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Protocol to Address Bullying Incidents (Bullying Protocol)

I. OBJECTIVE

Humacao Community College (HCC) is an Institution committed to guarantee a healthy and adequate educational environment. To accomplish this goal, HCC adopts the following procedures and guidelines to address and handle any bullying incident that may occur within the educational environment.

By means of this protocol, the Institution establishes procedures and requirements to:

- Assist our students and employees in identifying and recognizing bullying conducts.
- Define this type of behavior and the process and ways to handle it.
- Establish the process on how to disseminate this protocol and educate about this problem.
- Provide and keep statistics related to bullying incidents.

Bullying is an unacceptable behavior that affects the student's capacity for learning; therefore, any type of conduct assumed as bullying is inadmissible. Thus, the purpose of this protocol is to provide information on the public policies of the Institution to seriously address this behavior.

II. JUSTIFICATION AND LEGAL BASE

The protocol, guidelines and norms included in this document have been created according and in compliance to the following laws and norms:

- Act No. 37 of April 10, 2008, which amends the "Puerto Rico General Council of Education Act of 1999", conditions the process to renew the licenses to operate private preschool, elementary schools, secondary, vocational, technical, and higher education to those institutions who evidently demonstrate that they have defined and

implemented concrete and enforceable policies and protocols against harassment, intimidation and bullying among students.

- Act No. 104 of August 1, “Law against Harassment and Intimidation or Bullying” of the Commonwealth of Puerto Rico, which applies to the public schools of the Department of Education; to private educational institutions and to any higher education institution, as defined in Reorganization Plan No. – 201”.
- The “Guidelines for the Prevention of Harassment and School Intimidation Behavior among Students” adopted by Office of Registration and Licensing of Educational Institutions.

III. DESCRIPTION AND DEFINITION

The problem of bullying among students, known internationally as “bullying” has increased at all levels of our society and, consequently, it has also proliferated in our educational institutions. Different studies have shown that this problem has its origin in schools, a situation whose effects can be disastrous in those levels because it not only affects the educational environment but also damages the student’s self-esteem.

Students who have been victims of an abuser, or “Bully”, suffer from problems of depression, loneliness, low self-esteem, and, in worst cases, may think of attempting suicide. The pattern of intimidation that causes this conduct of harassment also affects the entire student community because it hampers an adequate environment for studying and exchanging views. These elements are essential in every educational center¹. In many cases, the so-called “Bullies” have also possessed weapons for their own defense or to intimidate their victims.

Many regrettable incidents of “bullying” or extreme violence have created awareness of this terrible problem, worldwide and in the USA. Among these unfortunate cases there are many students who, feeling mocked, and humiliated, have opted or attempted to commit suicide.

In the United States, the case Nabozny vs Podlesny made evident the need and responsibility of our educational institutions to take measures against intimidation or harassment incidents. In this case, when a student made public that he was homosexual, he began to experience damaging attitudes and behaviors from his schoolmates. Nabozny was spitted, beaten and a classmate urinated on him. He was kicked in the stomach so hard that he suffered internal hemorrhages while other students watched and laughed. There was no action taken from the school authorities. When he reported these situations, the institution did not move to stop the abuse, and the staff turned a deaf ear to Nabozny’s requests. Obviously, the institution did not have any anti-bullying protocol or had never established any procedure to deal with the problem. Also, the institution had not implemented any educational initiatives to create awareness in the community about this type of conduct and to promote no tolerance against these actions.

¹ Limber, SPd (2002), *Bullying Among Children and Youth*, Proceedings of the Educational Forum on Adolescent Health; Youth Bullying, Chicago; American Medical Association.

Among the most known extreme violent cases that have been performed by students in the USA are those that occurred at Virginia Tech; Blacksburg; Columbine High School, and Jefferson County, Colorado. These incidents reaffirm the urgency to act, and to implement measures that assure a safe and healthy environment at any educational institution.

