

HARASSMENT, BULLYING, TEEN DATING VIOLENCE, AND SEXUAL VIOLENCE

Harassment, intimidation, bullying, teen dating violence, sexual violence, and hazing are prohibited at the Rhode Island School for the Deaf (RISD).

The prevention of harassment, bullying, teen dating violence, sexual violence, and hazing is part of the RISD strategic plan [R.I. Gen. Laws § 16-7.1-2(e)] and school safety plan [R.I. Gen. Laws § 16-21-24].

The purpose of this policy is to:

- raise school-wide awareness about harassment, bullying, teen dating violence, and sexual violence;
- provide direction in responding to incidents; and
- prevent new incidents of harassment, bullying, teen dating violence, and sexual violence.

DEFINITIONS

At School means in a classroom, on or immediately adjacent to school premises, on a school bus or other school-related vehicle, at an official school bus stop, or at any school-sponsored activity or event whether or not it is on school grounds.

Bullying occurs when a student intentionally assaults, batters, threatens, harasses, stalks, menaces, intimidates, extorts, humiliates, or taunts another student. Bullying also occurs when a student or a group of students organize a campaign of shunning against another student or when a student or a group of students maliciously spread rumors about another student.

Dating Violence means any pattern of behavior where one person uses threats of or actually uses, physical, sexual, verbal or emotional abuse to control his or her dating partner.

Hazing means any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. This conduct shall include, but not be limited to, whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug, or other substance, or any brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of the student or any other person, or which subjects the student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Sexual Assault includes behaviors that are attempted or perpetrated against a victim's will or when a victim cannot consent because of age, disability, or the influence of alcohol or drugs. Sexual assault may involve actual or threatened physical force, use of weapons, coercion, intimidation, or pressure and may include:

- intentional touching of someone in ways that are unwanted,
- voyeurism,
- exposure to exhibitionism,

- undesired exposure to pornography, or
- public display of images that were taken in a private context or when the victim was unaware.

Sexual Violence includes sexual harassment, sexual assault, and rape. In cases of sexual violence, the perpetrator may be a stranger, acquaintance, friend, family member, or partner.

REPORTING RESPONSIBILITIES

Responsibility of School Staff

School staff shall take all reasonable measures to prevent harassment, bullying, teen dating violence, and sexual violence. All school staff who witness, hear of, or have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents according to this policy. In this context, the staff includes volunteers working in the school. Failure of any school staff member to follow these procedures will result in consequences consistent with existing policies RISD for non-compliance.

Responsibility of Students

Students who observe an act of harassment, bullying, teen dating violence, or sexual violence, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to school authorities (e.g., a teacher, administrator, principal, or assistant-principal). The victim shall, however, not be subject to discipline for failing to report harassment, bullying, teen dating violence, or sexual violence.

Reporting Harassment, Bullying, Teen Dating Violence, and Sexual Violence.

RISD hereby incorporates the following protocol to document incidents of harassment, bullying, teen dating violence, and sexual violence.

1. Harassment, bullying, teen dating violence, and sexual violence complaints and investigations are kept in a file separate from academic records.
2. Each complaint, either written or orally given, must be documented. Documentation includes:
 - All allegations constituting the original complaint,
 - All evidence, statements, etc. gathered in support of or contradiction to the allegations,
 - Report of findings and recommendation(s) for action to disciplinary or other administrator(s),
 - Safety planning actions taken, including changing the victim's or offender's schedule and school activities,
 - Follow-up actions, including any responses to disciplinary and safety planning actions and status reports from the victim.

INVESTIGATION

The Director, or his or her designee, shall investigate all allegations of harassment, bullying, teen dating violence, or sexual violence, and the parties involved. If the allegation is supported by the outcome of an approved investigation, appropriate disciplinary sanctions, subject to any appropriate due process procedures, will be imposed. The investigation will include an assessment of what effect the bullying, dating violence, and/or sexual violence has had on the victim.

Whenever harassment, bullying, teen dating violence, or sexual violence involved conduct that violates criminal law, the police shall be notified.

DISCIPLINARY SANCTIONS

Disciplinary sanctions for harassment, bullying, teen dating violence, or sexual violence may include loss of privilege to participate in extra curricular activities including athletics and school social events; loss of school bus transportation; assignment of additional school work or community service; and—depending on the extent of involvement in the prohibited activity—suspension from school.

The violation of this policy by an employee, volunteer, or other member of the school community shall subject the individual to disciplinary action up to and including termination.

