

K-12 BULLYING INTERVENTION, PREVENTION AND REMEDIATION POLICY

1.0 GENERAL INFORMATION

1.1 The school and its supportive programs should provide a place of safety, comfort and enlightenment for students, teachers, staff workers and other positive stakeholders.

1.2 The Virgin Islands Board of Education acknowledges that national and local research indicates an increase in negative behavior which fosters bias, hate, victimization, and use of electronic communication media to promote low self esteem, depression, ostracism, retaliation, suicide, and poor academic performance.

1.3 The Virgin Islands Board of Education provides the following policy to address the rise in negative behavior in several areas which may affect a person's right to privacy and free speech. This document is designed to provide guidance to the Virgin Islands Department of Education for the development of procedures and programs for the prevention, intervention and remediation of harassment, intimidation, bullying, cyber bullying, "cultural" teasing/belittling and sextexting behaviors in Virgin Islands schools.

1.4 All sections of the policy shall be established in both districts and shall be enforced equally in both districts.

2.0 DEFINITIONS

2.1 Bullying: a form of abuse which is comprised of acts that involve a real or perceived imbalance of power with the more powerful individual or group abusing those who are less powerful. The power imbalance may be social and/or physical power. The victim of the bullying is sometimes referred to as the target. There are three types of bullying: emotional, verbal and physical. It also involves subtle methods of coercion, such as psychological manipulation. Bullying is also referred to as peer abuse. It also involves the creation of a threatening environment through: 1. an attempt to place the person in reasonable fear of bodily injury; 2. an intent to cause substantial emotional distress to the person; 3. use of hostile, offensive, or derogatory remarks; 4. intentional physical interference with another student's movement

2.2 "Cultural" teasing/belittling refers to the consistent teasing or belittling of an individual based on a perceived "weakness or abnormality" in the person's physical or

emotional makeup, that may result in the development of low self esteem and poorly developed social skills

2.3 Cyber bullying: refers to the intentional use of the internet or other digital communication devices to bully peers. Such internet speech can be vulgar, cruel, threatening, and harassing to teachers, school administrators, or fellow students. Cyber bullying includes but is not limited to the phone, text messaging, internet, websites, email, blogs, chat rooms, and/or instant messaging.

2.3 Cyber stalking: to anonymously engage in a course of conduct to communicate –or to cause to be communicated – words, images or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose

2.4 Harassment: the act of harassing or state of being harassed; worry, annoyance, anxiety; any overt act or combination of acts directed against a student by another student or groups of students which: 1. is repeated over time; 2. is intended to ridicule, humiliate, or intimidate the student; and 3. occurs before, during or after the school day, on school property, on a school bus, or at a school-sponsored activity

2.5 Hate/hate crimes: refer to attacks on individuals or their property intentionally selected based on race, color, gender, disability, sexual orientation, religion

2.6 Intimidation: (also called cowing) is intentional behavior “which would cause a person of ordinary sensibilities,” fear of injury or harm

2.7 Relational aggression: refers to bullying, sextexting, or other forms of aggression mostly related to the female gender based on envy or jealousy which results in social ostracism of the victims

2.8 Sextexting: is the transference of sexually explicit photos using cell phones or the internet; these explicit photos show students involved in sexual activity, child pornography, rape, lewd acts, and the promotion of prostitution

3.0 ACTIVITIES PROHIBITED FOR SCHOOLS, SCHOOL-SANCTIONED AND RELATED ENVIRONMENTS

3.1 No student or adult functioning in a school-related activity shall be subjected to bullying, “cultural” teasing/belittling, cyber bullying, cyber stalking, harassment, hate crimes, intimidation, relational aggression, or sextexting in any public educational institution

3.2 These activities include: all education programs or activities; while in school or while using school equipment, property or school vehicles.

3.3 The use of data, telephone or computer software that is accessed through a computer, computer system or computer network of any public education institution shall not be utilized to bully, culturally tease or belittle, cyber bully, cyber stalk, harass, hate, intimidate, relationally aggress, or sextext any individual.

4.0 TRAINING AND ASSESSMENT

The Department of Education shall provide the following educational programs in its effort to prevent harassment, intimidation, bullying, cyber bullying and sextexting.

4.1 Annual training for school administrators, school employees and volunteers who have contact with students in preventing, identifying, responding to and reporting incidents of harassment, intimidation, , cyber bullying and sextexting, cyber stalking, hate crimes, relational aggression and "cultural" teasing/belittling shall occur.

4.2 In the 1st quarter of the school year, an educational program for students, parents, and all other stakeholders in preventing, identifying, responding to and reporting incidents of bullying, "cultural" teasing/belittling, cyber bullying, cyber stalking harassment, hate crimes, intimidation, relational aggression, and sextexting shall occur.

