

THE SCHOOL DISTRICT OF PHILADELPHIA

No. 249
SECTION: 200 Pupils
TITLE: 249
Bullying/Cyberbullying
ADOPTED: September
22, 2010
REVISED:

249 BULLYING/CYBERBULLYING

Purpose

The ~~School Reform Commission~~ **Board of Education (“Board”)** is committed to providing a safe, positive learning environment for **all district students in the School District of Philadelphia (“District”)**. The ~~SRC~~**Board** recognizes the negative impact that bullying has on student health, welfare, and safety and on the learning environment at school. The ~~SRC~~**Board** recognizes that bullying creates an atmosphere of fear and intimidation, detracts from ~~the a~~ safe environment ~~necessary for student learning~~, and may lead to more serious violence. Therefore, the ~~SRC~~**Board** prohibits bullying by ~~d~~**D**istrict students.

Definitions

The following words and phrases, when used in this policy, shall have the meaning given to them in this section:

Bullying: ~~Bullying means a~~An intentional electronic, written, verbal, nonverbal, psychological or physical act or series of acts directed at another student or students, which occurs in and/or outside a school setting, that is severe, persistent, or pervasive and has the effect of doing any of the following:[1]

1. Substantially interfering ~~ence~~ with a student’s education;:-
2. Creating ~~on~~ of a threatening **school** environment;:- **or**
3. Substantially disrupting ~~on~~ of the orderly operation of the school.

Bullying is characterized by the following three (3) criteria:

1. It is aggressive behavior or intentional harm doing.
2. It is carried out repeatedly over time.
3. It occurs ~~within an interpersonal relationship~~ **between people** where there is an imbalance of power (e.g. **physical strength, mental capacity, popularity, or social skills** ~~one (1) person is physically larger, stronger, mentally quicker or socially more powerful~~).

Bullying can take many forms and can include a variety of behavior. As defined in this policy, bullying refers to direct or indirect action, which may include but is not limited to:

1. Physical – hitting, kicking, pushing, shoving, getting another person to hurt someone;:-
2. Verbal – ~~racial slurs;—~~**including but not limited to racial, gender-based, or religious**—name-calling, teasing, taunting, harassment, gossiping;:- ~~spreading rumors.~~
3. Nonverbal – threatening, obscene gestures, isolation, exclusion, stalking;:- ~~cyberbullying (bullying that occurs by use of electronic communication devices through means of social networking, email, instant messaging, text messages, tweets, blogs, photo and video sharing, chat rooms, dash boards, or web sites).~~
4. **Psychological or Relational - involves spreading malicious rumors, and engaging in social isolations or intimidation; and**
5. **Cyberbullying - any form of bullying that occurs by the use of electronic communication devices or through means of social networking, email, instant messaging, text messaging, tweets, blogs, photo and video sharing, chat rooms, dash boards, websites or apps including personal profile**

websites or apps, such as Snapchat, Instagram, and Facebook.

It is the intent of this policy that the term bullying include, but not be limited to, incidents that are reasonably perceived as being motivated either by any actual or perceived characteristic, such as gender, age, race, color, sexual orientation (known or perceived), gender identity expression (known or perceived), national origin, religion, disability, socioeconomic status and/or political beliefs.

Bullying designee: The school-based staff person who receives reports of incidents of alleged bullying, conducts investigations, and determines whether an allegation is substantiated.

Electronic communication: A communication transmitted by means of an electronic or communication device, including, but not limited to, a telephone, cellular phone, or computing device.