Young people as well as children have a wide knowledge and access to information media and to electronic communications, such as: electronic mail, social networks, “blogs” and “websites”, cell phones, computers, tablets, and other types of electronic devices. All of which have contributed to the spread of attacks defined as bullying. They may use these means of communications inappropriately and, therefore, incur in acts or behaviors that may be considered as bullying. This new modality of using information and electronic communications to harass an individual or group is known as “cyber bullying”.

Therefore, it is necessary to create awareness of the dangers that can result from the inappropriate use of electronic devices and communications. Social networks, such as, Facebook, Instagram, and YouTube, among others, have become the main entertainment activity of students. Taking photographic images and their easy diffusion can be used to provoke teasing and harassment. Electronic media not monitored or supervised by the university, facilitates bullying among students. In turn, it is important that our students are educated and oriented on the dangers of sharing information and personal data with other people through social networks.

National and international media have reported multiple cases of cyber bullying. The number of cyber bullying incidents that occur throughout the world are alarming. In the United States, for example, a study of the year 2011 revealed the chilling figure that one million children were threatened or harassed on Facebook during the year prior to the study.

Definitions

The following definitions apply:

- a. Harassment, intimidation and/or Bullying: Any pattern of behavior performed intentionally, whether through psychological abuse, physical, cybernetic, or social media, to frighten a student or a group of students that interferes with them and with their school opportunities and performance, both in classroom and in their immediate social surroundings. Bullying” should be defined as any kind of harassment and intimidation that becomes a pattern, and that occurs in more than one instance and that is usually extended through weeks, months, and even years.
- b. Harassment and intimidation by any electronic devices, or through the use of the Internet and/or “Cyber bullying”: Use of any oral, written, visual or text electronic communication, published to harass, annoy, intimidate, and afflict a student or a group of students; and which usually results in damage to the physical, mental or emotional integrity of the affected student, and / or to his or her property. This also entails unwanted interference with the opportunities, performance, and welfare of the affected student. Although the actions do not originate within the school or in the immediate

school environment, cyber bullying has serious repercussions and adverse consequences in the educational environment.

- c. Electronic communications: Refers to emails, written communications, or conversations by means of applications (Apps), text messages (SMSs), MMS messages, chats, instant messaging, wireless transmissions either by IRDA, Bluetooth, WIFI, social networks, internet pages or any other electronic method through which a party receives or sends information.
- d. Relationships of couples: This means a relationship between spouses, ex-spouses, people who cohabit or have cohabited, and those who have or have maintained an intimate consensual relationship, regardless of their sexual orientation or gender identity.
- e. Personal information: Those facts and data related to the residence of the students; telephone, emails, access password, voice mail, cellphone, internet portals or social networks; number of IDs issued officially such as driver's license, passport or electoral card and IDs for work and study purposes; photos, audios or videos of a person, that are disclosed without personal authorization.
- f. Improper use of communications, such as: Internet, cellphone, cameras, among others, that are being used to disturb individuals, partners, students, or victims at any time, causing ills and discomfort in them. The levels of tolerance may vary from one victim to another, and the level of offense can be classified into different categories. It is necessary to differentiate between the behaviors that are not acceptable for the students, and the different levels of severity, to identify and define the problem and mitigate its effects.

Behaviors that can be considered as bullying:

Types of harassment

There are variants on the acts that can be categorized as bullying. We highlight some of the behaviors more commonly used at our post-secondary or university institutions.

Within the context of definitions (a) and (b), previously described, the following acts will be treated as acts of harassment (bullying), and will be processed according to this protocol and to other relevant rules and regulations that HCC adopts.

- 1. Verbal aggression: Words that could affect self-esteem or impact a partner emotionally. It may include mockery, obscene words, teasing, ridicule, name calling, intimidation, and threats, among others.
- 2. Physical aggression: Acts aimed to cause physical damage to another person.
- 3. Advances or insinuations that attempt against the morals of a person.

