

GATEWAY LAB SCHOOL BOARD OF DIRECTORS

05.3 POLICY ON PROHIBITING BULLYING AND CYBERBULLYING

ISSUE

The Gateway Lab School Board of Directors (“the Board”) is committed to providing a caring, friendly and safe environment for all of our students so they can learn in a relaxed and secure atmosphere. To meet this commitment for all students, and as required by Section 4112D of Title 14 of the Delaware Code, the Board adopts the following policy:

DEFINITIONS

1. **Parent** includes the biological parent, guardian or relative caregiver pursuant to 14 Del. C § 202(f), or legal guardian of a Gateway Lab School (“GLS”) student.
2. **School employee** includes any person employed to provide services to or for GLS.
3. **School function** includes any field trip or any officially sponsored GLS event.
4. **School property** means any building, structure, athletic field, sports stadium, or real property owned, operated, rented or leased by GLS, or any motor vehicle owned, operated, leased, rented, or subcontracted by GLS.
5. **School volunteer** includes any person, eighteen years or older, who elects to provide services to or for GLS at no cost to GLS.

POLICY

BULLYING

- A. The Board prohibits bullying of any person by any person on school property or at a school function.
- B. For the purpose of this policy, **BULLYING** means an intentional written, electronic, verbal, or physical act or actions against a student, school volunteer or school employee that a reasonable person, under the circumstances should know will have the effect of:
 - Placing a student, school volunteer or school employee in reasonable fear of substantial harm to his or her emotional or physical well-being or substantial damage to his or her property; or
 - Creating a hostile, threatening, humiliating or abusive educational environment due to the pervasiveness or persistence of actions or due to a power differential between the bully and the target of bullying; or
 - Interfering with a student having a safe school environment that is

necessary to facilitate educational performance, opportunities, or benefits; or

- Perpetuating bullying by inciting, soliciting, or coercing an individual or group to demean, dehumanize, embarrass, or cause emotional, psychological or physical harm to another student, school volunteer or school employee.

C. Bullying usually involves repeated acts of aggression that aimed to dominate another person by causing pain, fear or embarrassment. However, one act alone may constitute bullying if the requisite intent and effect set forth in the definition are met. Bullying may be perpetuated by an individual or a group. It may be direct or indirect. Although a person may be repeatedly bullied, a different person might be doing the bullying each time, which may make it difficult to recognize that bullying is occurring. An act is intentional if it is the person's conscious objective to engage in conduct of that nature. The actions listed below are some examples of intentional actions which may become bullying depending on their reasonably foreseeable effect:

- **Emotional:** being unfriendly, excluding, tormenting (e.g. hiding books, threatening gestures)
- **Physical:** Pushing, shoving, kicking, destroying of property, tripping, punching, tearing clothes, pushing books from someone's hands, shooting/throwing objects at someone, gesturing, etc.
- **Racial:** racial taunts, graffiti, gestures
- **Relational:** Isolation of an individual from his or her peer group, spreading rumors.
- **Sexual:** Unwanted touch of a sexual nature, unwanted talking about private parts, unwanted comments about target's sexuality or sexual activities.
- **Verbal:** Name calling, insulting, making offensive comments, using offensive language, mimicking, imitating, teasing, laughing at someone's mistakes, using unwelcome nicknames, threatening

This list is used by way of example only, and is by no means exhaustive. These actions become bullying if they meet the definition with regard to intent and the reasonably foreseeable effect of the action.

CYBERBULLYING

A. The Board prohibits cyberbullying of any GLS student by another GLS student.

- B. **Cyberbullying** means the use of uninvited and unwelcome electronic communication directed at an identifiable student or group of students through means other than face-to-face interaction which:
- Interferes with a student's well-being; or
 - Is threatening or intimidating; or
 - Is so severe, persistent, or pervasive that it is reasonably likely to limit a student's ability to participate in or benefit from the educational programs of GLS.
- C. Cyberbullying usually involves bullying through use of all areas of the Internet (i.e. email, internet chat room, online gaming), or the use of mobile threats by text messaging, calls, or sexting, or the misuse of associated technology (i.e. camera and video facilities).
- D. Cyberbullying may include, but is not limited to:
- Denigration: spreading information and/or pictures to embarrass,
 - Flaming: heated unequal argument online that includes making rude, insulting or vulgar remarks,
 - Exclusion: isolating a student from his or her peer group,
 - Impersonation: Using someone else's screen name and pretending to be them,
 - Outing or Trickery: forwarding information or pictures meant to be private.
- E. A communication shall be considered to be directed at an identifiable student or group of students if it is sent directly to that student or group, or posted in a medium that the speaker knows is likely to be available to a broad audience within the school community.
- F. The Head of School, or his/her designee, shall annually provide a list of Internet sites that will be deemed available to a broad audience within the GLS community. This list shall be included in the GLS Student Code of Conduct, posted on the GLS Website, and conspicuously posted at GLS. Any communication of the type listed above on sites provided by the Head of School will be considered cyberbullying for the purpose of this policy.
- G. Whether speech constitutes cyberbullying will be determined from the standpoint of a reasonable student of the same grade and other circumstances as the victim.
- H. The place of origin of speech otherwise constituting cyberbullying is not material to whether it is considered cyberbullying under this policy, nor is the use of GLS materials.

COORDINATING COMMITTEE

- A. GLS shall establish a school Coordinating Committee that is responsible for

coordinating and monitoring the school-wide bullying program.

