

“Bullying” includes cyberbullying.

B. “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 and personal digital assistant.

C. “Retaliation means” an act or gesture against a student for asserting or alleging an act of bullying. “Retaliation” can also include knowingly false reporting of bullying.

D. “School grounds” means a school building; property on which a school building or facility is located; and property that is owned, leased or used by a school for a school-sponsored activity, function, program, instruction or training. “School grounds” also includes school-related transportation vehicles.

E. “Alternative discipline” means disciplinary action other than suspension or expulsion from school that is designed to correct and address the root causes of a student’s specific misbehavior while retaining the student in class or school, or restorative school practices to repair the harm done to relationships and persons from the student’s misbehavior.

B. Reports of Bullying

Bullying or suspected bullying is reportable in person or in writing (including anonymously) to school personnel using the school unit’s Reporting Form (JICK-E1).

School staff, coaches and advisors for extracurricular and cocurricular activities are required to report alleged incidents of bullying to the school principal or other school personnel designated by the superintendent. Any other adult working or volunteering in a school will be encouraged to promptly report observed or suspected alleged incidents of bullying to the building principal or school personnel designated by the superintendent.

Students who are believed to have been bullied or are aware of incidents of bullying are strongly encouraged to report this behavior to a staff member or school administrator.

Parents and other adults who believe that an incident of bullying has occurred are encouraged to report this behavior to a staff member or school administrator.

Acts of reprisal or retaliation against any person who reports an incident of bullying are prohibited. Any student who is determined to have knowingly falsely accused another of bullying shall be subject to disciplinary consequences.

Reports of alleged bullying may be made anonymously, except by school staff, coaches and advisors, but in no instance will disciplinary action be taken against any person or organization affiliated with the schools solely on the basis of an anonymous report.

The school principal or superintendent’s designee will forward a copy of the completed Reporting Form to the superintendent.

C. Safety Measures

The school principal or superintendent’s designee will communicate to the parent(s) or guardian(s) of the student(s) who was believed to have been bullied the measures being taken to ensure the safety of the student who was believed to have been bullied and to prevent further acts of bullying.

These measures are documented on the Responding Form (JICK-E2)

[NOTE: School personnel should be careful to respect the confidentiality of student information when communicating with the parent(s) or guardian(s) of a student who was believed to have been bullied. It should be sufficient to inform the parents of what the school is doing to protect the student from further alleged bullying behaviors and to convey that the incident will be investigated and appropriate actions will be taken, without providing details that would be considered a violation of FERPA or an invasion of privacy.]

D. Responding/Investigation

The school principal or superintendent’s designee will:

- Ensure that all reports of alleged bullying are investigated and responded to promptly [OR: within ___ days] and that documentation of the investigation is provided to the superintendent within a reasonable period of time using the Responding Form (JICK-E2).

- Inform parent(s) or guardian(s) of the student(s) who was alleged to have bullied AND of the student(s) who was believed to have been bullied that a report of an alleged incident of bullying has been made;
- Communicate to the parent(s) or guardian(s) of a student(s) who was believed to have been bullied the measures being taken to ensure the safety of the student(s) who was believed to have been bullied and to prevent further acts of bullying;
- Inform parent(s) or guardian(s) of the students involved the findings of the investigation and actions to be taken;
- Communicate with local or state law enforcement agency if it's believed that the pursuit of criminal charges or a civil action under the Maine Civil Rights Act may be appropriate.

E. Remediation

If it is determined that there is a substantiated incident of bullying, the school principal or superintendent's designee will:

- Determine the specific nature(s) of the incident, alternative discipline actions, and appropriate consequences;
- Complete the Remediation Form (JICK-E3);
- Provide a copy of the Remediation Form to the superintendent; and
- Assure that the substantiated incident of bullying is reported to the Maine Department of Education.

F. Appeal

The parent(s) or guardian(s) and student must be notified of the right to appeal the school principal's or superintendent's designees' decision related to taking or not taking remedial action as identified in the appeals procedure established by the school board.

Training	Individuals Covered	Topics	Training Timeframe	Notice Required	Statutes/Regulations
Bullying & Cyberbullying	All school employees, including coaches/advisors.	Bullying/cyberbullying policy and legal requirements.	Not specified. DWM recommends annual training. DWM training video available.	Annual notice of policy to all school staff, students, parents and volunteers; post on school website; include in student handbook.	20-A M.R.S.A. § 6554(9).
Sexual Harassment (under Maine law)	All employees employed "on a steady or regular basis."	All employees: Description of sexual harassment; elements of policy and complaint procedure. Supervisors/managers: Additional training on specific responsibilities and corrective action.	Within one year of hire. DWM training video available.	Annual notice of policy/complaint procedure and other specified topics delivered individually (i.e., with paycheck); workplace postings.	26 M.R.S.A. §§ 806-807. Maine Human Rights Commission Rule Ch. 3.
Sexual Harassment (under Title IX)	All employees.	Obligation to report sexual harassment. Title IX Coordinators, investigators, decision makers, informal resolution facilitators: Definitions under federal law; scope of education programs/activities; investigations; complaint procedure; informal resolution process; bias and conflicts of interest. Decision makers and investigators: Relevance of questions and evidence.	Not specified. DWM recommends refresher each fall. DWM training video available. Not specified. DWM recommends upon assumption of duties.	Nondiscrimination/harassment policies/procedures and Title IX Coordinator contact information on website and in handbooks. Training materials on website.	34 CFR Part 106.
Gender Equity	Board members, administrators, teachers.	Not specified. DWM suggests focus on classroom and employment equity issues.	Not specified. DWM recommends annual training. DWM training video available.	None specified.	20-A M.R.S.A. § 4502 (4-A). Maine Human Rights Commission Rule Ch. 3 and 4.
Confidentiality of Student Information	All employees and volunteers (particularly those responsible for maintaining records).	Student education records; personally identifiable information; confidentiality of medical/ counseling information.	Not specified. DWM recommends annual refresher. DWM training video available.	Annual FERPA notice to parents.	20 U.S.C. § 1232g; 34 CFR Part 99 (FERPA). 20-A M.R.S.A. § 6001. MDOE Rule Ch. 125 (12.01) (B).