

BULLYING AND CYBERBULLYING

Bullying of any type is prohibited in the school setting or connected with the school setting as provided below. The Westfield Public Schools will endeavor to maintain a learning and working environment free of bullying. Bullying can take many forms and can occur in virtually any setting. It is unacceptable in a school or work environment. As a result, no student or employee shall be subjected to harassment, intimidation, bullying or cyberbullying in any public educational institute. It can create unnecessary and unwarranted anxiety that may affect attending school, walking in corridors, eating in cafeterias, playing in the school yard or recreation areas, participating in or attending special and extra-curricular activities, or riding on the bus to and from school each day. The plan shall apply to students and members of a school staff, including, but not limited to educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals.

Definitions:

“Bullying” means the repeated use of a written, verbal or electronic communication, or a physical act or gesture, or any combination thereof, by one or more students directed at another student or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, that has the effect of: means unwelcome written, electronic, verbal or physical acts or gestures where a student or employee feels coerced, intimidated, harassed or threatened and under the circumstances (1) causing physical or emotional harm to the other student or damage to his or her property; a reasonable person to suffer physical or emotional harm to a student or employee, (2) placing the other student in reasonable fear of harm to him or herself or of damage to his or her property; (3) creating a hostile environment at school for the bullied student; (4) infringing on the rights of the other student at school; or (5) materially and substantially disrupting the education process or the orderly operation of a school.

“Cyberbullying” is bullying through the use of technology or any electronic communication which shall include but shall not be limited to, 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, including but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyberbullying shall also include small i) the creation of a webpage or blog in which the creator assumes the identity of another person or ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses inclusive of the definition of bullying. Cyberbullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the conditions inclusive of the definition of bullying. The use of bullying throughout this policy shall include cyberbullying.

“Aggressor” means the student or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying or retaliation.

“Target” means a student against whom bullying or retaliation has been perpetrated. “Hostile environment” a situation in which bullying causes the school environment to be permeated with

intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of the student's education.

“School grounds” property on which a school building or facility is located or property owned, leased or used by a school district for a school sponsored activity, function, program, instruction or training.

Bullying is prohibited:

1. On school grounds, property immediately adjacent to school grounds
2. At school sponsored or school related activity, function or program, whether on or off school grounds
3. On school buses or other vehicles owned, leased or used by a school district or school or at school bus stops;
4. Through the use of technology or an electronic device owned, leased or used by a school or school district;
5. At a location, activity, function or program that is not school related non-school related locations and through the use of technology or electronic devices that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the educational process or the orderly operation of the school.

Nothing contained herein shall require schools to staff any non-school related activities, functions or programs.

Retaliation against a person who reports bullying, who provides information during an investigation of bullying or who is a witness to or has reliable information about bullying is prohibited.

Bullying in the school building, on school grounds, on the bus or school sanctioned transportation, or at school-sponsored functions will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students. This policy is not designed or intended to limit the school's authority to take disciplinary action or take remedial action when such harassment occurs out of school but has a connection to school, or is disruptive to an employee's or student's work or participation in school related activities.

Reports of bullying or retaliation may be made anonymously, provided that no disciplinary action shall be taken against a student solely on the basis of an anonymous report.

A student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Procedure

The district will promptly and reasonably investigate allegations of harassment, including bullying. The principal of each building will be responsible for handling all complaints by students alleging harassment, including bullying.

1. Annually, principals will review with staff and students the Bullying Policy in the Westfield Public Schools.
2. ***Reporting obligations of staff:*** Staff members are required to promptly report any violations of the Bullying Policy to the principal or designee. It is a violation of this policy for any administrator, teacher or other employee or any student to engage in or condone harassment in

school or to fail to report or otherwise take reasonable corrective measures when they become aware of an incident of bullying or harassment. The principal or designee will fully and immediately investigate the complaint, including interviewing the violator, the target and any witnesses to the violation.

3. If the principal or designee determines that there is reasonable cause to believe that a violation of this policy has occurred:
 - a. The parent/guardian of the target and aggressor will be contacted, if possible.
 - b. The police will be notified in certain cases, at the discretion of the principal or his/her designee.
 - c. The student(s) may be referred to counseling, up to and including peer mediation and/or conflict resolution programs, and/or support staff may be informed.
 - d. The principal or principal's designee may issue disciplinary measures up to and including expulsion.
 - e. The principal or designee will notify the superintendent.

Chapter 92 of the Acts of 2010

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