Online reporting process: The process for reporting or submitting complaints of alleged bullying/cyberbullying behavior and documenting investigations, accessible on the District's website at: <https://www.philasd.org/bullying/>

School setting: School setting means in In the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.[1]

~~Student shall mean an individual enrolled in a dDistrict school.~~

Authority

The SRCBoard prohibits all forms of bullying by dDistrict students. The SRCBoard encourages students or parents/guardians of students who **believe they** have been bullied or witness bullying **behavior** to immediately report such incidents **using the online reporting process or** to the building principal or **bullying designee**, or to any other member of the school staff, including teachers, guidance counselors, coaches and administrators. Any staff member who receives such a report **of alleged bullying** shall immediately notify the principal or **bullying designee** of same. ~~If the behavior continues or if the school does not take action, students or parents/guardians should report the incident to the district hotline number at 215-400-SAFE.[1][2]~~

The SRCBoard directs **the principal or bullying designee to investigate** that complaints of **alleged** bullying shall be investigated promptly and thoroughly, and **directs appropriate school personnel to take** corrective action shall be taken when allegations are substantiated, **including the convening of an IEP or Section 504 team when appropriate for either the victim or the offender. If the school principal or bullying designee does not take action within the time frame required by this policy and its administrative procedures, students or parents/guardians should report the alleged bullying to the District hotline number listed in the administrative procedures to this policy.**

- Confidentiality of all parties, **witnesses, the allegations, the filing of a complaint, and the investigation** shall be maintained; consistent with the dDistrict's legal and investigative obligations. All parties will be treated with dignity and due process.

No reprisals or retaliation shall occur as a result of good faith reports of **alleged bullying or participation in an investigation of allegations of bullying.**

Delegation of Responsibility

In order to maintain an educational environment that discourages and prohibits bullying, the **Board authorizes SRC** shall designate a dDistrict Compliance Officer to **the Office of Student Support Services, or other office designated by the Superintendent, to coordinate the dDistrict's efforts to comply with this policy and applicable laws and regulations, including: [1]**

1. Ensuring that this policy and administrative procedures are reviewed with students within 90 days of adoption of this policy and on an annual basis; and
2. Annually providing the following information with the **Annual School Safety Safe School Report to the Pennsylvania Department of Education**:
 1. This policy and administrative procedures;
 2. Report of bullying incidents; and
 3. Information on the development and implementation of any and all research-based bullying prevention and intervention programs.
3. Informing staff about this policy **and its administrative procedures**, including the availability and use of the online reporting process;
4. Posting this policy and administrative procedures on the District's website; and
5. Reviewing this policy every three years and recommending necessary revisions to the Board.

~~The Compliance Officer shall publish and disseminate this policy and the complaint procedure at least annually to students, parents/guardians, employees, independent contractors, vendors, and the public. The publication shall include the position, office address and telephone number of the Compliance Officer.~~

Each student shall be responsible to respect the rights of others and to ensure an atmosphere that is conducive to learning and free from bullying. **A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include counseling within the school, parental conference, loss of school privileges, disciplinary transfer, exclusion from extra-curricular activities and athletics, detention, suspension or expulsion.** [1][3][4]

~~The Superintendent or designee, through the Office of Student Support Services shall develop administrative procedures to implement this policy. The Superintendent or designee shall ensure that this policy and administrative procedures are reviewed annually with staff, students, and parents/guardians.[1]~~

~~The Superintendent or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the SRC Board.[1]~~

~~District administration shall annually provide the following information with the Safe School Report:[1]~~

- ~~A. The SRC Board's Bullying Policy.~~
- ~~B. Report of bullying incidents.~~
- ~~C. Information on the development and implementation of any and all research-based bullying prevention and intervention programs.~~

Mandatory Regulatory Procedures:

~~The Code of Student Conduct, which shall incorporate this policy, shall be disseminated annually to students.[1][2][3]~~

~~This policy shall be accessible in every classroom, posted in a prominent location within each school building and posted on the dDistrict website. The policy shall be made available in English and all other languages necessary to facilitate understanding by dDistrict residents.~~

Education

The district **Superintendent, through the Office of Student Support Services or designee**, shall implement research-based bullying prevention and intervention programs **in all schools**. Such programs shall provide training for dDistrict staff **on this policy and** for effectively responding to, intervening in, and reporting incidents of **alleged** bullying.[1][4] [5]

All schools shall implement processes to prevent and mitigate acts of bullying, including:

1. Posting this policy in every classroom and in a prominent location within each school building; [1]
1. ~~Offering~~ **Providing** professional development on the prevention, identification, reporting, investigation, and resolution of allegations of bullying and cyberbullying;
1. Informing students and parents/guardians about this policy ~~and administrative procedures,~~ including the availability and use of the online reporting process, during orientation/open house sessions within the first month of school, and through appropriate school communication (i.e., school website, email, parent/student handbook, posters, flyers); [1]
1. Informing students and parents/guardians that bullying and cyberbullying will not be tolerated and providing student training on the definitions of bullying and cyberbullying, examples of bullying/cyberbullying, the reporting process, and consequences of participating in bullying/cyberbullying towards students and staff;
1. Conducting developmentally appropriate prevention activities such as:
 1. Holding frequent classroom meetings or town hall meetings with students to discuss safety concerns;
 2. Establishing, teaching, and reinforcing rules against bullying/cyberbullying;
 3. Incorporating social and emotional learning into the curriculum whenever possible;
 4. Conducting classroom lessons on relevant topics such as inclusion, sensitivity, empathy, diversity, communication, problem solving, and tolerance;
 5. Including bullying/cyberbullying on every agenda for building committee/leadership team, grade group, and/or school-based staff meetings;
 6. Celebrating the annual national bullying awareness month (October); and
 7. Conducting student and/or parent focus groups or administering school-wide surveys to assess the nature and prevalence of bullying at the school, and identify bullying hot spots in and around the building.

Maintenance Schedule

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The Superintendent, or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the SRC. [1]

Complaint Procedure Step 1—Reporting

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A student or his/her parent/guardian who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal or designee, or to any other member of the school staff, including teachers, guidance counselors, coaches and administrators.

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A school employee who witnesses, suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal or designee. The complainant or reporting employee is encouraged to use the report form available from the building principal, but oral complaints shall be acceptable.

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Step 2—Investigation

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~~Upon receiving a complaint of bullying, the building principal or designee shall investigate the complaint, unless the building principal or designee is unable to conduct the investigation.~~

~~The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.~~

~~The investigator shall attempt to secure statements from all participants in, and witnesses to the complaint. The complainant shall not be required to meet face-to-face with the accused.~~

~~The obligation to conduct this investigation shall not be negated by the fact that a criminal or other investigation of the incident is pending or has been concluded.~~

Consequences for Violations

~~If the allegations are confirmed, the building principal or designee shall:~~

- ~~1. Inform the student(s) found to have violated this policy and his/her parents/guardians of the results of the investigation, including the actions of the student and the consequences for his/her actions.~~
- ~~2. Review the definition of bullying and the dDistrict's policy on bullying with the student(s) and his/her parents/guardians.~~
- ~~3. Administer the consequences for the behavior relative to the number of offenses and the severity of the behavior.~~

~~A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which shall include:[1][3][5]~~

- ~~1. First Offense - documented warning and parent/guardian notification.~~
- ~~2. Second Offense -parent/guardian conference, loss of school privileges, exclusion from school-sponsored activities, detention, and/or counseling within the school.~~
- ~~3. Third Offense - suspension or transfer to another classroom, school building or school bus.~~

~~If the first offense is notably severe, a student may immediately be disciplined in accordance with the Code of Student Conduct. This could result in a long-term suspension (4-10 days); a referral for placement in an alternative education program; or expulsion.[5]~~

Legal References:

- ~~1. [24 P.S. § 1303.1-A](#)~~
- ~~2. [22 Pa. Code § 12.3](#)~~
- ~~3. [Policy 218](#) - Code of Student Conduct~~
- ~~4. [Policy 233](#) - Suspension and Expulsion~~
- ~~5. [24 P.S. § 1302-A](#)~~

- ~~1. 24 P.S. 1303.1-A~~
- ~~2. 22 PA Code 12.3~~
- ~~3. Pol. 218~~
- ~~4. 24 P.S. 1302-A~~
- ~~5. Pol. 233~~
- ~~6. Pol. 236~~
- ~~7. Pol. 237~~
- ~~8. Pol. 248~~
- ~~9. Pol. 815~~

Administrative Procedures:

249 administrative procedure