

STUDENTS

Bullying of Students

Prince William County Public Schools is committed to a school environment in which students are free from bullying. The school administrator shall take appropriate steps to prevent bullying and shall deal promptly and decisively with reported incidents of bullying. The purpose of this regulation is to provide guidelines to ensure appropriate preventative and corrective actions. Assistance with the identification of bullying behaviors is provided in Attachment I, Bullying Behaviors, Physical or Emotional.

I. Definition of Bullying

Bullying means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. "Bullying" also includes cyber bullying, which involves the transmission, receipt, or display of electronic messages and/or images. Bullying does not include ordinary teasing, horseplay, argument, or peer conflict.

Bullying behaviors include actions which cause the physical, verbal, or emotional abuse of others and shall not be tolerated. Taunts, threats, insults, gossip, humiliation, teasing, pushing, tripping, and hitting are all considered bullying behaviors. Another form of bullying is cyber bullying. Cyber bullying refers to any threats by one student towards another typically through emails or on Web sites (e.g., blogs, social networking sites) and electronic communications that support deliberate, hostile, hurtful messages intended to harm others; includes such things as sending mean, vulgar, or threatening messages or images; posting sensitive, private information about another person; pretending to be someone else in order to make that person look bad; and defamatory online personal polling Web sites. Unacceptable use of technology includes use of technology off school property which has a material effect on the operation or general welfare of the School Division, impacts the integrity of the educational process, threatens the safety and welfare of students, staff, or school property, occurs when the student is under the school's authority in loco parentis, or otherwise invades the rights of students or staff. Violators are subject to corrective action up to and including suspension and expulsion.

II. Complaint Procedure

All students shall be informed of their right to protection against bullying behaviors and the right to file a complaint if they believe they have been the victim of bullying behavior. School administrators are responsible for investigating each complaint, determining if the complaint is legitimate in accordance with the above definition, and taking appropriate corrective action. Any student may initiate a complaint by talking to an administrator or completing a complaint form, (Attachment II), and returning this form to a school administrator. All school staff members shall be informed of a student's right to initiate a complaint and shall be able to advise students as to how such complaints are initiated. School administrators shall respond to complaints of bullying according to the following guidelines.

III. Guidelines for Responding to Student Bullying Complaint

Upon receipt of a report of bullying, the school principal or designee shall promptly conduct an investigation. The school level designated bullying prevention coordinator will support the principal in resolving complaints, documenting interviews, and providing a report to the principal.

A. Meet with the Complainant

1. Ascertain basic information (who, what, when, where).
2. Get a written statement from the student when possible.
3. Ask about witnesses or corroborating information/evidence.
4. Offer counseling services as appropriate.
5. Offer assurance of protection against retaliation.
6. Explain procedures for follow-up.
7. Inform parent(s)/guardian(s) of the alleged bullying within 24 hours of the incident.
8. Maintain confidentiality and protect the privacy of all parties to the extent possible.
9. Complete and file incident report with the Office of Risk Management and Security Services within 48 hours of the incident.

B. Review Evidence and Interview Witness(es)

C. Meet with the Alleged Bully

1. Explain bullying behavior and its seriousness.

2. Present the allegation.
3. Provide an opportunity for response/rebuttal.
4. Explain investigation and follow-up procedures.
5. Caution against retaliation.
6. Inform parent(s)/guardian(s) of the alleged bullying behavior within 24 hours of the incident.
7. Take appropriate corrective/disciplinary action.
8. Complete suspension/incident reports as necessary.

D. Collection and Evaluation of Facts Includes, but are Not Limited to:

1. Description of the incident(s) including the nature of the behavior;
2. How often the conduct occurred;
3. Whether there were past incidents or past continuing patterns of behavior;
4. Relationship between the parties involved;
5. Characteristics of parties involved (i.e., grade, age, gender, ethnicity, etc.);
6. Identity and number of individuals who participated in the bullying or harassing behavior;
7. Location of the alleged incident(s) (time/date);
8. Whether the conduct adversely affected the student's education or adversely affected the educational environment; determined by considering a targeted student's grades, attendance, demeanor, interaction with peers, participation in school and extracurricular activities, and other performance or behavior indicators; and
9. Date, time, and method of informing parents/guardians of all parties involved in the incident.

Staff shall be responsible for maintaining a written record of all meetings and conversations with students including notes of dates, times, places, witness names, and other information about interviews and incidents. Any departure from these guidelines must be justifiable based on unusual circumstances.

