices or any electronic communications.
- C. “Mobile electronic device” means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted.
- D. “Electronic communication” means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic, or photo-optical system.
- E. “Hostile environment” means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate.
- F. “Out of the school setting” means at a location, activity, or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education.
- G. “Safe School Climate Coordinator” means the individual appointed by the Superintendent of Schools from existing staff who is responsible for:
 - 1. Implementing the district’s Safe School Climate Plan;
 - 2. Collaborating with the safe school climate specialists, the Board of Education and the Superintendent of Schools to prevent, identify, and respond to bullying in the schools of the district.
 - 3. Providing data and information, in collaboration with the Superintendent of Schools of the district, to the State Department of Education regarding bullying, in accordance with state law; and
 - 4. Meeting with the safe school climate specialists at least twice during the school year to discuss issues relating to bullying in the school district and to make recommendations concerning amendments to the district’s Safe School Climate Plan.

- H. "Safe School Climate Specialist" means the principal of each school, or the principal's designee, who is responsible for:
1. Investigating or supervising the investigation of reported acts of bullying in the school in accordance with the district's Safe School Climate Plan;
 2. Collecting and maintaining records of reports and investigations of bullying in the school; and
 3. Acting as the primary school official responsible for preventing, identifying, and responding to reports of bullying in the school.
- I. "School employee" means
1. A teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle, or high school; or
 2. Any other individual who, in performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle, or high school, pursuant to a contract with the local or regional board of education.
- J. "School climate" means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults.

IV. SAFE SCHOOL CLIMATE PLAN

The district's Safe School Climate Plan consists of this policy as well as the administrative regulations developed by the Superintendent of Schools to implement this policy. This policy clarifies the legal mandates regarding the district's response to bullying in its schools. The administrative regulations shall address the broader topic of school climate and may incorporate the National School Climate Standards or other applicable evidence-based standards. Revisions to any part of the Safe School Climate Plan shall be approved by the Board of Education.

A. Reporting Procedures

1. Any student who believes he or she has been the victim of bullying may report the matter to any school employee. Students may anonymously report acts of bullying to school employees.
2. Parents or guardians of students may also file written reports of suspected bullying.
3. School employees who witness acts of bullying or receive reports of bullying are required to orally notify the safe school climate specialist (or another school administrator if the safe school climate specialist is unavailable), not later than

one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report.

B. Investigation

1. The safe school climate specialist shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports.
2. The safe school climate specialist shall review any anonymous reports. No disciplinary action shall be taken solely on the basis of an anonymous report.
3. The investigator shall assess whether there is a necessity to take immediate measures to prevent further allegations of bullying or retaliation of any kind while the investigation is pending.
4. The investigator shall remind involved parties that any form of discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying is strictly prohibited.
5. After a prompt investigation, the investigator should ascertain whether the alleged conduct occurred and whether such conduct constitutes bullying as defined by this policy.

C. Response to Verified Acts of Bullying

1. If it is determined that bullying has occurred, the school will take prompt corrective action that is reasonably calculated to stop the bullying and prevent any recurrence of such behavior. As part of such remedial action, the offender may be subject to appropriate disciplinary action which may include, but is not limited to, one or a combination of the following: counseling, awareness training, warning, reassignment, transfer, suspension, or expulsion.
2. Each school shall notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation. This notification shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying.
3. Each school is required to invite the parents or guardians of a student who commits any verified act of bullying and the parents or guardians of the student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and to prevent further acts of bullying. This invitation shall also include the description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. Except in rare circumstances, such meetings with parents and guardians should be held separately.
4. A student safety support plan shall be developed for any student against whom an act of bullying was directed. The plan shall address safety measures that school will take to protect such students against further acts of bullying.

5. Case-by-case interventions shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline.
6. The principal of a school, or designee, shall notify the appropriate law enforcement agency when such principal, or designee, believes that any acts of bullying constitute criminal conduct.

