



Approved August 2018

Prohibition and Prevention of Bullying

The State of Rhode Island and the Department of Education have taken a strong stand against bullying in our schools. The Rhode Island Nurses Institute Middle College strongly supports their policies and is working to eliminate bullying and harassment in all forms within our school in order to provide a safe and secure school climate so that all students may learn. As part of the Anti-Bullying Education Program at Rhode Island Nurses Institute Middle College it is important that all members of our community are aware of school policies including what bullying looks like. All students and their parents/guardians should read and sign the policies below.

Definitions

Bullying means the use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof directed at a student that:

- a. Causes physical or emotional harm to the student or damage to the student's property;
- b. Places the student in reasonable fear of harm to himself/herself or of damage to his/her property;
- c. Creates an intimidating, threatening, hostile, or abusive educational environment for the student;
- d. Infringes on the rights of the student to participate in school activities; or
- e. Materially and substantially disrupts the education process or the orderly operation of a school.

The expression, physical act or gesture may include, but is not limited to, an incident or incidents that may be reasonably perceived as being motivated by characteristics such as: **Race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression or mental, physical, or sensory disability, intellectual ability or by any other distinguishing characteristic.**

Bullying most often occurs as repeated behavior and often is not a single incident between the bullying/cyber-bullying offender(s) and the bullying victim(s).

Cyber-bullying means bullying through the use of technology or any electronic communication, which shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data, texting or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, Internet communications, instant messages or facsimile communications.

Forms of cyber-bullying may include but are not limited to:

- The creation of a web page or blog in which the creator assumes the identity of another person;
- The knowing impersonation of another person as the author of posted content or messages; or

- The distribution by electronic means of a communication to more than one person or the posting of materials on an electronic medium that may be accessed by one or more persons, if the creation, impersonation, or distribution results in any of the conditions enumerated in clauses (a) to (e) of the definition of bullying.

At School means: on school premises, at any school-sponsored activity or event whether or not it is held on school premises, on a school-transportation vehicle, at an official school bus stop, using property or equipment provided by the school, or acts which create a material and substantial disruption of the education process or the orderly operation of the school.

School Climate

Bullying, cyber-bullying, and retaliation against any person associated with a report of bullying or the investigation thereof is prohibited. School staff shall take all reasonable measures to prevent bullying at school. Such measures may include professional development and prevention activities, parental workshops, and student assemblies among other strategies. School faculty, administration, and staff, at all times, will model courteous behavior to each other, to students, and to school visitors. Abusive or humiliating language or demeanor will not be accepted. Additionally, students and their families are expected to exhibit courteous behavior to all members of the learning community in school and at school sponsored events.

Policy Oversight and Responsibility

The Chief Executive Officer shall be responsible for the implementation and oversight of this bullying policy. The Chief Executive Officer shall provide the Board of Trustees with a summary report of incidents, responses, and any other bullying-related issues at least twice annually. The prevention of bullying shall be part of the school's strategic plan and safety plan.

Information Dissemination

The School Administration shall ensure that students, staff, volunteers, and parents/legal guardians are provided information regarding this Policy. This information shall include methods of discouraging and preventing this type of behavior, the procedure to file a complaint, and the disciplinary action that may be taken against those who commit acts in violation of this policy. This policy shall be:

- Distributed annually to students, staff, volunteers, and parents/legal guardians
- Included in student codes of conduct, disciplinary policies, and student handbooks
- A prominently posted link on the home page of the school /district website

Reporting

The School Administration shall establish, and prominently publicize to students, staff, volunteers, and parents/guardians, how a report of bullying may be filed and how this report will be acted upon. (See Appendix A for Reporting Form)

The victim of bullying, anyone who witnesses an incidence of bullying, and anyone who has credible information that an act of bullying has taken place may file a report of bullying.

Any student or staff member who believes he/she is being bullied should immediately report such circumstances to an appropriate staff member, teacher or administrator.

Parents / Guardians of the victim of bullying and parents/ guardians of the alleged perpetrator of the bullying shall be notified within twenty-four (24) hours of the incident report. When there is a reasonable suspicion that a child is either a bully or a victim of bullying, the parents/ guardians of the child will be notified immediately by the Chief Executive Officer.

Responsibility of Staff: School staff, including volunteers, who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying to school authorities. Failure to do so may result in disciplinary action.

Responsibility of Students: Students who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying to school authorities. Failure to do so may result in disciplinary action. The victim of bullying, however, shall not be subject to discipline for failing to report the bullying. Student reports of bullying or retaliation may be made anonymously, provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report.

Prohibition against Retaliation: Retaliation or threats of retaliation in any form designed to intimidate the victim of bullying, those who are witnesses to bullying, or those investigating an incident of bullying shall not be tolerated. Retaliation or threat of retaliation will result in the imposition of discipline in accordance with the school behavior code.

False Reporting/Accusations: A school employee, school volunteer or student who knowingly makes a false accusation of bullying or retaliation shall be disciplined in accordance with the school policies.

Reports in Good Faith: A school employee, school volunteer, student, parent/ legal guardian, or caregiver who promptly reports, in good faith, an act of bullying to the appropriate school official designated in the school's policy shall be immune from a cause of action for damages arising from reporting bullying.

