

POLICY  
RI SCHOOL FOR THE DEAF  
BOARD OF TRUSTEES

STAFF AND STUDENT ANTI-BULLYING POLICY

**Guiding Principle**

The bullying of students creates a climate of fear and disrespect that can seriously impair student health and negatively affect their ability to learn. The Rhode Island School for the Deaf (“School”) therefore believes that the prevention of bullying is critical to creating and maintaining a safe, secure, positive school climate and culture that supports academic achievement, increases school engagement, builds a supportive community, and ensures respect for the rights of all individuals and groups.

**Purpose**

The purpose of this Policy is prohibit any form or degree of bullying at the School by: (a) defining “bullying,” “cyber-bullying,” and the jurisdiction of the School in prohibiting such activity; (b) sanctioning the use of discipline against perpetrators and the provision of counseling for targets, as deemed warranted by the Director and his or her subordinates; and (c) authorizing the development of guidelines to implement this policy, including the development of a reporting process that protects against retaliation.

**Definitions**

**Bullying** is the use by one or more students of a written, verbal or electronic expression or a physical act or gesture, or any combination thereof, directed at a student that:

- causes physical or emotional harm to the student or damage to the student’s property;
- places a student in reasonable fear of harm to himself/herself or of damage to his/her property;
- creates an intimidating, threatening, hostile, or abusive educational environment for the student;
- infringes up the rights of the student participate in school activities; or
- materially and substantially disrupts the educational process or the orderly operation of the School.

The expression, physical act or gesture may include, but is not limited to, an incident or incidents that may be reasonably perceived as being motivated by characteristics such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or mental, physical, or sensory disability, intellectual ability, or by any other distinguishing characteristic.

Bullying behaviors are unwelcome, intentional, unprovoked, and usually repeated. They can be verbal, physical, direct (face-to-face), or indirect (e.g. through another person, in writing, etc.).

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**Cyber-bullying** means 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, texting 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.

Cyber-bullying shall include the creation of a web page or blog in which the creator assumes the identity of another person; the knowing impersonation of another person as the author or posted content or messages; or the distribution by electronic means of a communication to more than one person, or the posting of materials on an electronic medium that may be accessed by one or more persons, when the creation, impersonation, or distributions results in any of the conditions that meets the definition of bullying set forth above, i.e., causes physical or emotional harm to the student or damage to the student's property.

The following can be examples of cyber-bullying:

- Sending text messages over the internet or using a cell phone or texting device or medium;
- Sending or posting text, images, audio, or video on or over the internet or through a cell phone or electronic network (sexting), including social networking sites; or
- Sending a threatening intimidating, graphic or sexually explicit picture or video via the Internet or using a cell phone or electronic network, including social networking site.

**Retaliation** is defined as any form of intimidation, reprisal or harassment by a School community member directed against another School community member for reporting or filing a complaint, for aiding or encouraging the filing of a report or complaint, for cooperating in an investigation under this Anti-Bullying Policy, or for taking action consistent with this Anti-Bullying Policy.

**Policy**

Every form of bullying, including cyber-bullying, is prohibited, whether in the classroom, on School premises, when a student is traveling to or from School ("portal to portal"), at a School-sponsored activity or event wherever held, or when using property or equipment provided by the School.

"Traveling to or from school (portal to portal)" includes but is not limited to on a School bus or other School vehicle (including using a School-issued bus pass), waiting at an official School bus stop, and walking to or from School within a reasonable time before or after School hours.

Bullying, including cyber bullying, that does not take place at or from a location defined above ("off-site"), is covered by this Anti-Bullying Policy if the incident creates a material and substantial disruption of the education process and/or the orderly operation of the School.

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**Reporting and Investigations**

Each member of the School community is responsible for reporting knowledge of any behaviors covered in this Anti-Bullying Policy or reporting credible information that such behavior has taken place.

The Director or his/her designee shall promptly investigate all reports of bullying, including reports of cyber bullying that are allegedly initiated offsite, to determine if the incident(s) created a material and substantial disruption of the education process and/or the orderly operation of the School.