5.0 VIRGIN ISLANDS DEPARTMENT OF EDUCATION'S REQUIREMENTS AND RESPONSIBILITIES

5.1 The DOE shall involve students, parents, administrators, school staff, school volunteers, community representatives, and law enforcement agencies in the process of adopting a policy. The school policy must be implemented in a manner that is ongoing throughout the school year and integrated in the curriculum and other violence prevention efforts. A copy of the DOE's policy shall be sent to the Virgin Islands Board of Education

5.2 The Department of Education shall maintain de-identified* records and statistics to identify patterns of intimidation, bullying, cyber bullying, sextexting, cyber stalking, hate crimes, relational aggression and "cultural" teasing/belittling in their institution. Those records and statistics should be sent to the Board semiannually in December and May.

5.3 The Policy shall contain, at a minimum, the following components:

1. Notification – All stakeholders shall be notified about the bullying policy in writing and verbally; the policy should be included in each school's student handbook.
2. Public display – The policy shall be placed in each school site in plain view of all stakeholders in age-appropriate language.

***De-identified** – should not include information that can identify student(s)

3. Warnings must be posted throughout the school that the infractions in this policy will not be tolerated. These warnings should be included in student and employee handbooks.
4. Immediate notification – The DOE shall provide a procedure for immediate notification within 24 hours if any of the infractions occur in a school or department site to the appropriate persons and authorities. Staff identification – Each school shall provide the name and job title of the school official who is responsible to ensure that the policy is implemented. This individual is also responsible for all publicized notices regarding this policy.

5.4 Reporting and Investigations

1. The Department of Education shall develop a reporting form for acts of bullying, “cultural” teasing/belittling, cyber bullying, cyber stalking, harassment, hate crimes, intimidation, relational aggression, sextexting, and, including a provision that permits a person to report such act(s) anonymously. No formal disciplinary action shall be taken solely on the basis of an anonymous report without a thorough investigation.
2. The DOE shall include a requirement that any individual who has information that would lead a reasonable person to suspect that a person is the target of any infraction should immediately report said information to the principal or his/her designee.
3. Each school shall document prohibited incidents that are reported. The Commissioner of Education shall send a de-identified semi-annual report to the Virgin Islands Board of Education. This report should include a listing of all incidents and all remedies implemented to curtail the behavior.

5.5 Remedies and Victim Assistance

1. The Department of Education shall devise strategies and programs for providing counseling or referral to appropriate services, including guidance intervention, academic intervention, and protection to students – both targets and perpetrators – and appropriate family members affected by bullying, “cultural” teasing and belittling, cyber bullying, cyber stalking harassment, hate crimes, intimidation, relational aggression, and sextexting. These strategies should be listed in the Department’s Bullying, Intervention, Prevention and Remediation Policy.
2. The Department of Education shall provide a listing of the consequences and appropriate remedial action for a person who commits an act of bullying, “cultural” teasing and belittling, cyber bullying, cyber stalking, harassment, hate crimes, intimidation, relational aggression, and sextexting.
3. The Department of Education shall provide a listing of consequences and appropriate remedial action for a student found to have falsely accused

another as a means of retaliation, reprisal, or as a means of bullying, "cultural" teasing and belittling, cyber bullying, cyber stalking, hate crimes, harassment, intimidation, and sextexting.

6.0 CONSEQUENCES FOR VIOLATIONS

The Department of Education shall review and refer to the Board's Disciplinary Policy in identifying the appropriate consequence(s) for violations of this policy. Each infraction should be evaluated carefully before a consequence is applied. Educational intervention should occur on every level of violation to deter further acts of aggression.

6.1 SAMPLE CONSEQUENCES

1. Counseling within the school
2. Verbal or written reprimand
3. Parental conference
4. Loss of school privileges
5. Transfer to another school building, classroom or school bus
6. Exclusion from school-sponsored activities
7. Retribution for property damage
8. Detention
9. Suspension
10. Expulsion
11. Counseling/therapy outside of school
12. Department of Human Services referral
13. Law Enforcement referral

7.0 VIRGIN ISLANDS BOARD OF EDUCATION REQUIREMENTS AND RESPONSIBILITIES

7.1 The VIBE shall periodically review the Department of Education's territorial and district procedures, programs, activities and services to determine whether the DOE is complying with the policy.

7.2 The VIBE shall establish a section on School Violence in the School Plants and Facilities Management Report, where collected data on this policy will be analyzed and summarized.

7.3 The VIBE will make annual recommendations for appropriate action to address identified problems.

8.0 IMMUNITY CLAUSE

A school employee, school volunteer, student, parent or guardian who promptly reports in good faith, any violation of this policy to the appropriate personnel designated in the school policy and who makes the report in compliance with the procedures set forth in the policy is immune from a cause of action for damages arising out of the reporting of the incident or any failure to remedy the reported incident.



With a unanimous vote on the 17th day of September 2011, we, the undersigned, attest to the approval of this bill.

Handwritten signature of Winona A. Hendricks in blue ink.

Winona A. Hendricks, Chairperson, 16th Virgin Islands Board of Education

Handwritten signature of Oswin Sewer, Sr. in blue ink.

Oswin Sewer, Sr., Secretary, 16th Virgin Islands Board of Education