A report indicating whether the particular action or incident constituted a violation of the bullying policy and "Code of Behavior" requires a determination based on facts and surrounding circumstances and includes:

1. Recommended steps necessary to stop bullying and/or harassing behavior;

2. A safety plan and follow-up conference with the victim; and
3. A final report to the principal.

E. Considerations for student(s) with disability(ies) if involved in a bullying incident shall be made. Some bullying of students with disabilities may also constitute harassment and triggers additional responsibilities under civil rights laws. Specific procedures shall be used to determine whether, as a result of the effects of bullying, the student's needs have changed, and the IEP is no longer designed to provide meaningful educational benefit. The decisions must be made by the IEP team and be consistent with the IDEA parental participation provisions.

F. Reporting Investigation Results

Three possible outcomes exist:

1. Corrective action – If the incident falls within the scope of the bullying policy, appropriate consequences and/or interventions should be implemented in accordance with established disciplinary procedures. The prescribed actions should be designed to prevent and remediate the bullying and should include graduated interventions that are appropriate to the context and severity of the behavior. Corrective action may range from admonition to suspension or expulsion depending on the seriousness of the incident, prior incidents, and the need to protect the victim and other students from future bullying. Appropriate support services should be provided for others affected by the bullying behavior.
2. If the incident falls outside of the scope of the bullying policy and/or is determined to be a criminal act, referral should be made to appropriate law enforcement authorities and the Office of Risk Management and Security Services.
3. If the incident falls outside of the scope of the School Division's policy, and is not determined to be a criminal act, the parents/guardians of all students involved should be informed.

IV. Relationship to Other Laws

The School Division complies with all state and federal laws regarding harassment, intimidation, or bullying. Nothing in the policy prohibits a student, parent/guardian, or School Division from taking action to remediate harassment, or discrimination based on a person's gender or membership in a legally protected class under local, state, or federal law.

V. Protection Against Retaliation

Students shall feel free to report bullying incidents without fear of retaliation from the accused. Any attempt of retaliation shall be addressed by appropriate corrective actions up to and including expulsion.

VI. Appeal Procedure

Both parties have the right to appeal the decision of the school administration in any situation that involves bullying behavior. Appeals must be stated in writing by the parent(s)/guardian(s) or emancipated student and forwarded to the appropriate Level Associate Superintendent. Parent(s)/guardian(s) and emancipated students have the right of further appeals to the Level Associate Superintendent and the School Board in accordance with Policy 731, "Appeal of Student Matters," and Regulation 731-1, "Appeal of Student Matters."

VII. Notification

Students and parent(s)/guardian(s) shall be notified by the "Code of Behavior" that bullying behaviors shall not be tolerated. School administrators shall use announcements, newsletters, faculty meetings, or other appropriate means to inform all students and staff of the prohibition against bullying and the procedure for reporting complaints. The School Division's Web site shall prominently post information on reporting bullying and contact information for the Division's bullying prevention coordinator.

Except as may be prohibited by law, the principal shall also immediately report any act that may constitute a criminal offense to the parent(s)/guardian(s) of any minor student who is the victim of such act. The principal shall report that the incident has been reported to local law enforcement and that the parent(s)/guardian(s) may contact local law enforcement for further information, if they so desire.

VIII. Instruction

The inappropriateness of bullying shall be addressed through the Character Education program which is taught through the Social Studies and K-12 School Counseling Curriculum, as well as instruction in the “Code of Behavior.”

IX. Preventative Measures

- A. Bullying may be prevented if all school staff assist in an effort to communicate to students and staff:
 - a. What bullying behavior is (define).
 - b. That bullying shall not be tolerated.
 - c. What the consequences are.
 - d. How to report complaints.
 - e. How complaints are handled.
 - f. That parent(s)/guardian(s) shall be notified.

- B. Monitor behavior and enforce rules
 - 1. Act on complaints in a prompt, fair, and decisive manner.
 - 2. Inform students of the following actions to take if bullied:
 - a. Let the bully know very clearly that such actions are not wanted.
 - b. Tell the bully very firmly to stop.
 - c. Keep written notes of dates, times, places, witness names, and other information about actual incidents of bullying.
 - d. Keep notes, letters, and other evidence of bullying.
 - e. Talk with a counselor or administrator and, if appropriate, file a complaint.

- C. Education of Faculty and Staff
 - 1. Annual education on the identification of bullying, the process of intervention, process of reporting, and consequences shall be held.