Investigation/Response

The School Administration shall promptly investigate all allegations of bullying, harassment, or Intimidation. If the allegation is found to be credible, appropriate disciplinary actions, subject to applicable due process requirements, will be imposed. The Chief Academic Officer or other qualified staff may be utilized to mediate bullying situations.

The investigation will include an assessment by the school social worker of what effect the bullying, harassment or intimidation has had on the victim. A student who engages in continuous and/or serious acts of bullying will also be referred to the school social worker.

Police Notification: Immediate notification of the local law enforcement agency will be made when circumstances warrant the pursuit of criminal charges against the perpetrator.

Protection: If a student is the victim of serious or persistent bullying:

- The Chief Academic Officer will intervene immediately to provide the student with a safety plan to ensure a safe educational environment.
- The interventions will be developed, if possible, with input from the student, his or her parent/ guardian, and staff.
- The parents/ guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation.

Disciplinary Action

The disciplinary actions for violations of the bullying policy shall be determined by the school. Disciplinary actions for violations of the bullying policy shall balance the need for accountability with the need to teach appropriate behavior. The severity of the disciplinary action shall be aligned to the severity of the bullying behavior.

The range of disciplinary actions that may be taken against a perpetrator for bullying, cyberbullying or retaliation shall include, but not be limited to:

- Admonitions and warnings
- Parental/ Guardian notification and meetings
- Detention
- In-school suspension
- Loss of school-provided transportation or loss of student parking pass
- Loss of the opportunity to participate in extracurricular activities
- Loss of the opportunity to participate in school social activities
- Loss of the opportunity to participate in graduation exercises or promotional activities
- Police contact
- School suspension: No student shall be suspended from school unless it is deemed to be a necessary consequence of the violation of this Policy.

Social Services/Counseling

Referral to appropriate counseling and/or social services currently being offered by schools or communities shall be provided for bullying victims, perpetrators and appropriate family members of said students.

Social Networking

Students shall be prohibited from accessing social networking sites in school, except for educational or instructional purposes and with the prior approval from school administration.

Other Redress

This section does not prevent a victim of bullying, cyber-bullying or retaliation from seeking redress under any other available law, either civil or criminal. This section does not create or alter any tort liability.

Prohibition Against Teen Dating Violence and Sexual Violence

Teen dating violence and sexual violence are prohibited at RINI. The prevention of teen dating violence and sexual violence is part of RINI's strategic plan and school safety plan. Dating Violence and Sexual Violence will not be tolerated at RINI.

The purpose of this policy is to:

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

Definitions

At School means: on school premises, at any school-sponsored activity or event whether or not it is held on school premises, on a school-transportation vehicle, at an official school bus stop, using property or equipment provided by the school, or acts which create a material and substantial disruption of the education process or the orderly operation of the school.

Bullying means the use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof directed at a student that:

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- b. Places the student in reasonable fear of harm to himself/herself or of damage to his/her property;
- c. Creates an intimidating, threatening, hostile, or abusive educational environment for the student;
- d. Infringes on the rights of the student to participate in school activities; or
- e. Materially and substantially disrupts the education process or the orderly operation of a school.

The expression, physical act or gesture may include, but is not limited to, an incident or incidents that may be reasonably perceived as being motivated by characteristics such as: **Race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression or mental, physical, or sensory disability, intellectual ability or by any other distinguishing characteristic.**

Bullying most often occurs as repeated behavior and often is not a single incident between the bullying/cyber-bullying offender(s) and the bullying victim(s).

Bystander: someone who is aware of dating violence or sexual violence, but does not intervene or seek help for the victim.

Cyber-bullying means bullying through the use of technology or any electronic communication, which shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data, texting or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, Internet communications, instant messages or facsimile communications.

Forms of cyber-bullying may include but are not limited to:

- The creation of a web page or blog in which the creator assumes the identity of another person;
- The knowing impersonation of another person as the author of posted content or messages; or
- The distribution by electronic means of a communication to more than one person or the posting of materials on an electronic medium that may be

accessed by one or more persons, if the creation, impersonation, or distribution results in any of the conditions enumerated in clauses (a) to (e) of the definition of bullying.

Dating: Any romantic relationship between an unmarried couple regardless of duration, commitment level, or physical intimacy. Dating includes hooking up, going out and friends with benefits.

Dating Partner: Any person, regardless of gender, involved in a dating relationship. This could include persons who have a former dating or sexual relationship, are same sex couples, or are unrelated but have had intimate or continuous social contact with one another.

Dating Violence: A 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.

Perpetrator/Abuser/Dominant Aggressor: a person who uses either bullying, dating violence, or sexual violence to establish and maintain power and control over the target of their behavior. The dominant aggressor/abuser means the person determined to be the most significant, rather than the first, aggressor. The following should be considered when identifying the dominant aggressor: (1) whether either person made threats creating fear of physical injury; (2) whether there is a history of domestic or sexual violence between the persons involved; (3) whether either person acted in self-defense; and (4) whether either person used or threatened to use a weapon and/or physical force.

