

Model School/District Bullying Policy

Kansas Department of Health & Environment
Sexual Violence Prevention & Education Program

Note: This model school/district bullying policy is presented as a guide for use by Kansas schools and districts to strengthen their bullying policies. Schools/districts are encouraged to develop or refine their own policies and procedures consistent with the needs of their students, school personnel and school environment.

I. Purpose

[School/district] is committed to providing a school climate with optimal learning conditions where all students and school personnel are safe and treated with respect. To meet these standards, bullying, harassment and intimidation of any kind are prohibited and violate this school bullying policy.

II. Definition of Bullying & Harassment

A. Definitions

Bullying is unwanted, aggressive behavior that may occur in person or electronically and involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated over time. Individuals who engage in bullying others intend to cause harm or distress on the targeted person(s). Individuals who are targeted by bullying may experience harm and distress, including impact on physical, psychological, social or educational harm.

To be considered bullying, the behavior must be aggressive and include:

- **An imbalance of power:** Individuals who bully use their power—such as physical strength, access to embarrassing information, age, position within the school or popularity—to control or harm others. Power imbalances can change over time and can vary depending on the situation, even if they involve the same people.
- **Repetition:** Bullying behaviors happen more than once or have the potential to happen more than once.

The difference between bullying and harassment:

Although bullying and harassment overlap at times, not all bullying is harassment and not all harassment is bullying. Harassment is also prohibited under this policy.

- **Harassment** is unwelcome conduct based on a protected class (i.e. race, color, national origin, gender, age, disability, religion, sexual identification) that creates a hostile environment. It does not need to include intent to harm, be directed at a specific target or involve repeated incidents.

- **Sexual harassment** is unwelcome conduct of a sexual nature, which can include unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature.

A bullying or harassment incident can involve multiple individuals who are bullied and multiple individuals who bully.

The difference between bullying and peer conflict:

Bullying is not the same as peer conflict. Conflict resolution and peer mediation may be appropriate for responding to peer conflict, but not to bullying. This school/district bullying policy does not cover peer conflict.

- **Peer conflict** is an incident in which individuals with no perceived power imbalance fight, argue or disagree.

B. Statement of Scope

This prohibition of bullying and harassment applies to behavior that occurs:

- ***On school grounds***: Immediately before or after school hours, during school hours or at any other time
- ***At a school-sponsored activity, function or event***: On or off school grounds
- ***At school-related locations and events***: This includes but is not limited to bus stops and property adjacent to school grounds
- ***On school-associated transportation and when traveling***: To or from school or a school activity, function or event
- ***Through school-owned technology or equipment***: During use on or off school grounds
- ***On or off school grounds***: When the behavior has caused significant disruption to the learning environment or interfered with a student's ability to learn

C. Prohibited Behavior

Any form of bullying and harassment, regardless of severity, is unacceptable and will be taken seriously by school personnel, students, and families. Types of bullying may overlap and bullying behaviors may fall into one or more categories. The following behaviors are strictly prohibited under this policy:

- **Physical bullying**: Involves hurting a person's body or possessions and may include hitting, kicking, pinching, tripping, pushing, spitting, taking or breaking someone's things, or making mean or rude hand gestures.
- **Verbal bullying**: Involves saying or writing mean things that may cause emotional harm and may include teasing, name-calling, making inappropriate comments about someone, taunting, mocking someone, using put-downs or threatening to cause harm.

- **Relational (social) bullying:** This is sometimes referred to as social bullying and involves hurting someone's reputation or relationships and may include leaving someone out on purpose, telling other children not to be friends with someone, spreading rumors about someone, embarrassing someone on purpose, making others feel "invisible."
- **Cyberbullying:** Involves aggressive behavior using electronic devices and may include circulating electronic images or videos, insulting text messages, bullying through online games, or bullying through social media.
- **Harassment:** Includes any of the above behaviors based on race, color, national origin, gender, age, disability, religion or sexual identification.
- **Sexual Harassment:** Includes unwelcome sexual advances or comments, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature.

Any type of retaliation, including against individuals who report bullying, is also prohibited.