- B. A majority of the members of the Committee shall be members of the GLS professional staff, of which a majority shall be classroom teachers. The Committee shall also contain representatives of the administrative staff, specialists (i.e. school counselor, nurse, school psychologist) support staff, students from the 7th and 8th grades, parents and staff from any before of after school programs not also employed in positions previously listed.
- C. Members of the employee groups will select the employee representatives of from the employee groups listed above. The Head of School will select the representatives from the non-employee groups listed above.
- D. The Committee shall operate on a one person-one vote principal.
- E. In the event that the Head of School has established a discipline committee pursuant to §§ 1605(7) a and b of Title 14 of the Delaware Code, the discipline committee shall vote whether or not to accept the responsibilities of the Coordinating Committee.
- F. The Coordinating Committee shall establish and implement guidelines for investigating and substantiating an allegation of bullying or cyber bullying and for providing remedial services for victims of bullying or cyberbullying.

CONSEQUENCES FOR BULLYING OR CYBERBULLYING

- A. The GLS Student Code of Conduct shall list consequences for a student for committing a substantiated act of bullying or cyberbullying.
- B. The Head of School shall determine consequences for a staff member committing a substantiated act of bullying.

MEDICAL PROFESSIONALS

Head of School, or his/her designee, shall develop written procedures identifying staff and the process for staff to communicate with any medical professional identified by a parent providing services to a student due to a substantiated incident of bullying or cyberbullying as required by Title 14 *Del.C.* § 4112D.

REPORTING REQUIREMENTS

REPORTING BULLYING OR CYBERBULLYING

GLS is a *TELLING* school. This means that any member of the GLS community (students, parents and staff) who knows, or suspects, that bullying, or cyberbullying, is happening is expected to tell the administrative staff. Any staff member who suspects bullying or cyberbullying must report it to the school administration. The Coordinating Committee or the Head of School shall develop procedures for reporting bullying or cyberbullying to the staff or school administration. These procedures may include a form for reporting, and must include a process for reporting anonymously. A report of bullying or cyberbullying will not be rejected if it is not made on the proper form.

REPORTING AN INCIDENT OF BULLYING TO THE LOCAL POLICE

A substantiated incident of bullying or cyber bullying may also meet the definition of a specific crime that GLS administration is required to report to the appropriate policy agency under Title 14 *Del. C.* § 4112. Nothing in this policy is meant to prevent GLS administration from reporting those behaviors that meet the definition of a specific crime required to be reported by law.

REPORTING TO THE DELAWARE DEPARTMENT OF EDUCATION

- A. All allegations of bullying or cyberbullying will be reported to the Delaware Department of Education within five (5) business days of the allegation as required by Department regulations.
- B. All substantiated incidents of bullying or cyberbullying will be reported to the Delaware Department of Education through the discipline portal of eSchool as required by Department regulations.

SCHOOL WEBSITE

- A. A copy of this policy, any and all procedures for implementing this policy, forms created for reporting bullying or cyberbullying, and information describing the school-wide bullying prevention program, described below, shall be posted on the GLS Website.
- B. The telephone number of the Department of Justice School Ombudsperson shall be provided in writing to parents, students, and staff; and posted on the GLS Website. The contact information shall also be prominently displayed in the school. The number to be posted is currently: **1-800-220-5414**

SCHOOL-WIDE BULLYING PREVENTION PROGRAM

- A. GLS will implement a school-wide bullying prevention program that will be consistent with the requirements under Section 4112D, and include the required school-level, classroom level; non-classroom level, community-level, and individual level components. The school-wide program will use multiple methods for helping students in order to prevent bullying and cyberbullying. As and when appropriate, these methods may include:
 - Direct adult supervision of all students at all times in the classroom and non-classroom areas (i.e. the hall, at recess, lunch).
 - Writing, maintaining and conspicuously posting a set of school rules.
 - Writing stories or poems or drawing pictures about

- bullying.
 - Reading stories about bullying or having them read to a class or at an assembly.
 - Making up role-plays
 - Discussions during morning meeting
 - Having discussions about bullying and why it matters
 - Counseling
 - Assemblies
 - Peer Mentoring
 - Signing a behavior contract.
- B. The Bullying Prevention Program shall be implemented throughout each school year and be integrated with the GLS Student Code of Conduct.
- C. The Head of School may purchase a bullying prevention program that has been verified to be effective with the age group of students served by GLS.

STAFF TRAINING

- A. GLS will provide a combined training each year totaling at least one (1) hour in the identification and reporting of criminal youth gang activity pursuant to § 617, Title 11 of the Delaware Code and bullying prevention pursuant to § 4112D, Title 14 of the Delaware Code. The training materials shall be prepared by the Department of Justice and the Department of Education in collaboration with law enforcement agencies, the Delaware State Education Association, the Delaware School Boards Association, and the Delaware Association of School Administrators. Any in-service training required by this section shall be provided within the contracted school year as approved by the Board.
- B. All school employees must either attend the provided training session live or watch the official training materials provided by GLS in lieu of attendance, with written proof in the form of signing in an out of the live session, or signing in and out, and providing adequate written answers to questions about the training materials

APPLICABILITY

This applies to all persons employed by GLS, on school property, or at a school function. It also applies to electronic communications between GLS students as described above.

NOTIFICATION

Beginning with the 2015-16 school year, a copy of this policy shall be provided to all staff, students and parents annually in the GLS Student Code of Conduct.

REVIEW AND REPORTING

This policy will be reviewed as required by the laws or regulations of the State of Delaware.

HISTORY: Modified 08/19/2014