Rape: is nonconsensual oral, anal, or vaginal penetration of the victim by body parts or objects using force, threats of bodily harm. This includes taking advantage of a victim who is incapacitated or otherwise incapable of giving consent. Incapacitation may include mental or cognitive disability, self-induced or forced intoxication, status as minor, or any other condition defined by law that voids an individual's ability to give consent.

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 Harassment: includes degrading remarks, gestures, and jokes, notes, graffiti, and spreading rumors to indecent exposure, being touched, grabbed, pinched, or brushed against in a sexual way.

By an Employee: Sexual harassment of a student by a school district employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually-motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

A school district employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or

The conduct is severe, persistent, or pervasive such that it:

- Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or;
- Creates an intimidating, threatening, hostile, or abusive educational environment.

By Others: Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is severe, persistent, or pervasive.

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.

Stalking: is the willful, malicious, and repeated following of another person with the intent to place that person in reasonable fear of bodily injury.

Victim/Survivor: the target of the perpetrator's coercive and/or violent acts.

Witness: someone whose awareness of dating violence compels them to intervene and/or seek help on behalf of the victim.

Reporting Responsibilities

School administration shall establish—and prominently publicize to students, staff, volunteers, and parents—how to report dating violence and how such reports will be acted on. The victim of dating violence, or sexual violence; witnesses/bystanders to such actions; or anyone who has information that these actions have occurred may file a report.

Investigation

School administration shall investigate dating violence and sexual violence reports. If the allegation is found to be credible, appropriate disciplinary sanctions, subject to due processes procedures, shall be

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

Disciplinary Sanctions

Disciplinary sanctions for 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.

Victims' Rights and Protection

RINI is committed to creating a campus environment that promotes timely and fair adjudication of teen dating violence, and sexual violence cases. School administration shall protect the rights and privacy of the victim as well as the due process rights of the alleged perpetrator.

Prevention

School administration shall ensure that students and staff are instructed on how to identify, prevent, and report teen dating violence, and sexual violence. School administration shall also ensure that the school health program and counseling services include the appropriate social skills training to help students avoid isolation and help them interact in a healthy manner.

School staff shall model correct and courteous behavior to each other, to students, parents and to 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.

Responsibilities and Expectations

Responsibility of Administrators:

Investigation of all Teen Dating Violence, and Sexual Violence Reports

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

Creation of Individualized School Safety Plan

When a student discloses dating violence, and/or sexual violence, school administration shall work with the victim, alleged perpetrator, their respective parents, appropriate staff, and possibly a domestic violence advocate to create an **individualized safety plan**.

Whenever possible, face-to-face contact between the victim and alleged perpetrator should be avoided. If changes need to be made, attention should be given to the victim's preference. The burden for any bus, classroom or other schedule changes should be on the alleged perpetrator, not the victim.

The safety plan could include the following 3 components, depending on the circumstances:

1. Victim Safety Plan:

A safety plan is a tool for helping to increase students' safety. When responding to an incident of sexual harassment, dating violence or sexual violence, RINI shall develop a safety plan in collaboration with the victim and the victim's parents that may include the following elements:

- The staff person(s) that have been identified as a support system for the victim,
- Routes to and from school,
- Routes to and from classes, class changes and/or locker changes,
- Names and contact information of peers who can help support the victim and accompany him or her to and from classes as needed,
- A discussion of potential school-related problems/areas of concern and strategies for increasing safety: after-school activities, class trips, dance, etc.
- A plan of action for the victim to follow if he/she encounters the alleged perpetrator outside of school in a public place, on public transportation, at the victim's home, at the home of a friend, etc.
- A list of general safety tips to aid the victim outside of school: lock doors, screen phone calls, never walk alone, etc.
- A list of local resources: shelters, hotlines, agencies, advocates, and other services,
- Follow-up meeting dates to review the situation and to make any necessary adjustments.

2. Enforcement of Protective Orders

When a legal protective order (such as a Restraining or No-Contact order) has been issued by a court to protect one student from another, RINI shall take the following steps:

Hold separate meetings with the victim and the alleged perpetrator and their respective parents to:

- Review the protective order and ramifications.
- Clarify expectations.
- Review the school day, classes, lunch (open/closed campus situation), and activities, paying attention to potential conflicts and opportunities for face-to-face contact between the victim and the alleged perpetrator.
- Identify schedule overlaps, i.e. arrival/dismissal times, classes, lunch, before- and after-school activities, locker, etc.

3. Stay-Away Agreements: School-Based Alternatives to Protective Orders

The school-based alternative to a legal protective order is called a Stay-Away Agreement. The Stay-Away Agreement provides a list of conditions that must be followed by the alleged perpetrator while on school grounds or at school-sponsored activities. It is designed to ensure the safety of the victim.

RINI encourages Stay-Away Agreements in a conference with the alleged perpetrator and his or her parent/guardian. If the parent/guardian is unavailable or unwilling to attend the conference, the school may note this on the agreement. A Stay-Away Agreement may include the following elements:

- A description of the relationship between the victim and alleged perpetrator.
- A description of the violent incident(s): what, when, where, witnesses.