The Director shall develop specific Guidelines to implement this Anti-Bullying Policy. These Guidelines shall include:

- Definitions of and a statement prohibiting bullying and retaliation;
- Mandate to report bullying or retaliation promptly, with explicit provision that allows for anonymous reporting (but also advising that no student shall be disciplined solely on the basis of an anonymous report); and another provision that subjects a student who knowingly makes a false accusation of bullying or retaliation to disciplinary action;
- Process for promptly responding to and investigating reports of bullying or retaliation. As part of this process, the Director shall identify as part of a particular administrator's duties, the responsibility for receiving, investigating, and following up on reports of bullying and retaliation. The Director also shall develop a standardized form to be used by any member of the School community in making a report of bullying or retaliation.
- Description of the range of disciplinary actions that may be taken against a perpetrator of bullying or retaliation, with attention to ensuring the proper balance between accountability and the teaching of appropriate behavior;
- Strategy/Process for restoring a target's sense of safety, and assessing his or her need for protection, including counseling or referral to the appropriate services;
- Strategy/Process for protecting from retaliation those who report bullying, those who provide information during an investigation, and/or those who witness and/or have reliable information;
- Process for informing parents and guardians about the Policy, through a link prominently posted on the home page of the School's website, and through annual distribution to parents and guardians in hard copy.
- Strategy for communicating with parents/guardians on anti-bullying efforts; and providing professional development for staff, and instruction for students, on social emotional learning and bullying prevention;
- Process for notification of parents or guardians identifying an alleged perpetrator or target within twenty-four (24) hours of an incident report, for completion of an investigation within a reasonable period of time, and for notification of parents or

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- guardians of the outcome of any investigation, including any action taken to prevent further acts of bullying or retaliation.
- Process for immediate notification of local law enforcement when criminal charges may be pursued against the perpetrator.

The Director shall ensure that these Guidelines are widely promulgated to all students, staff, parents or guardians, and others.

This Policy is to ensure compliance with the statewide bullying policy to be promulgated by the Rhode Island Department of Education in accordance with R.I. Gen. Laws § 16-21-34(16). Once so promulgated by RIDE, the School's Policy shall be amended, as required, under this new state policy and law.

**Consequences**

Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the "RIDEaf Code of Conduct".

Retaliation or threats of retaliation in any form designed to intimidate the victim of bullying or harassment, those who are witnesses or those investigating an incident of bullying or harassment is forbidden and will be subject to consequences outlined in Level Two and Three of the "RIDEaf Code of Conduct".

Acts of bullying allegedly committed by adult members (including teachers, administrators, staff members, other school personnel, parents, community partners, or other visitors to the school) of the School community will be reported to the Director or other administrator or the designated person for investigation and consequences, in accordance with applicable procedures, and shall be subject to appropriate legal action.

Retaliation or threats of retaliation by adult members (including teachers, administrators, staff members, other school personnel, parents, community partners, or other visitors to the school) of the School community in any form designed to intimidate the victim of, witness to, or those investigating bullying will be subject to additional consequences, in accordance with appropriate procedures.

**Other Legal Remedies**

Any School community member may also pursue legal remedies or other avenues of recourse, including but not limited to filing a complaint with: the Rhode Island Department of Education, at (401) 222-4600; The Rhode Island Office of the Attorney General, at (401) 274-4400; filing a civil lawsuit; or pursuing criminal prosecution.

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**Legal References**

R.I. Gen Laws § 16-21-26 (Student discipline codes), *as superseded by* the Safe School Act, R.I. Gen. Laws §§ 16-21-33 & 16-21-34.

R.I. Gen. Laws section § 16-2-17 (Right to a safe school)

R.I. Gen. Laws section § 16-21-24 (Requirements of school safety plans, school emergency response plans, and school crisis response plans)

R.I. Gen. Laws § 16-21-21 (Student discipline codes)

R.I. Gen. Laws § 16-21-23 (School safety plans – School safety teams and school crisis response teams)

R.I. Gen. Laws §§ 11-52-4.2, § 11-52-4.3 (criminal statutes relating to cyber-crimes)

**Approved 3/6/12**