

Students

Bullying Prevention and Intervention Policy

The Newtown Board of Education is committed to creating and maintaining an educational environment that is physically, emotionally and intellectually safe and thus free from bullying, teen dating violence, harassment and discrimination. In accordance with state law and the Board's Safe School Climate Plan, the Board expressly prohibits any form of bullying behavior 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 Board of Education.

The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (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. Discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying is likewise prohibited.

Students who engage in bullying behavior shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

“Bullying” means the repeated use by one or more students of a written, verbal or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same district, or 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 act or 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.

Students

Bullying Prevention and Intervention Policy (continued)

“Cyberbullying” means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications..

“Teen dating violence” means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening that occurs between two students who are currently in or have recently been in a dating relationship.

Consistent with the requirements under state law, the Newtown Board of Education authorizes the Superintendent or his/her designee, along with the Safe School Climate Coordinator, to be responsible for developing and implementing a Safe School Climate Plan in furtherance of this policy. As provided by state law, such Safe School Climate Plan shall include, but not be limited to provisions which:

1. Enables students to anonymously report acts of bullying or teen dating violence to school employees and requires at the beginning of each school year that students and their parents/guardians be notified of the process by which students may make such reports;
2. Enables written reports of suspected bullying or teen dating violence by parents or guardians and requires at the beginning of each school year that students and their parents/guardians be notified of the process by which parents or guardians may make such reports;
3. Requires school employees who witness acts of bullying or teen dating violence or receive reports of bullying or teen dating violence 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 an oral report;
4. Requires the safe school climate specialist to investigate or supervise the investigation of all reports of bullying or teen dating violence and ensure that such investigation is completed promptly after receipt of any written report, and that the parents or guardians of the student alleged to have committed an act or acts of bullying or teen dating violence and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;
5. Requires the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;

Students

Bullying Prevention and Intervention Policy (continued)

6. Requires each school to have a prevention and intervention strategy, as defined by statute, as amended, for school employees to deal with bullying or teen dating violence, including language about bullying and teen dating violence in student codes of conduct and in all student handbooks;
7. Requires each school to notify parents or guardians of students who commit any verified act of bullying or teen dating violence 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;
8. Requires each school to invite the parents/guardians of a student against whom such act was directed to a meeting to communicate to such parents/guardians the measures being taken by the school to ensure the safety of the student against whom such act of bullying was directed and the policies and procedures in place to prevent further acts of bullying and teen dating violence;
9. Requires each school to invite the parents or guardians of a student who commits any verified act of bullying or teen dating violence to a meeting, separate and distinct from the meeting of the parents/guardians of the student against whom the act of bullying or teen dating violence was directed, to discuss specific interventions undertaken by the school to prevent further acts of bullying and teen dating violence;
10. Establishes a procedure for each school to document and maintain records relating to reports and investigations of bullying and teen dating violence in such school and make such list publicly available; and report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
11. Requires the development of case-by-case interventions for addressing repeated incidents of bullying or teen dating violence against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
12. Prohibits discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying or teen dating violence;
13. Requires the development of student safety support plans for students against whom an act of bullying or teen dating violence was directed that addresses safety measures the school will take to protect such students against further acts of bullying or teen dating violence;

Students

Bullying Prevention and Intervention Policy

14. Requires the principal of a school or the principal's designee, to notify the appropriate local law enforcement agency when such principal or the principal's designee believes that any acts of bullying or teen dating violence constitute criminal conduct;
15. Prohibits bullying and teen dating violence (A) 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, and (B) outside of the school setting if such bullying or teen dating violence (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 or teen dating violence was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
16. Requires, at the beginning of each school year, for each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and
17. Requires all school employees to annually complete the training required by C.G.S. 10-220a, as amended. Such training shall include identifying and responding to bullying and preventing and responding to youth suicide;

Note: *Certified employees are required to complete annual training on the prevention and identification of bullying and response to bullying and the prevention and response to youth suicide.*

The State Department of Education, within available appropriations, is required to provide annual training to non-certified school employees.

The notification required pursuant to subdivision (8) (above) and the invitation required pursuant to subdivisions (9) and (10) (above) 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. Any information provided under this policy or the accompanying Safe School Climate Plan 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.

Some student misconduct that falls under this policy may also trigger responsibilities under one or more of the federal antidiscrimination laws enforced by the Department's Office of Civil Rights (OCR). The statutes enforced by OCR include:

Students

Bullying Prevention and Intervention Policy (continued)

- Title IV of the Civil Rights Act of 1964 (Title V) which prohibits discrimination on the basis of race, color or national origin.
- Title IX of the Education Amendments of 1972 (Title IX) which prohibits discrimination on the basis of sex/gender.
- Section 504 of the Rehabilitation Act of 1973 (Section 504) which prohibits discrimination on the basis of sex/gender.
- Title II of the American with Disabilities Act of 1990 (Title II) which prohibits discrimination on the basis of disability.

No claim for damages shall be made against a school employee who reports, investigates and responds to bullying, in accordance with the provisions of the safe school climate plan, if such employee was acting in good faith. The immunity provided in this subsection does not apply to acts or omissions constituting gross, reckless, willful or wanton misconduct.

No claim for damages shall be made against a student, parent or guardian of a student or any other individual who reports an act of bullying to a school employee, in accordance with the provisions of the safe school climate plan, if such individual was acting in good faith. The immunity provided in this subsection does not apply to acts or omissions constituting gross, reckless, willful or wanton misconduct.

No claim for damages shall be made against the board of education that implements the safe school climate plan, and reports, investigates and responds to bullying, if such board of education was acting in good faith in the discharge of its duties. The immunity provided in this subsection does not apply to acts or omissions constituting gross, reckless, willful or wanton misconduct.

Legal Reference: Connecticut General Statutes
10-15b Access of parent or guardian to student's records. Inspection and subpoena of school or student records.
10-222d Policy on bullying behavior as amended by PA 08-160 and P.A. 11-232 and P.A. 14-172.
P.A. 06-115 An Act Concerning Bullying Policies in Schools and Notices Sent to Parents or Legal Guardians.
P.A. 11-232 An Act Concerning the Strengthening of School Bullying Laws.
P.A. 13-3 An Act Concerning Gun Violence Protection and Safety
P.A. 14-172 An Act Concerning Improving Employment Opportunities through Education and Ensuring Safe School Climates.
P.A. 14-234 An Act Concerning Domestic Violence and Sexual Assault.

Policy adopted: July 18, 2017

NEWTOWN PUBLIC SCHOOLS
Newtown, Connecticut