- A list of behaviors that the alleged perpetrator may not do (i.e. talking to the victim, sitting near the victim, sending notes to the victim, etc.).
- Schedule changes for the alleged perpetrator (to separate the victim and alleged perpetrator), including classes, lunch period, arrival and dismissal times, locker location, and extracurricular activities.
- Notes on other disciplinary actions taken.
- Disciplinary consequences if the alleged perpetrator violates the Stay-Away Agreement.
- Dates during which the Stay-Away Agreement is valid.
- Date when the Stay-Away Agreement will be reviewed.

The individualized safety plan will be developed, if possible, with input from the parents of the students involved. Staff members who are to implement the plan will help formulate it. School administration is responsible for assigning a designee to oversee prompt resolution of an incident; identifying who needs to be notified (school personnel, parents, police, school Resource Officer); and providing a protocol for the school's response where an abuse prevention order is issued against one student, for the protection of another students.

Creation of Violence Prevention Task Force

RINI shall establish a Violence Prevention Task Force. This Task Force may include parents, school staff, and law enforcement officers, as well as community members— such as domestic violence advocates—and students. The purpose of this Task Force will be to develop policies and programs to educate students and staff about teen dating violence, and sexual violence. The Task Force may also create programs to prevent or diminish dating violence, and sexual violence. The program recommendations of the Task Force shall be subject to review by the Board before the programs are implemented. The duties of the Violence Prevention Task Force may be assigned to the school's student intervention team or to the school's school improvement team.

Responsibility of School Staff

School staff shall take all reasonable measures to prevent teen dating violence or 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 RINI's existing policies for non-compliance.

Responsibility of Students

Students who observe an act of 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. The victim shall, however, not be subject to discipline for failing to report dating violence or sexual violence.

PROTOCOL FOR RESPONDING TO REPORTS OF TEEN DATING VIOLENCE, AND SEXUAL VIOLENCE

RINI hereby incorporates the following response protocol to teen dating violence and sexual violence into its school district policies.

Protocol for School-Based Intervention:

Staff Members- Any school staff member who witnesses or learns of an act of teen dating violence, sexual violence, sexual harassment, sexual assault, or rape shall take the following steps:

1. Separate the victim from the alleged perpetrator.
2. Speak with the victim and alleged perpetrator separately
3. Speak with any bystanders who may have been present or involved.
4. Encourage them to speak up directly on behalf of the victim if they should witness further incidents, or to get help from school personnel
5. Administer logical and reasonable consequences to the alleged perpetrator when appropriate, including but not limited to making a referral to school administration
6. Inform the victim of his or her right to file a complaint of sexual harassment, dating violence, or sexual violence with any counselor or administrator
7. Monitor the victim's safety. Increase supervision of the alleged perpetrator as needed.

Protocol for School-Based Intervention:

Administrators- Any school administrator who witnesses or learns of an act of teen dating violence, sexual violence, sexual harassment, sexual assault, or rape shall take the following steps:

1. Separate the victim from the alleged perpetrator.
2. Meet separately with the victim.
3. Review the student's complaint form or assist the student in documenting the incident on a complaint form during the meeting.
4. Further investigate the complaint by speaking with the alleged perpetrator and any bystanders separately. Document all information.
5. If the assessment by the counselor or administrator determines that the incident involved physical or sexual assault or threats, the counselor or administrator should notify the School Resource Officer or police immediately.
6. If the assessment by a school psychologist, social worker, or counselor determines that the victim's mental health has been placed at risk, make appropriate referrals.
7. Contact the parents/guardians of the victim and the alleged perpetrator to inform them that an incident of sexual harassment, dating violence, or sexual violence has occurred. Ask the parents/guardians to attend a meeting with the administrator and their child to discuss the incident.
8. Track progress of investigation and intervention on the Student-On-Student Altercation Response Chart to ensure that all important actions are taken.

Protocol for Working with the Victim

In working with the victim, RINI make every reasonable effort to protect the due process rights of the alleged perpetrator. Administrators shall consider adopting the following methods of intervention with the victim:

- Conference with the victim and 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 Title IX Coordinator. A complaint may also be filed with the 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 state or federal law.
- 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

RINI makes every reasonable effort to protect the due process rights of the alleged perpetrator. At their discretion, administrators shall consider adopting the following methods of intervention with the 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 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.

Protocol for Documentation and Reporting of Incidents

RINI shall establish, and prominently publicize to students, staff, volunteers, and parents, how a report of teen dating violence or sexual violence may be filed and how this report will be acted upon. Anyone

who has information concerning an incident of abuse may file a report. RINI hereby incorporates the following protocol to document teen dating violence into its policy.

1. Teen dating and sexual violence complaints and investigations are kept in a file separate from academic records. This practice is recommended to prevent inadvertent disclosure of confidential information.
2. Each complaint of teen dating or sexual violence, 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,
3. In addition to the information specified above, RINI shall track and archive aggregate, annual data on the incidence, types and prevalence of teen dating violence, and/or sexual violence.
4. School administration shall provide the Board with a semi-annual report on incidents of teen dating violence, and sexual violence which have taken place in the schools under their respective supervision. This report will include a statement describing what remedial action has been taken to address the incidents.