VICTIM RIGHTS AND PROTECTION

RISD is committed to creating a campus environment that promotes timely and fair adjudication of harassment, bullying, teen dating violence, or sexual violence cases.

Protocol for Working with the Victim

In working with the victim, RISD requires that teachers and staff make every reasonable effort to protect the due process rights of the alleged perpetrator as well as the privacy of the victim. Administrators shall employ some or all of the following methods of intervention with the victim, as appropriate:

- Conference with the victim and his or her parent/guardian.
- Identify immediate actions that can be taken to increase the victim's safety and ability to participate in school without fear or intimidation.
- Inform the student and parent/guardian of school and community resources as needed, including their right to file charges or seek legal protection.
- Encourage the student to report further incidents.
- Inform the victim of his or her right to request a Stay-Away Agreement or another school-based alternative to a protective order.
- For situations also involving sexual harassment, inform the victim of his or her right to file a complaint alleging sexual harassment directly with the school's Title IX Coordinator. In addition, inform the victim that he or she may also file a complaint with

the Rhode Island Commissioner for Human Rights, the Rhode Island Department of Education, or the U.S. Department of Education Office for Civil Rights.

- If the behavior included a violent criminal offense, the victim will be informed of any school transfer rights he or she may have under the federal *No Child Left Behind Act*.
- Monitor the victim's safety as needed. Assist the victim with safety planning for the school day and for after-school hours.
- Document the meeting and any action plans on a complaint form. If the victim or parent/guardian declines to document the incident, note this on a complaint form.
- Store all complaint forms in a separate, confidential file and document subsequent follow-up actions and complaints on a complaint form.
- Administrators may provide the victim with the right to have a support person present during all stages of the investigation.

Protocol for Working with the Alleged Perpetrator

RISD requires teachers and staff make every reasonable effort to protect the due process rights of the alleged perpetrator. At their discretion, administrators shall consider the following methods of intervention with the alleged perpetrator:

- Conference with the alleged perpetrator and parent/guardian.
- Allow the alleged perpetrator an opportunity to respond in writing to the allegations.
- Identify and implement disciplinary and other actions and consequences that will be taken to prevent further incidents.
- Inform the alleged perpetrator and parent/guardian of help and support available at school or in the community as needed.
- Address the seriousness of retaliation against the victim for reporting the incident or cooperating with the investigation. Inform the alleged perpetrator that retaliation or threats of retaliation in any form designed to intimidate the victim of bullying, dating violence, or sexual violence, those who are witnesses, or those investigating an incident shall not be tolerated. In most cases retaliation or a threat of retaliation will result in the imposition of a short or long-term school suspension and, in appropriate cases, referral to the police.
- Increase supervision of the alleged perpetrator as needed.
- Document the meeting and action plans on a complaint form.

PREVENTION

The Director or his or her designee shall ensure that students and staff are instructed on how to identify, prevent, and report bullying, teen dating violence, and sexual violence. The Director shall also ensure that the RISD's health program and counseling services include the appropriate social skills training to help students avoid isolation and help them interact in a healthy manner.

The RISD staff shall model correct and courteous behavior to each other, and to students, parents and visitors. Abusive or humiliating language or demeanor shall not be accepted. The staff shall

ensure that each student is known by a teacher that the student can turn to if abuse develops. To the extent possible, the influence of cliques and other exclusive student grouping shall be diminished by the creation of inclusive school activities in which all students are encouraged to participate.

TRAINING

The school shall provide training on the RISD harassment, bullying, teen dating violence, and sexual violence policy to all staff who have significant contact with students, including educators, school nurses and mental health staff, administrators, custodial and food service staff, and parents.

The training shall specifically include, but not be limited to:

- basic principles and warning signs of harassment, bullying, teen dating violence, or sexual violence;
- the RISD harassment, bullying, teen dating violence, and sexual violence policy;
- identifying issues of confidentiality and safety related to harassment, bullying, teen dating violence, and sexual violence; and
- appropriate school-based interventions for harassment, bullying, teen dating violence, and sexual violence.

This harassment, bullying, teen dating violence, and sexual violence policy shall be reviewed at the training, to ensure that school staff members respond appropriately to incidents at school, including with appropriate disciplinary action, and provide instruction to victims on how to file a complaint against bullying, dating violence, and sexual violence.

Legal References:

- R.I. Gen. Laws § 16-21-26 (Student Discipline Codes)
- R.I. Gen. Laws § 16-21-30 (Dating Violence Policy)
- R.I. Gen. Laws § 16-85-2 (Lindsay Ann Burke Act)
- R.I. Gen. Laws § 11-21-2 (Hazing)