D. Prevention and Intervention Strategy

Students shall be provided with a variety of prevention and intervention strategies which may include, but are not limited to:

1. Implementation of positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the State Department of Education;
2. School rules prohibiting bullying, harassment, and intimidation and establishing appropriate consequences for those who engage in such acts;
3. Inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school;
4. Individual interventions with the bully, parents, and school employees, and interventions with the bullied child, parents, and school employees;
5. School-wide training related to safe school climate.

E. Documentation and Record Keeping

1. Safe school specialists shall establish a procedure for each school to:
 - a. Document and maintain records relating to reports and investigations of bullying in such school.
 - b. Maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection. The public list must not contain any personally identifiable information about any student or information that might reasonably lead to the identification of any student.
2. The district's safe school climate coordinator shall annually report the number of verified acts of bullying in the district's schools to the Department of Education in such manner as prescribed by the Commissioner of Education.

F. Training

1. All school employees must annually complete training on the prevention, identification, and response to bullying and the prevention of and response to youth suicide. The training will be provided to teachers, administrators, and pupil personnel who hold the initial educator, provisional educator, or professional educator certificate via in-service training. All other school employees shall receive such training as provided by the State Department of Education.
2. As part of the prevention and intervention strategies, schools may also implement school-wide training related to safe school climate and student peer training, education, and support.

G. Safe School Climate Committee

For the school year commencing July 1, 2012, and each school year thereafter, the principal of each school shall establish a committee (or designate at least one existing committee in the school) to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying in the school. Such committee shall include at least one parent or guardian of a student enrolled in the school appointed by the school principal. Parents or guardians who serve on such committee shall not participate in the activities described in subparagraphs (1) and (2) below or any other activity that may compromise the confidentiality of a student. The safe school climate committee of each school shall:

1. Receive copies of completed reports following investigations of bullying;
2. Identify and address patterns of bullying among students in the school;
3. Review and make recommendations to amend school policies relating to bullying;
4. Review and make recommendations to the district safe school climate coordinator regarding the district's safe school climate plan based on issues and experiences specific to the school;
5. Educate students, school employees, and parents and guardians of students on issues relating to bullying;
6. Collaborate with the district safe school climate coordinator in the collection of data regarding bullying, in accordance with the law;
7. Perform any other duties as determined by the school principal that are related to the prevention, identification, and response to school bullying for the school.

H. Periodic Assessment of School Climate

1. On and after July 1, 2012, and biennially thereafter, each school in the district shall complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the State Department of Education so that the state can monitor bullying prevention efforts over time and compare each district's progress to state trends.
2. Assessment tools may also be used by Safe School Climate Committees to review and make recommendations for revisions to the district's Safe School Climate Plan.

I. Notice Requirements

1. At the beginning of each school year, each school will provide all school employees with a written or electronic copy of the school district's Safe School Climate Plan.
2. Students and the parents or guardians of students shall be notified annually of the process by which students may make reports of bullying.
3. Students shall be provided with notice of the definitions of bullying, cyberbullying, and the potential consequences of engaging in such acts by the inclusion of language in student codes of conduct concerning bullying.

4. The district's Safe School Climate Plan shall be made available on the Board's and each individual school's Internet web-site and ensure that such plan is included in the school district's publication of rules, procedures, and standards of conduct for schools, and in all student handbooks.

Legal Reference: Connecticut General Statutes:

10-15c Discrimination in public schools prohibited
46a-58 Deprivation of rights
10-145a Certificates of qualification
10-145o Teacher education and mentoring program
10-220a In-service training
10-222d Policy on bullying behavior
10-222g Prevention and intervention strategy re: bullying
10-222h Analysis of bullying policies
P.A. 11-232 "An Act Concerning the Strengthening of Bullying
Laws"

United States Code:

20 U.S.C. 1400 Individuals with Disabilities Education Act
20 U.S.C. 1681 Title IX of the Education Amendments of 1972
29 U.S.C. 794 Section 504 of the Rehabilitation Act of 1973
42 U.S.C. 2000d Title VI of the Civil Rights Act of 1964
42 U.S.C. 12101 Americans with Disabilities Act

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