PREVENTION OF TEEN DATING VIOLENCE, and SEXUAL VIOLENCE THROUGH EDUCATION, TRAINING, AND SOCIAL NORMS CHANGE

Administrator and Staff Training

The following is required:

The school shall provide training on RINI's teen dating violence policy and on the topic of teen dating violence to all administrators, teachers, nurses and mental health staff. Upon the recommendation of school administration, other staff may be included or may attend the training on a volunteer basis; thereafter, this training shall be provided yearly to all newly hired staff deemed appropriate to receive the training by the school's administration.

Per the Lindsay Ann Burke Act, the training shall specifically include, but not be limited to:

- Basic principles and warning signs of dating violence,
- RINI's dating violence policy may also include:
- Identifying issues of confidentiality and safety related to dating violence, and
- Appropriate school-based interventions for dating violence.

These concepts related to sexual violence shall also be integrated into trainings. The school's dating violence and sexual violence policy shall be reviewed at the training, to ensure that school staff are

able to appropriately respond to incidents at school, provide instruction on how to file a complaint against dating violence and sexual violence, and understand the disciplinary action that may be taken against those who commit such acts. Ideally, these trainings will be facilitated by a school staff person and a representative from a community agency that services victims of bullying; intimate partner violence, and/or sexual violence such as a victim advocate.

Student Education

On-going age-appropriate education on healthy relationships shall be provided to all students. Per the Lindsay Ann Burke Act this curriculum shall include, but not be limited to, defining teen dating violence, recognizing dating violence warning signs and characteristics of healthy relationships. Additionally, students shall be provided with the school's bullying, teen dating violence, and sexual violence prevention policy. Upon written request to school administration, a parent or legal guardian of a pupil less than eighteen (18) years of age, within a reasonable period of time after the request is made, shall be permitted to examine the health education instruction materials at the school in which his or her child is enrolled.

Social Norms Change

School staff will always model correct and courteous behavior to each other, to students, and to visitors to the school. Abusive or humiliating language or demeanor will not be accepted. An effort will be made to ensure that each student is well known by at least one certified teacher so that the student will have someone to turn to at school if a situation of bullying, dating violence, or sexual violence develops. To the extent possible the influence of cliques and other exclusive student groupings will be diminished by the creation of a range of inclusive school activities in which students will be encouraged to participate.

Title IX Policy – Non-Discrimination

PURPOSE

This Policy is established by Rhode Island Nurses Institute Middle College Charter High School ("RINI") in adherence with Title IX of the Education Amendments of 1972 ("Title IX") and all applicable Rhode Island statutes and regulations. Title IX prohibits RINI from discriminating on the basis of sex (including sexual harassment, sexual misconduct, and sexual violence) in all facets of its educational programs and activities.

This Policy applies equally to all RINI students, employees, authorized volunteers, parents, Board members, and all other members of the RINI community. This Policy applies to conduct at school, at school events, and away from school in all other instances when RINI has a duty to investigate.

NOTICE OF NON-DISCRIMINATION

RINI does not discriminate on the basis of race, color, ancestry, national origin, sex, sexual orientation, gender identity and expression, disability, veteran status, age, or any other protected class in its education programs and activities, and indeed, RINI is required pursuant to Title IX not to discriminate in such a manner. If any member of the RINI community has any questions or concerns with respect to this Policy and/or Title IX, he/she may contact RINI's Title IX Coordinator and/or the Department of Education's Office of Civil Rights. RINI's Title IX Coordinator is identified within this Policy and shall be available to answer all questions concerning this Policy.

RINI's policy of non-discrimination in its educational programs and activities extends to employment and admission considerations.

DEFINITIONS

- At School:** In a classroom, all school common areas, on or immediately adjacent to school premises, on school property, on a school bus or other school-related vehicle, at a school bus stop, or at any school-sponsored or school-related activity or event whether or not it is on school grounds.
- Authorized Volunteer:** Any person who 1) is not employed by the school, 2) does not receive any compensation from the school, 3) has undergone school-required criminal background checks, and 4) is permitted to provide services approved by RINI to the RINI community, including students, employees, and other partners.
- Away from School:** Any location not defined above as "at school."
- Bystander:** Someone who is aware of behavior or conduct "at school" in violation of or reasonably believed to be in violation of this Policy, including sexual violence and/or sexual harassment
- Perpetrator:** Person who uses either bullying, as defined by the Rhode Island Safe School Act, or sexual violence, as defined in this Policy, to establish and maintain power and control over the target of his/her behavior
- Sexual Assault:** Includes behaviors that are attempted or perpetrated against a victim's will or when a victim cannot consent because of age, intellectual disability, or any other disability precluding the victim from forming consent. Sexual assault may involve, but is not limited to, actual or threatened physical force, use of weapons, coercion, intimidation or pressure, intentional touching of someone in ways that are unwanted, voyeurism, exhibitionism, exposure to pornography, and/or public displays of images that were taken in a private context or when the victim was unaware.
- Sexual Harassment:** Includes, but is not limited to, degrading remarks, gestures, and jokes, notes, graffiti, spreading rumors, indecent exposure, and being touched, grabbed, pinched,

or brushed against in a sexual way.

Sexual Harassment of a Student by a RINI Employee

Sexual harassment of a student by a RINI employee includes, but is not limited to, both welcome and unwelcome sexual advances; requests for sexual favors; sexually-motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature.

