

BULLYING

I. Introduction

All students have the right to attend public schools that are safe and secure learning environments. It is the intent of the Lisbon School Committee to provide all students with an equitable opportunity to learn. To that end, the School Committee has a significant interest in providing a safe, orderly and respectful school environment that is conducive to teaching and learning.

Bullying is detrimental 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 and witness such behavior.

The School Committee also believes that promoting ethical and responsible behavior is an essential part of the school unit's educational purpose. Ethics, responsible behavior and "character" are important if a student is to leave school as a "responsible and involved citizen" as described in the Guiding Principles of Maine's system of Learning Results. Bullying interferes with the accomplishment of this goal.

Finally, the School Committee recognizes the well-publicized incidents of violence and threatened violence that have occurred nationally in the past several years. As research suggests a link between bullying and school violence, the School Committee seeks to avoid such incidents and instead take a systematic approach to bullying prevention and intervention.

It is not the School Committee's intent to prohibit students from expressing their ideas, including ideas that may offend the sensibilities of others, or from engaging in civil debate. However, the School Committee does not condone and will take action in response to conduct that interferes with students' opportunity to learn, the educational mission of the Lisbon School Department schools, and the operation of the schools.

II. Prohibited Behavior

The following behaviors are prohibited:

1. Bullying;
2. Cyberbullying;
3. Harassment and Sexual Harassment (as defined in board policy ACAA);
4. Retaliation against those reporting such defined behaviors; and
5. Knowing and false accusations of bullying behavior.

Any person who engages in any of these prohibited behaviors that constitutes bullying shall be subject to consequences.

III. Bullying and Cyberbullying Defined

A. "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:

- (1) Has, or a reasonable person would expect it to have, the effect of:
 - (a) Physically harming a student or damaging a student's property; or
 - (b) Placing a student in reasonable fear of physical harm or damage to the student's property;
- (2) Interferes with the rights of a student by:
 - (a) Creating an intimidating or hostile educational environment for the student; or
 - (b) Interfering with the student's academic performance or ability to participate in or benefit from the services, activities or privileges provided by a school; or
- (3) Is based on:
 - a) A student's actual or perceived characteristics identified in 5 MRSA § 4602 or 4684-A including race, color, national origin, ancestry, religion, physical or mental disability, gender, sexual orientation, gender identity or expression; or is based on a student's association with a person with one or any other distinguishing characteristic including braids, twists, and locs); or more of these actual or perceived characteristics, and that has the effect described in subparagraph (1) or (2) above. (These behaviors might also meet the criteria for harassment as defined in board policy

Under Main law:

- "Sexual orientation" means a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.
- "General identity: means gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual, regardless of the individual's assigned sex at birth.

Cyberbullying

- “Cyberbullying” means bullying through the use of technology or any electronic communication, including but not limited to, a transfer or 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.

Retaliation

- Retaliation means an act or gesture against a student for asserting or alleging an act of bullying. Retaliation also includes reporting that it is not made in good faith on an act of bullying.

Application of Policy

This policy applies to bullying that:

1. 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
2. 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 board 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 barred 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 authorized or engages in bullying or retaliation is subject to forfeiture of Board approval/sanctioning and / or suspension or revocation of its permission to operate on school grounds.

Staff Training

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

Delegation of Responsibility

- The Superintendent/designee will be responsible for developing and implementing procedures in accordance with applicable law to implement this policy.
- 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.
- A student or his/her parent/guardian who is dissatisfied with a decision of the Superintendent or designee related to the taking or not taking of disciplinary action in the course of implementing this policy may appeal, in writing, to the Superintendent within 14 calendar days of notice of the decision.
- The Superintendents decision shall be final.

Dissemination of Policy

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

Legal Reference: 20-A M.R.S.A. § 1001(15) (H)
P.L. 2005, Ch. 307 § 4-5

Cross Reference: AC - Nondiscrimination, Equal Opportunity
ACAA - Harassment and Sexual Harassment of Students
ACAD – Hazing
AD – Educational Philosophy / Mission
ADAA – School System Commitment to Standards for Ethical and Responsible Behavior
ADF - School District Commitment to Learning Results
CHCAA – Student Handbooks
GCI – Professional Staff Development
IJNDB-R – Student Computer & Internet Use and Internet Safety
JI - Student Rights and Responsibilities
JIC – Student Code of Conduct

JICC - Student Conduct on Buses
JICIA - Weapons, Violence and School Safety
JK - Student Discipline
JKD - Suspension of Students
JKE - Expulsion of Students
KLG – Relations with Law Enforcement Authorities

Adopted: November 13, 2006
Reviewed: December 14, 2009
Revised: May 13, 2013
Reviewed: December 13, 2016
Reviewed: May 13, 2019
Revised: February 13, 2023