D. Examples of Protected Groups

Prohibition of behavior under this policy includes but is not limited to bullying behavior by any student, staff member or parent to any student, staff member, or parent. Bullying and harassment motivated by race, gender, social status, religious beliefs, mental/physical ability, sexual or gender identity and/or [*other relevant characteristics*] is strictly prohibited. All students, staff, and parents are protected under this policy, regardless of whether they are represented in the protected groups, as not all acts of bullying are based on specific characteristics.

III. Reporting

The [*school/district's*] expects that any individual who believes he/she has been the target of bullying or harassment submit a report of the bullying incident. This is also expected of any person in the school community who sees or receives notice that an individual has been or may be targeted by bullying or harassment. All staff members are expected to intervene when witnessing or receiving reports of bullying and harassment.

Reports may be made using a bullying and harassment reporting form that can be found in the school's main office, counselor's office, from the school/district's website, the parent/student handbook, [*and other locations determined by school/district*]. Students, parents, close adult relatives or staff members may submit a bullying and harassment reporting form. Students may ask for help from a staff member to complete the form if the student wishes. Forms may be filed anonymously, confidentially or the individual may choose to be identified.

- **Anonymous and confidential reporting:** To submit a report without revealing identity, bullying and harassment reporting forms may be submitted in the complaint box located in the main office of the school [*or the school/district should develop*

other methods for receiving anonymous reports]. The school will provide protection from retaliation for all individuals who submit reports of bullying or harassment behavior, whether or not they are the target of the behavior.

[*Name and title of school employee*] is responsible for receiving reports of bullying and harassment submitted to the complaint box and filing a written report. If the reported incident is in violation of civil law (i.e. sexual battery or a hate crime), [*designated school administrator*] is responsible for reporting the incident to law enforcement.

IV. Written Records

All reports of bullying and harassment will be documented on a bullying and harassment incident reporting form and submitted to the [*name and title of designated school administrator*] and recorded in a database for data collection and storage. Documentation will be maintained for reports, investigations, follow-up, resolution and communication between the school/district and involved parties. This data will be used to identify patterns of bullying behavior, to evaluate effectiveness of prevention programming and the response procedure, and for behavior reports to the school district. [*School employee*] is responsible for coordinating written records of bullying and harassment.

V. Investigating

[*School administrator*] will conduct a prompt, thorough and impartial investigation of all reports of bullying and harassment using the bullying and harassment incident investigation form within three days after the report to ensure the safety of all students involved. Any individuals who were bullied, individuals who bullied and bystanders will be separated and asked to provide information about the incident. The investigation will also include a review of any previous complaints involving either the individual(s) who was (were) bullied or the individual(s) who bullied. The investigation procedure will vary depending on the nature of the reported incidence. All information gathered during the investigation will be submitted to [*compliance officer*] and will remain confidential. The findings from the investigation will be used by school administrators to determine the appropriate response procedure.

During the investigation process, the [*school/district*] will take measures to ensure that no further bullying or harassment occurs between the individual(s) who was (were) bullied and the individual(s) who bullied. If necessary the school will put in place a student safety plan for the involved individuals. The plan may include changing the seating of the individual(s) who bullied in class, at lunch or on the bus, identifying a staff member who will act as a safe person for the individual(s) who was (were) bullied, and/or altering the schedule of the individual(s) who bullied and access to the individual(s) who was (were) bullied. Any changes should not inconvenience the individual(s) who was (were) bullied.

VI. Responding

Schools will take prompt and effective steps to end bullying and harassment, eliminate any hostile environment, and prevent the bullying and harassment from happening again. After the school receives a report of bullying or harassment, and it is confirmed, the *[school administrator]* will contact the parent/guardian(s) of all students involved, and will maintain communication with the parent/guardian(s) once the investigation is completed to share the results of the investigation, whether there was a violation of policy, and the process for appealing the findings of the investigation. Support services will be provided to address the psycho-social needs of both the individual(s) who was (were) bullied and the individual(s) who bullied.