Sexual Harassment of a Student (Including Harassment by Another Student)

Includes, but is not limited to, unwelcome sexual advances; requests for sexual favors; and other verbal, nonverbal, or physical conduct of a sexual nature.

Sexual Harassment of a RINI Employee or Authorized Volunteer

RINI adopts the definitions and conditions set forth in RINI's employee anti-harassment policy and as defined under governing RI law.

Sexual Violence:

Includes, but is not limited to, sexual harassment, sexual assault, and/or rape. In cases of sexual violence, the perpetrator may be a stranger, acquaintance, friend, family member, or partner.

Sexual Violence Perpetrated Against a Student

Sexual violence perpetrated against a RINI student, regardless of the perpetrator, includes, but is not limited to, both welcome and unwelcome sexual advances; sexually-motivated physical, verbal, or nonverbal conduct; requests for sexual favors or other conduct or communication of a sexual nature.

Conduct constituting "sexual violence" need not be repetitive, persistent, or pervasive such that it affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or; creates an intimidating, threatening, hostile, or abusive educational environment.

Sexual Violence Perpetrated Against a RINI Employee or Authorized Volunteer

RINI adopts the definitions and conditions as defined under governing RI law.

Victim:

The target of the perpetrator's sexual violence and/or sexual harassment.

Witness:

Someone whose awareness of sexual violence compels them to

intervene and/or seek help on behalf of the victim.

TITLE IX COORDINATOR

The Title IX Coordinator's responsibilities shall include, but are not limited to:

1. Coordinating RINI's compliance with Title IX, including RINI's grievance procedures for resolving Title IX Complaints;
2. Drafting and publicizing procedures for reporting possible Title IX violations;
3. Overseeing RINI's prevention of and response to Title IX reports and complaints;
4. Overseeing all investigations related to and/or arising from this Policy and ensuring fair, equitable, and prompt resolution of complaints;
5. Identifying and addressing any patterns or systemic problems revealed by such reports and complaints;
6. Providing confidential (to the extent possible) written reports to the Chief Executive Officer and the Board of Directors as requested, but at least once every 4 months. Reports shall be kept in a separate and secure Title IX file;
7. Providing training to RINI employees, authorized volunteers, and other members of the RINI community with respect to Title IX and RINI's implementation of this Policy.

The Title IX Coordinator shall understand and have knowledge of the Title IX requirements and RINI's own policies and procedures on sex discrimination, anti-bullying, anti-retaliation, school place violence, and sexual harassment.

Each and every report or complaint filed with RINI pursuant to Title IX or reasonably related to Title IX must be provided to the Title IX Coordinator to achieve his/her mission.

Effective upon adoption of this Policy by the Board of Directors, the Title IX Coordinator shall be:

Collen Hitchings
Chief Academic Officer
Rhode Island Nurses Institute Middle College
150 Washington Street
Providence, RI
chitchings@rinimc.org
401-680-4900

SEXUAL VIOLENCE AND SEXUAL HARASSMENT

Sexual harassment and sexual violence are prohibited and will not be tolerated at RINI. RINI expressly prohibits sexual harassment and sexual violence at school of or by a student to another student; a student of or by a member of the staff; and/or of or by any other person who is any way associated with RINI. This Policy also prohibits sexual harassment and/or sexual violence by and among RINI employees and authorized volunteers. To this end, RINI commits its staff to the implementation of a comprehensive and

preventive approach that addresses the underlying reasons for this behavior and helps to create a better school community that supports learning and teaching for students and adults.

GRIEVANCE PROCEDURE

To facilitate the prompt and equitable resolution of any and all Title IX complaints, RINI adopts the following grievance process. For the purpose of Title IX complaints and investigations, RINI will apply a preponderance of the evidence standard of review. Complainants may choose to submit a written grievance to RINI's Title IX Coordinator using the Title IX grievance form included as Appendix A of this Policy.

1. A formal grievance process is initiated when a Complainant:
 - a. Submits a written statement alleging discrimination prohibited by Title IX to the Title IX Coordinator or
 - b. When the Title IX Coordinator receives a report of a suspected Title IX violation from another RINI student, employee, volunteer, or other community member.
2. Upon receipt of a grievance or other complaint pursuant to this Policy, the Title IX Coordinator shall commence and conduct an investigation pursuant to the procedures set forth within this Policy.
3. The Title IX Coordinator shall determine whether the complainant was excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of sex with respect to any RINI program or activity.
4. The Title IX Coordinator shall consult with other members of the RINI administration as necessary in reaching a decision regarding the written grievance.
5. The Title IX Coordinator shall prepare a written report setting forth his/her findings, conclusions, and actions to be taken, if any, and will determine with whom to share the report.
6. Following his/her review, the Title IX Coordinator shall, as necessary, take appropriate action(s) to ensure that RINI complies with Title IX in a manner that is prompt and equitable to the Complainant.
7. If any of the parties wish to appeal the decisions of the Title IX Coordinator, that party must make a written appeal to RINI's Board of Directors within 10 business days.
8. The Board of Directors shall then hold a hearing, in compliance with open meetings requirements, in which the parties may present witnesses and evidence, engage in direct and cross examination, be represented by counsel (at the party's expense), present testimony of a mental health provider or other specially trained advocate (at the party's expense), submit expert testimony (at the party's expense) and/or record the proceedings (at the party's expense).
9. The Board of Directors shall issue a written report within 10 business days of the hearing. The Board of Directors' written report shall include a notice to the parties of their further appellate rights.