- a. The Prince William County Public Schools “Code of Behavior” will contain information for students, families, and staff on the definition of bullying, process of reporting concerns, and consequences.
 - b. The assigned bullying prevention coordinator at each school will include information on the identification of bullying, process of intervention, process of reporting, and consequences in annual professional development.
 - c. Bullying prevention training, utilizing research based programs, and techniques will continue to be implemented.
 - d. The School Division bullying coordinator will collaborate with the Office of Professional Learning in providing online bullying prevention training which addresses the identification, process of intervention, process of reporting, and consequences of the bullying behavior.
2. Annual Division surveys will be conducted with the students, faculty, staff, and parents/guardians to evaluate and modify efforts and programming.
 3. Schools trained in implementation of research based programs will continue to survey students to evaluate the effects of their intervention and modify efforts and programming.
 4. The Division level bullying prevention coordinator in collaboration with the Office of Accountability will evaluate efforts.

X. Procedures to Refer Victims and Perpetrators of Bullying for Counseling

A protocol shall exist for intervening when bullying or harassment is suspected or when a bullying incident is reported. The continuum of supports appropriate to the range of possible severity of incidents (from students who could benefit from social skills training to those who will face criminal charges) includes:

1. Clearly communicated process for initiation of referral; and
2. Referral to the school intervention team for consideration of appropriate school-based services which may include:

- a. Counseling and support to address the needs of victims of bullying or harassment, provided by Student Services support staff or counselors;
- b. Research-based counseling/interventions to address the behavior of students who bully and harass others (e.g., empathy training); and
- c. Research-based counseling/interventions which include assistance and support provided to parents/guardians, if deemed necessary or appropriate.

Administrators and all school employees are responsible for the consistent application of this regulation within their respective areas of authority, and for assuring the confidentiality of students to the extent possible.

The Associate Superintendent for Student Learning and Accountability (or designee) and the Level Associate Superintendents are responsible for implementing and monitoring this regulation.

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for reviewing this regulation in 2017.

Legal References:

Title VII of the 1964 Civil Rights Act
Title IX of the Education Amendment of 1972

Virginia Code: §22.1-208.01, §22.1-279.3:1, §22.1-279.6, §22.1-276.01, §22.1-291.4
Supreme Court: 119S.Ct. 1661 (1999)
U.S. Department of Education, OCR Dear Colleague Letter; Bullying and Harassment (October 26, 2010)

Bullying Behaviors: Physical or Emotional

Physical Bullying includes: hitting, punching, poking, shoving, pinching, jabbing, kicking, choking, unwanted touching, blocking, chasing and cornering, tripping, vandalizing, stealing, and writing graffiti (on both public and private property and by use of computers or other technical devices).

Emotional Bullying includes: name-calling, threatening, taunting, malicious and incessant teasing, spreading rumors, mocking, public humiliation, stalking, making faces or obscene gestures, making offensive racial, religious, or sexual comments; ganging up on others, belittling, persistently excluding others from a group or activity (shunning), ignoring, and lying.

Bullying also encompasses:

1. Retaliation against another student or school employee by another student by asserting or alleging an act of bullying. Intentional false reporting of bullying or harassment is considered retaliation.
2. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm by:
 - a. Inciting
 - b. Goading
 - c. Coercing

Accessing, or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the School Division's system and acting in a manner that has an effecting substantially similar to the effect of bullying, (e.g., hazing).

Reference

Virginia Board of Education, "Model Policy to Address Bullying in Virginia's Public Schools," October 2012, page 3.

Complaint of Bullying

The Prince William County Public Schools “Code of Behavior” states, “Bullying means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. “Bullying” also includes cyber bullying, which involves the transmission, receipt, or display of electronic messages and/or images.” Bullying does not include ordinary teasing, horseplay, argument, or peer conflict. The principal and staff of this school are committed to enforcement of the “Code of Behavior” and will respond promptly and appropriately to complaints of bullying. Any student can file a complaint by talking to an administrator and/or completing this form and returning it to an assistant principal or principal.

PLEASE PRINT

Name of Complainant: _____

School: _____

Name(s) of Person(s) Accused of Bullying: _____

Description of Complaint (use specific dates, times, witness names, etc., if possible):

Signature of Complainant: _____

Date: _____

NOTE: All complaints will be followed by an investigation. Those accused as well as the parent(s)/guardian(s) of students involved will be informed of complaints, witnesses will be interviewed, and all information will remain confidential except for that which must be shared as part of the investigation.