

Kirbyville Elementary Plan for the Prevention and Intervention of Bullying

A REQUIREMENT OF HB 1942

Bullying is a growing issue across Texas and the United States. The Kirbyville Consolidated Independent School District is not immune to this trend. Campus and district administrators encourage parents to work together with the district to help provide a safe and orderly learning environment that encourages student success in the pursuit of their education. The district also seeks community involvement and engagement.

What is Bullying?

Bullying means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct, and that

- has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property;
- is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
- materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
- infringes on the rights of the victim at school; and
- includes cyberbullying.

"Cyberbullying" means bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

Where This Law Applies

Because of David's Law, "cyberbullying" is now more specifically included in the definition of "bullying" in the Education Code. The bullying provisions in the Education Code (including pre-existing law and changes made by David's Law) apply to:

- Bullying that occurs on or is delivered to a school property or to the site of a school-sponsored or school-related activity on or off school property;
- Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity;
- Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Bullying is prohibited by the Kirbyville Consolidated Independent School District (Policies FFH and FFI) and could include: hazing, teasing, threats, confinement, demands for money, assault, theft of valued possessions, name-calling, rumor-spreading, ostracism. Bullying is an intentional act to harm or instill fear in another person. It occurs when there is an imbalance of power, a stronger or more dominant student exerting power over someone. Bullying can be direct physical violence/verbal attacks, in addition to indirect bullying in the form of exclusion or rumors.

What are Other Areas of Bullying?

Kirbyville Elementary is committed to working together with parents to help promote the health and well-being of our students. Bullying often occurs outside of school and some forms of bullying may be exclusively off-campus. Other areas of bullying can include:

- Cyber-bullying— defined as willful and repeated harm inflicted through the use of computers, cell phones, and other electronic devices. Most cyber-bullying is created on computers, cell phones and other devices that are not owned by the district or not located on school property, however, cyber-bullying can still affect the school environment and the welfare of students.

We ask parents to cooperate with campus personnel to address student safety issues. Provide regular communication with their children to determine student's well-being, as well as addressing their responsibility. Participate in proactive discussions and activities working on anti-bullying and character development with their children.

How Will Kirbyville Elementary Staff Become Knowledgeable and Gain an Understanding of Bullying?

Kirbyville Elementary staff will receive Bullying training so that our educators will be able to better address the critical issues in all types of bullying. Emphasis on training will include information which allows educators to better educate students how recognize, address, and prevent the different types of bullying from taking place. Staff will gain an understanding of the personal, social, and legal ramifications associated with bullying and cyber-bullying and learn prevention strategies. This training may be provided through campus staff, district staff, or outside agencies as appropriate at the discretion of the campus administration.

Who Do You Go to When You See Bullying Taking Place?

Many students who are bullied usually need help from an adult. The student who is doing the bullying probably needs help, too. Often the bullying does not get reported. Individuals that bully can be reported to: teachers, the school nurse, the school counselor, cafeteria workers, administrators, bus drivers, any adult you feel comfortable telling. If you need help, take a friend along. All KCISD employees are required to report student complaints of bullying to the campus principal or designee. KCISD provides a link on the KCISD website for a student (or anyone) to anonymously report an incident of bullying.

What Can a Student Do When They See Bullying Taking Place at School?

Studies show peer intervention during a bullying incident can stop it within 10 seconds. Bystanders can dramatically impact the outcome of a bullying situation by:

- Say something; just do not stand there. If you feel safe to do so, tell the person to STOP the bullying behavior, tell them that you do not like it and it is not funny.
- Do not bully back; it will not help the situation to use mean names or actions and it could make the situation worse. Do not put yourself in an unsafe situation.
- Take the time to say something kind to the person that was the recipient of the bullying such as "I'm sorry about what happened and I do not like it."
- Tell the student who is being bullied to talk to someone about what happened; offer to go along as support for the victim.
- Tell an adult. Telling is very IMPORTANT! Reporting that someone is getting bullied or hurt in some other way is NOT "tattling." Adults at school can help.
- Explain to your friends that bullying is not fair and encourage them to help in stopping the bullying.

What are the Procedures When Bullying is Reported?

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is very important for a student or parent to notify school personnel. The student or parent making the report will be asked to fill out an "Incident Report Form" provided by the district as soon as possible so that assistance and intervention can be obtained. There is also a link on the KCISD website which allows for anonymous reporting of bullying. The KCISD campus administration will investigate any allegations of bullying or other related misconduct. The Kirbyville Consolidated Independent School District investigators (campus principal or designee) will use the flow chart produced by the Texas School Safety Center at Texas State University in San Marcos, Texas, to determine if a reported conduct rises to the level of a bullying incident according to HB 1942. An "Investigation Report" will be completed by the investigator of the alleged bullying incident.

What are the Consequences When Bullying is Found to Have Taken Place?

If the results of an investigation indicate that bullying has occurred, the campus administration will take appropriate disciplinary action. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying. Consequences of bullying behavior may include removal from the classroom to a disciplinary placement, a change in classroom, or even a change in campus. Severe behavior may result in expulsion. Law enforcement will be contacted if it is believed a student is thought to have engaged in illegal conduct. If a student is to be transferred to another campus, it will be done in consultation with the parent. The parent of a student who has been determined by the district to be a victim of bullying may request that his or her child be transferred to another classroom within the district. Also, if a situation of bullying involves physical contact by the perpetrator and the victim of the bullying uses reasonable self- defense, the actions will be taken into consideration during the investigation phase of the incident by administrators to determine appropriate discipline consequences. Likewise, a student with disabilities will be given the same consideration during an investigation phase and when discipline consequences of the bullying are administered. When a case of bullying has been verified by the campus principal or designee, a written notice of the bullying incident will be sent to the victim's parents and likewise, a written notice will be sent to the parents of the student(s) who engaged in the bullying.

Note: For the transfer of a student who is the victim of bullying or who engaged in bullying, including a student who receives special education services, see Policy FDB. For school safety transfers, see FDE. For bullying rising to the level of prohibited harassment, see FFH. A student or parent who is dissatisfied with the outcome of an investigation may appeal through policy FNG (LOCAL). Policy online may be found at www.kirbyvillecisid.org.

Additional Resource: For up to date information on the prevention of bullying please visit the website: www.stopbullying.gov., KCISD Policy FFI (Legal), and KCISD Policy FFI (Local).