To the extent possible, RINI strives to complete all Title IX investigations, from date of report to final hearing and notice of outcome, within 60 days.

REPORTING RESPONSIBILITIES

The Title IX Coordinator shall establish—and prominently publicize to students, employees, volunteers, and parents—procedures concerning how to report conduct believed to violate this Policy and how such reports will be acted on. The victim of conduct in violation of this Policy or reasonably believed to be in violation of this Policy, witnesses/bystanders to such actions, and/or anyone who has information that these actions have occurred may file a report.

Reports must be acted upon by those persons receiving the report and the Title IX Coordinator (upon receipt of a report), whether made orally or in writing. Knowingly filing false reports shall result in the taking of disciplinary measures.

All RINI employees, other than RINI counselors and psychologists who may be required to maintain the confidentiality of the information shared with them, shall report incidents of alleged violations of this Policy to the Title IX Coordinator as soon as they learn of or should reasonably know of any conduct allegedly in violation of this Policy. Employees shall report all relevant details that the victim shared or that the employee observed, including, but not limited to, the names of the perpetrator and victim, the date, time, and location of the alleged conduct, and the circumstances surrounding the alleged conduct. **A RINI employee's failure to report a violation of this Policy of which he or she has knowledge or reasonably should have knowledge shall result in disciplinary action, up to and including termination of employment.**

Students who witness alleged violations of this Policy, or parents whose children inform them of alleged violations of this Policy, shall report incidents to the Title IX Coordinator. The victim shall not be disciplined for failing to report an alleged violation of this Policy. All reports from students or parents will be maintained in confidence to every extent possible.

Although RINI cannot discipline or sanction parents or guardians who elect not to report violations of this Policy when they learn of any such conduct, RINI **strongly encourages** parents or guardians to contact the Title IX Coordinator as soon as practicable with any and all relevant information that they receive, particularly with respect to sexual violence and/or sexual harassment. All reports will remain confidential to every extent possible.

No student, employee, volunteer, or parent who makes a report shall be subject to retaliation for making such report, subject to the report being made in good faith. By filing a Title IX complaint, no student, employee, volunteer or parent making such a report shall extinguish his or her right to file criminal or civil complaints concerning the same conduct.

Upon receiving a credible report of an alleged violation of this Policy, RINI will take all necessary measures to ensure the safety of all parties (e.g., separate the student-victim from alleged perpetrators; provide alternative schedules to one or both parties; provide necessary support services, etc.) and will provide the student-victim and his/her parent(s) or guardian(s) with regular updates as to the status of the investigation. RINI shall implement appropriate interim measures on a case by case bases and shall not rely upon any fixed rules related to any such measures. RINI will provide student-victims with the contact information for available resources outside of RINI, including but not limited to, victim assistance organizations, law enforcement, mental health services, legal assistance, and/or counseling services.

If the perpetrator is a RINI employee and the victim is a RINI student, RINI will report the alleged misconduct to the appropriate law enforcement agencies.

INVESTIGATION

The Title IX Coordinator shall, in consultation with the Chief Executive Officer, lead all Title IX investigations. Depending on the nature of the alleged violation of this Policy, an investigation may include, but is not limited to, conducting interviews with the victim and the alleged perpetrator; conducting interviews with witnesses; conducting interviews with the parent(s) or guardian(s) as necessary; reviewing law enforcement investigation documents, as applicable; reviewing student and personnel files; and gathering information from all other available outside sources.

All investigations shall commence once the Title IX Coordinator receives notice of the alleged violation of this Policy. Therefore, it is essential that RINI employees, students, parents, guardians, and/or authorized volunteers immediately report suspected misconduct as soon as practicable once they have actual notice or reasonably should have known about such misconduct.

When commencing an investigation that may lead to disciplinary action against the responding party, the Title IX Coordinator shall provide written notice to the responding party (and/or his/her parents/guardians) of the allegations constituting a potential violation of this Policy, including sufficient details with sufficient time to prepare a response before any initial interview.

All investigations shall be conducted impartially and in an adequate, reliable, and impartial manner. The Title IX Coordinator shall analyze and document the available evidence to support reliable decisions, objectively evaluate the credibility of parties and witnesses, synthesize all available evidence—including both inculpatory and exculpatory evidence—and take into account the unique and complex circumstances of each case. The investigation shall result in a written report summarizing the relevant exculpatory and inculpatory evidence.

To the extent possible, RINI strives to complete all Title IX investigations, from date of report to final hearing, if necessary, within 60 days. Victims and alleged perpetrators will receive regular updates with respect to the status of a pending investigation.

Information gathered during the investigation shall be kept confidential to the extent possible. The Title IX Coordinator may reveal the findings of his or her investigation to the Chief Executive Officer as requested.

If allegations are found to be credible, appropriate disciplinary sanctions, subject to RINI's due process procedures, shall be imposed. Whenever conduct determined to meet the definitions of sexual violence and/or sexual harassment in this Policy also may have involved conduct that that may violate state or federal criminal law, the police or other necessary agency(ies) shall be notified.

