

# MIDLAND BOROUGH SCHOOL DISTRICT

## Anti-Bullying Policy

**The Midland Borough School District** recognizes the importance of a safe school environment to the educational process of Midland Borough School District. The Board has determined that a safe and civil environment in school is necessary for students to learn and to achieve high academic standards. Bullying, like other disruptive or violent behaviors that disrupt both a student's ability to learn and a school's ability to educate its students in a safe environment, is prohibited at Midland Elementary-Middle School. Because students learn by example, school administrators, faculty, staff, students and volunteers are directed to: demonstrate appropriate behavior, treat others with civility and respect and refuse to tolerate bullying.

"Bullying" is defined as an intentional electronic (cyber), written, verbal or physical act, or a series of acts:

- (1) Directed at another student or students;
- (2) Which occurs in a "school setting" or occurs outside of school and the outside of school conduct materially and substantially interferes with the educational process or program in the school, as allowed by law;
- (3) That is severe, persistent or pervasive; and
- (4) That has the effect of doing any of the following:
  - (i) Substantially interfering with a student's education creating a threatening environment;
  - Or substantially disrupting the orderly operation of the school; and

A "school setting" shall mean in the school, on school grounds, on school property, at any school testing sites or other sites used by the school, on the school's server or school's electronic, web-based, Internet or on-line programs, in school vehicles, at designated bus stops or at any activity sponsored, supervised or sanctioned by the school and any time spent necessarily traveling to and from these locations. Additionally, any student who's out of school conduct materially and substantially interferes with the educational process in the school is also subject to this Policy.

Students shall conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents and guardians, staff, and community members of the school, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school and community property on the part of students, staff, and community members.

Because bystander support of bullying can bolster these behaviors, the school prohibits both active and passive support for acts of bullying. The staff should encourage all students to refuse to engage in these acts and to report them immediately to a staff member the school.

Consequences and appropriate remedial actions for a student or staff member who commits persistent acts of bullying may range from positive behavioral interventions up to and including in-school or out-of-school suspension from the school and/or expulsion or other disciplinary removal from the school, in the case of a student, and/or suspension or termination in the case of an employee, as set forth in the school's

approved code of student conduct or employee handbook.

Consequences for a student who commits an act of bullying shall be unique to the individual Incident and will vary the method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the school's approved code of student conduct. Remedial measures shall be designed to: correct the problem behavior; prevent another occurrence of the behavior; and protect the victim of the act. Depending upon the incident, expulsion may be recommended to the Board.

The Board requires the Principal, or his/her designee, at the school to be responsible for receiving complaints alleging violations of this Policy. All school employees are required to report alleged violations of this Policy to the Principal, or his/her designee. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this Policy. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report without further investigation.

***Anti-Bullying Policy (continued)***

The Board requires the Principal, or his/her designee, and Superintendent to be responsible for determining whether an alleged act constitutes a violation of this Policy. In so doing, the Principal, or his/her designee, shall conduct a prompt, thorough, and complete investigation of each alleged incident and report findings to the Superintendent.

The Board prohibits reprisal or retaliation against any person who reports an act of bullying. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

The Board prohibits any person from falsely accusing another of bullying. The consequences and appropriate remedial action for a person found to have falsely accused another of bullying may range from positive behavioral interventions up to and including suspension and/or expulsion. Consequences and appropriate remedial action for a school employee found to have falsely accused another of bullying shall be disciplined in accordance with school policies, procedures, and agreements.

The Board requires school officials to annually disseminate the Policy to all school staff, students, and parents, along with a statement explaining that it applies to all applicable acts of bullying that occur on school property, at school-sponsored functions, or in a school vehicle.

The Board further requires school officials to ensure that this Policy and procedures for reporting bullying incidents are reviewed with the students within ninety (90) days after the Policy is adopted and at least once each school year thereafter.

The Board directs Administration to develop procedures necessary to implement this Policy and to develop appropriate prevention, intervention and education strategies related to bullying and to develop procedures for investigating and addressing any alleged violations of this Policy.

The Board directs the Administration, under the Children's Internet Protection Act, to protect

children from harmful online content. Therefore, the District is required to teach acceptable use and online safety to students. The curriculum shall include instruction for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response.

The Board directs that this Policy be included in the Student Handbook/Code of Conduct and the Employee Handbook/Code of Conduct and be made available on the school's website as well as in a prominent location at the school's main office.

The Midland Borough School District will comply with applicable federal and state laws relating to bullying, including but not limited to the applicable House Bill 1067 Public School Code amendments related to bullying.

The Midland Borough School District will comply with applicable federal and state laws, including Chapter 711 of Title 22 of the Pennsylvania Code and applicable provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) and its applicable implementing regulations regarding the discipline of special education students and thought-to-be eligible students who engage in an act of bullying.

The Midland Borough School District will further comply with applicable federal and state laws, regarding protected handicapped students and applicable sections of Section 504 of the Rehabilitation Act and its applicable implementing regulations.

**TO REPORT AN ACT OF BULLYING, CONTACT THE MAIN OFFICE OF THE MIDLAND BOROUGH SCHOOL DISTRICT AT: MIDLAND BOROUGH SCHOOL DISTRICT, 173-7<sup>TH</sup> STREET, MIDLAND, PA 15059. Telephone: 724-643-8650 / Facsimile: 724-643-4887.**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL.**