FRANKLIN PUBLIC SCHOOLS
BULLYING POLICY
DRAFT 7/6/10

PURPOSE

It is the goal of the Franklin School Committee to promote a learning atmosphere for students free from all forms of bullying. Because bullying affects not only students who are targets but also those who participate and witness such behavior, it is detrimental to student learning and achievement and will not be tolerated by Franklin Public Schools.

FPS prohibits all forms of harassment, discrimination and hate crimes based on race, color, religion, national origin, ethnicity, sex, sexual orientation, age or disability. The civil rights of all school community members are guaranteed by law. The protection of those rights is of utmost importance and priority to our school district. FPS also prohibits bullying of school community members for reasons unrelated to their race, color, religion, national origin, ethnicity, sex, sexual orientation, age or disability. Further, FPS will also not tolerate retaliation against persons who take action consistent with this policy.

DEFINITION OF BULLYING

Bullying is the repeated 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 target that: (a) causes physical or emotional harm to the target or damage to the target's property; (b) places the target in reasonable fear of harm to himself or of damage to his property; (c) creates a hostile environment at school for the target; (d) infringes on the rights of the target at school; or (e) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this policy and related procedures, bullying shall include cyber-bullying.

DEFINITION OF CYBER-BULLYING

Cyber-bullying 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. Cyber-bullying shall also include (a) the creation of a web page or blog in which the creator assumes the identity of another person or (b) 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 (a) to (e), inclusive, of the definition of bullying. Cyber-bullying 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 enumerated in clauses (a) to (e), inclusive, of the definition of bullying.

SCOPE

All reports of bullying will be promptly investigated and will subject the perpetrator(s) to disciplinary action. Bullying actions will include, when appropriate, referral to law enforcement agencies or other state agencies. FPS

will support this policy in all aspects of its activities, including its curricula, instructional programs, staff development, extracurricular activities and parental involvement.

This policy applies to all sites and activities under the supervision and control of the district, or where it has jurisdiction under the law, including school grounds, property immediately adjacent to school grounds, at a school-sponsored or school relate 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 school district or school, or through the use of technology or an electronic device owned, leased, or used by a school district or school.

Bullying is also prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the district, if the act or acts in question create a hostile environment at school for the target, infringe on the rights of the target at school or materially and substantially disrupt the education process or the orderly operation of the school.

The School Committee expects administrators to make clear to students and staff that bullying will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students, and termination for employees.

The School Committee intends to implement curriculum concerning the prevention of bullying in the Franklin Public Schools and the fostering of a safe and nuturing school climate at each school.

All staff members are required to report any bullying or harassment they see or learn about. The district will promptly and reasonably investigate allegations of harassment, including bullying. The Principal or his/her designee will be responsible for handling all complaints by students alleging harassment or bullying. 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.

Nothing in this policy is designed or intended to limit the District's authority to discipline or take remedial action under General Laws Chapter 71, §37H or other statutes or regulations, or in response to violent, harmful, or disruptive behavior, regardless of whether this policy covers the conduct. Reports of cyberbullying by electronic or other means, occurring in or out of school will be reviewed and, when a nexus to work or school exists, will prompt investigation and disciplinary action.

PROCEDURES

The Superintendent will develop administrative guidelines and procedures for implementation of this policy, consistent with the requirements of M.G.L. Chapter 71 §37O and related guidelines issued by the Department of Elementary and Secondary Education. The Superintendent will publish disciplinary polices in Student Handbooks, which shall prohibit bullying and shall include the bullying prevention and intervention plan required by Chapter

71, §37O of the Laws of the Commonwealth. Student handbooks shall include age-appropriate summaries of the student-related sections of the district's bullying prevention and intervention plan.

LEGAL REFERENCE: MGL General Laws Chapter 71, §37 O
LEGAL REFERENCE: Massachusetts Equal Educational Opportunities Regulations, 603 CMR 26.00.
CROSS REFERENCE: Student Handbooks