Throughout the investigation, the perpetrator and the victim shall be permitted to, at a minimum:

- Receive written notice in advance of any interview or hearing with sufficient time to prepare for meaningful participation;
- Have equal and timely access to all witness statements and other documents/reports gathered by RINI during the investigation;
- Present relevant witnesses and evidence;
- Request a hearing;
 - o **Note:** Under Title IX, parties are not required to attend the hearing (they can be represented by counsel or another authorized representative). However, parties are entitled to appear as they wish, and RINI will take all necessary steps to ensure a fair and equitable hearing, including separating the parties as necessary and practicable throughout the course of the hearing.
 - o **Note:** RINI shall make all determinations at the hearing using a “more likely than not” standard
- Cross-examine witnesses during the hearing, as necessary;
- Retain counsel, at the party’s own expense;
- Retain a mental health provider or other specially trained advocate, at the party’s own expense;
- Submit expert testimony, at the party’s own expense;
- Receive written notice of the outcome (regardless of the outcome) of the investigation and/or hearing. RINI shall specifically inform the reporting party (and/or his/her parents/guardians) whether it found that the alleged conduct occurred, any individual remedies offered to the reporting party or any sanctions imposed on the responding party that directly relate to the reporting party, and other steps the school has taken to eliminate the hostile environment, if one was found to exist, and to prevent its recurrence, as appropriate; and
- Receive notification of the parties’ right to appeal the decision to the RINI Board of Directors

DISCIPLINARY SANCTIONS

Students: Disciplinary sanctions for any violation of this Policy may include, but are not limited to, loss of privilege to participate in extracurricular 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 or removal from school.

Employees: Disciplinary sanctions for any violation of this Policy may include, but are not limited to, suspension, termination, and/or filing of criminal charges as warranted.

Volunteers/ Disciplinary sanctions for any violation of this Policy may

Parent: include, but are not limited to, denial of access to school premises, school-related events, or school-sponsored events; suspension or termination of volunteer activities; and/or filing of criminal charges as warranted

PREVENTION

The Title IX Coordinator shall ensure that students and staff are instructed on how to identify, prevent, and report violations of this Policy. The Title IX Coordinator, in conjunction with the Chief Executive

Officer and Board of Directors, shall also ensure that the RINI'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. School staff shall model correct and courteous behavior to each other, to students, parents and to visitors. Abusive or humiliating language or demeanor is prohibited.

ENFORCEMENT AGENCIES

Nothing in this Policy is intended to prohibit or discourage individuals from contacting the applicable state and/or federal enforcement agencies with complaints or concerns, including but not limited to:

Office for Civil Rights
U.S. Department of Education
5 Post Office Square
8th Floor Boston, MA 02109-3921
Tel: 617-289-0111 E-mail:
OCR.Boston@ed.gov

Rhode Island Commission
for Human Rights
180 Westminster Street, 3rd Floor
Providence, RI 02903
Tel: 401-222-2661
TTY: 401-222-2664

Equal Opportunity Employment
Commission (EEOC)
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203-0506
Tel: 800-669-4000
TTY: 800-669-6820

RHODE ISLAND NURSES INSTITUTE MIDDLE COLLEGE CHARTER SCHOOL

Title IX Grievance Form

Today's Date _____

Complainant's Name(s) _____
Last Name First Name Middle Initial

Home address _____

City _____ State _____ Zip Code _____

Telephone Number _____ Email Address _____

Parent(s)/Guardian(s) _____
Last Name First Name Middle Initial

Parent(s)/Guardian(s) Contact information _____
Home Address

_____ Phone Number Email Address

Circle One: Student Parent on Behalf of Student Employee Volunteer

1. Alleged Perpetrator(s) (if multiple perpetrators, include information below or on back).

Name: _____

Address (if known): _____

Contact Information: _____

2. Specifics of Complaint Describe below, including any dates of alleged discrimination, identities of alleged perpetrators, and specific circumstances of alleged discrimination. Attach extra pages if necessary.

3. Witnesses Include names, any known contact information, and brief description of each witness's knowledge of events. Attach extra pages if necessary.

4. Corrective Action If you wish, please describe any corrective action you would like to see taken with regard to the alleged misconduct. Attach extra pages if necessary.

Signature of Complainant or
Parent/Guardian on Behalf of Complainant



REPORT FORM

Bullying and/or Cyberbullying

Name: _____ Student ID: _____ Grade: _____

Date: _____ Time: _____

Please answer the following questions about this reporting incident: List the name of the alleged bully, and/or cyberbully. If name is not known, provide any other identifiable information:

Relationship between you and the alleged bully, and/or cyberbully: _____

Describe the incident: _____

When and where did it happen? _____

Were there any witnesses? [] yes [] no If yes, who? _____

Other information, including previous incidents or threats:

Student or parent declines to complete this form: Initial: _____ Date: _____

I certify that all statements made in the complaint are true and complete. Any intentional false statement of fact will subject me to appropriate discipline. I authorize school officials to disclose the information I provide only as necessary in pursuing the investigation.

Signatures: Student: _____ Date: _____

School official receiving complaint: _____ Date: _____

School official conducting follow-up: _____ Date: _____

This document shall remain confidential