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## BULLYING IN SCHOOLS

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The Bangor School Committee believes that bullying, including cyberbullying, is detrimental to student well-being and to student learning and achievement. It interferes with the mission of the schools to educate their students and disrupts the operations of the schools. Bullying affects not only students who are targets but also those who participate in and witness such behavior.

### **BULLYING PROHIBITED**

Bullying, including “cyberbullying,” is not acceptable conduct in Bangor School Department and is prohibited.

Retaliation for the reporting of incidents of such behavior is also prohibited.

In adopting this policy, it is not the Bangor School Committee’s intent to prohibit students from expressing their ideas, including religious, political and philosophical views that may offend the sensibilities of others, or from engaging in civil debate. However, the Bangor School Committee does not condone and will take action in response to conduct that directly interferes with students’ rights at school under applicable laws or with the educational mission, operations, discipline or general welfare of the schools.

### **DEFINITION OF BULLYING**

“Bullying” and “cyberbullying” have the same meaning in this policy as in Maine law:

#### **Bullying**

“Bullying” includes, but is not limited to a written, oral or electronic expression or a physical act or gesture or any combination thereof directed at a student or students that:

- A. Has, or a reasonable person would expect it to have, the effect of:
    - 1. Physically harming a student or damaging a student’s property; or
    - 2. Placing a student in reasonable fear of physical harm or damage to his/her property;
  - OR B. Interferes with the rights of a student by:
    - 1. Creating an intimidating or hostile educational environment for the student; or
    - 2. Interfering with the student’s academic performance or ability to participate in or benefit from the services, activities or privileges provided by the school;
  - OR C. Is based on:
    - a. A student’s actual or perceived characteristics identified in 5 MRSA § 4602 or 4684-A (including race; color; ancestry; national origin; sex; sexual orientation; gender identity or expression; religion; physical or mental disability) or other distinguishing personal characteristics (such as socioeconomic status; age; physical appearance; weight; or family status); or
    - b. A student’s association with a person with one or more of these actual or perceived characteristics or any other distinguishing characteristics;
- AND that has the effect described in subparagraph A. or B. above.

#### **Examples of Bullying:**

- 1. Repeated or pervasive taunting, name-calling, belittling, mocking, put-downs, or demeaning humor.



2. Behavior that is likely to harm someone by damaging or manipulating his or her relationships with others, including but not limited to gossip, spreading rumors, and social exclusion.
3. Non-verbal threats and/or intimidations such as use of aggressive, menacing, or disrespectful gestures.
4. Threats of harm to a student, to his/her possessions, or to other individuals, whether transmitted verbally or in writing.
5. Blackmail, extortion, demands for protection money, or involuntary loans or donations.
6. Blocking access to school property or facilities.
7. Stealing or hiding books, backpacks, or other possessions.
8. Stalking; and
9. Physical contact or injury to another person or his/her property.

### **Cyberbullying**

“Cyberbullying” means bullying through the use of technology or any electronic communication, including but not limited to, a transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted by the use of any electronic device including, but not limited to, a computer, telephone, cellular telephone, text messaging device or personal digital assistant.

### **Examples of Cyberbullying:**

1. Posting slurs or rumors or displaying any defamatory, inaccurate, disparaging, violent, abusive, profane, or sexually oriented material about a student on a website, an app, in social media, or any other electronic platform.
2. Posting misleading or fake photographs or digital video footage of a student on websites or creating fake websites or social networking profiles in the guise of posing as the targeting student.
3. Impersonating or representing another student through the use of that other student’s electronic device or account to send e-mail, text messages, instant messages (IM), phone calls or other messages on a social media website.
4. Sending e-mail, text messages, IM, or leaving voice mail messages that are mean or threatening, or so numerous as to bombard the target’s e-mail account, IM account or cell phone: and
5. Using a camera phone or digital video camera to take and/or send embarrassing or “sexting” photographs of other students.

### **APPLICATION OF POLICY**

This policy applies to bullying that:

- A. Takes place at school or on school grounds, at any school-sponsored or school-related activity or event or while students are being transported to or from school or school-sponsored activities or events; or
- B. Takes place elsewhere or through the use of technology, but only if the bullying also infringes on the rights of the student at school as set forth in the definition of “bullying.”



**CONSEQUENCES FOR POLICY VIOLATIONS****Students**

Students who violate this policy may be subject to disciplinary action, which may include suspension, expulsion or a series of graduated consequences including alternative discipline or other behavioral interventions.

The Bangor School Committee retains the right to impose disciplinary consequences for bullying and other conduct that occurs at any time or place that substantially disrupts the instructional program, operations of the schools or welfare of students.

Any student violating this policy may also be subject to civil or criminal penalties.

**School Employees and Others**

Administrators, professional staff and all other employees who violate this policy may be subject to disciplinary action up to and including dismissal, and in accordance with any applicable collective bargaining agreements.

Volunteers, contractors and visitors who violate this policy will be excluded from school property until the Superintendent is satisfied that the person will comply with Maine's bullying law and this policy.

Any person violating this policy may also be subject to civil or criminal penalties.

Any school-affiliated organization that authorizes or engages in bullying or retaliation is subject to forfeiture of Bangor School Committee approval/sanctioning and/or suspension or revocation of its permission to operate on school grounds.

**STAFF TRAINING**

The Bangor School Department will provide professional development and staff training in bullying prevention and response.

**DELEGATION OF RESPONSIBILITY**

The Superintendent will designate the school principal and/or other school personnel to be responsible for implementation/enforcement of this policy and associated procedures on the school level.

The Superintendent/designee will be responsible for developing and implementing procedures in accordance with applicable law to implement this policy.

**APPEALS**

Any appeal of the building principal's decisions in regard to consequences for bullying must be submitted, in writing, within 14 calendar days of the parental notification. The Affirmative Action Officer will review the investigation report and actions taken and decide whether to sustain or deny the appeal. Any appeal of the Affirmative Action Officer's decision must be submitted, in writing, within 14 calendar days of the parental notification. The Superintendent will review the decision and decide whether to sustain or deny the appeal. The Superintendent's decision shall be final.

**DISSEMINATION OF POLICY**

This policy, any associated administrative procedures and the names of the person(s) responsible for implementing the policy/procedure at the school level will be provided, in writing to students, parents, school employees and volunteers in handbooks, and on the school unit's website and by such other means (if any) as may be determined by the Superintendent.

Legal Reference: 20-A M.R.S.A. § 1001(15), 6554

Cross Reference: AC – Nondiscrimination & Affirmative Action  
ADF - Maine Learning Results  
JFC - Code of Conduct  
EEAC - Student Safety/Conduct on School Buses/Other Vehicles



JICIA – Weapons, Violence and School Safety

JG - Student Discipline

JGD - Suspension

JGE - Expulsion

KLGA - Relations w/School Resource Officers & Law Enforcement Authorities

ADOPTED: September 13, 2006

REVISED: February 12, 2020