Possible support services for the individual(s) who was (were) bullied and the individual(s) who bullied may include counseling and a student safety plan. Possible non-punitive support strategies for the individual(s) who bullied include but are not limited to a parent/student conference, counseling with the school counselor, education about the effects of bullying and harassment, a behavior contract, anger management training, positive behavioral supports (e.g. functional behavioral assessment, behavioral intervention plan), referral to an external agency, cooperation with behavioral management programs developed in consultation with a mental health professional, or completion of community service. Different response strategies will be used if attempted strategies are ineffective. Following up with both the individual(s) who was (were) bullied and the individual(s) who bullied to monitor response efforts is the responsibility of *[school personnel]*. The school will ensure that individual(s) who were bullied and their families know how to report any subsequent problems.

VII. Sanctions

There will be appropriate sanctions for those participating in bullying. The developmental maturity levels of the parties, the levels of harm, the reasons surrounding the incident, the nature of the bullying, the context in which the alleged incidents occurred, and the past history of the parties involved will be considered when determining consequences. The *[school/district]* will follow a hierarchy of consequences for bullying (see Appendix A *[attach hierarchy of consequences]*). Standard consequences for the individual(s) who bullied may include, but are not limited to time out, loss of privilege, verbal reprimand, parental notification, detention, reassignment of seats in class, cafeteria or bus, reassignment of classes, reassignment to another mode of transportation, reassignment to another school, completion of a letter of acknowledgement of actions with an apology to the individual(s) who was (were) bullied, repayment for damaged possessions, in-school suspension, out-of-school suspension, referral to law enforcement or expulsion. Students will work with *[school personnel]* to create a behavior change plan if bullying behavior continues. *[School personnel]* is responsible for monitoring effectiveness of sanctions.

VIII. Communications

For reference by families and the wider community, *[School/district]*'s website *[and the website's of schools within district]* will publicly and prominently feature this bullying policy, information about reporting bullying and harassment, and the name and contact information

for the school administrator responsible for receiving incident reports. [*School administrator*] will also ensure that this policy is posted in the main office and that the full bullying policy, including all key components, is distributed annually in the student, staff, volunteer and parent handbooks.

[*School/district*] will also be responsible for posting the contact information for the school district's coordinators of Title VI for reporting of harassment based on race, color or national origin, Title IX for reporting of sexual and gender-based harassment, and Section 504/Title II for reporting of disability harassment.

IX. Evaluation

This school/district bullying policy and its implementation will be evaluated using the data stored in the bullying/harassment incident database (see IV. Written Records). Data will be used to identify patterns of bullying behavior, and to evaluate effectiveness of prevention programming and the response procedure. Implementation and compliance with this school bullying policy will be evaluated using a student and staff bullying policy implementation survey. This school/district bullying policy will be reviewed and updated by an appointed committee on a [*timeframe*].

X. Training

All [*school/district*] administrators and staff (including bus drivers, after-school program staff, crossing guards, custodial staff, etc.) will receive, at minimum, a bullying prevention training (e.g. Second Step Bullying Prevention Unit training) on recognizing and responding to bullying and an annual training on the school/district bullying policy including staff roles and responsibilities, investigation protocols, creating student safety plans, monitoring of hot spot areas of the school where bullying repeatedly occurs, and use of the incident reporting form. Staff members will also be given resources to help create a positive classroom climate to minimize the likelihood that bullying will occur. New staff will receive a copy of school policies and procedures within 30 days of hire and participate in annual training on bullying and harassment. The school will use a database to track the training of all staff and teachers.

Students will receive information on the recognition and prevention of bullying and harassment during educational lessons.

XI. Prevention

The [*school/district*] will implement an evidence-based bullying prevention program at all grade levels to provide students with strategies aimed at preventing bullying and harassment and increasing socioemotional skills of students. The bullying prevention program will also include tools to improve school climate by identifying "hot spots" in the school where students feel the most unsafe and promoting student involvement in anti-bullying efforts, peer support and mutual respect, and supporting a culture that encourages students to report incidents of bullying and harassment to school personnel. Prevention will include an

assessment of bullying perpetration and victimization in the school/district and an evaluation of the prevention plan and program.

XII. Rights of Victims to Seek Other Legal Remedies

This policy does not prevent individuals who were bullied from seeking legal remedies outside of the school/district to incidences of bullying and harassment.

XIII. References

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