4. Exclusion from participating in activities sponsored by the Institution or organized by groups or governmental organizations without just cause, and using intimidation and threats.
5. Coerce the right to remain and participate in the classroom by means of pressure or harassment behavior.
6. Public humiliation
7. Destruction of property
8. Retaliation against a student or employee by another student or employee due to having reported or denounced any act of harassment, intimidation, or "bullying".

The behaviors that constitute intimidation, or harassment (bullying) cover a wide spectrum, for this reason, the previously described list is not limited. It is our responsibility to act and to comply with the law as soon as we have knowledge of any incident that could be considered as any type of bullying.

Cyber bullying

Cybernetic harassment is different to traditional harassment and knows no limits of time or space. It can happen 24 hours a day, 7 days a week. The aggressor has practically unrestricted access to the intimacy of the harassed, either because he/she has the cell phone number or because he/she has access to the victim's profile, social networks, or to the people closest to the victim, who are also present in social networks. The massive diffusion that presupposes the publication of content on social networks can be lethal for the victim of cyber bullying because in only a few seconds, thousands of people can find out the circumstances that the aggressor is using to shame, hurt, or injure the honor or reputation of his/her target.

Within the context of the previously described definitions (a) and (b), the following acts will be treated as acts of harassment, intimidation, and bullying, and will be processed according to this protocol and to the other relevant rules and regulations that the HCC adopts.

1. Creation of any group aimed to mock or attack a third party.
2. Threatening or sending hate mail against a third party, using any means of electronic communication
3. Any other behavior used for the purpose of harassing a third party that comes from and is executed using electronic media. Electronic communication media includes, but is not limited to: RDA, Bluetooth, WIFI, cell phones, computers, tablets, or any other device from which electronic communications can be sent. This also includes any communication tool such as social networks, text messages, chats, instant messaging, and internet pages.

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It should be noted that cyber bullying is motivated, among other reasons, by gender, social condition, race, origin, real or perceived sexual orientation, gender identity, political or religious beliefs, appearance, obesity, serological status, medical condition and any other situation that can be used to harass another person.

IV. EXPECTATIONS AND INSTITUTIONAL POLICY

The administration, faculty, and community of HCC, are aware of the reality we are experiencing at our educational institutions regarding violence, harassment and intimidation (bullying) among students. In response, HCC has designed a procedure to handle these situations.

Aggressive behavior between our young people can be caused by learned behaviors at home or by the daily interactions with other students at the university. In many cases the harassment occurs gradually. It is a kind of torture that is submitted upon another person by one or several individuals, including groups that have been established for this purpose. The absence of ethical models and lack of values in life are influencing the day-to-day behavior of our young people.

Therefore, it is essential to be able to know and identify the variances of what constitutes “bullying”, as well as to identify what type of conduct is considered harassment and limitation, so that we can take the measures that would minimize or eliminate such behaviors; and to achieve a better coexistence among our students.

HCC aims to create a suitable and safe place by providing the elements that foster an environment for academic development, that is also supported by adequate mental health. Prevention and effective management can help minimize the effect of situations considered as bullying or intimidation.

V. RESPONSIBILITY OF THE MEMBERS OF THE HCC COMMUNITY RELATED TO “BULLYING”, HARASSMENT, OR INTIMIDATION

The duty and responsibility of both HCC students and staff, among others, is to report any harassment, bullying or intimidation “bullying” that they have witnessed or know about. For these purposes, we are establishing the processes to channel such complaints, and the entity designated to receive the information, investigate, and adjudicate.

VI. RESPONSIBILITY OF THE EDUCATIONAL COMMUNITY REGARDING BULLYING INCIDENTS

Committee Composition

The Committee is composed of the following members of HCC's community:

- An HCC Counselor
- Representation from the students
- A Professor
- A Vice-President

A. Responsibilities of the Committee:

1. Create awareness at HCC on the existence of the bullying problem in our society and in our school and university, as well as of the possible harmful consequences of these actions.
2. Establish additional regulations for the prevention and handling of situations related to harassment or limitation in which students are involved so that these are dealt with effectively and expeditiously.
3. Inform the university community on the existence of this Committee, its composition and scope.
4. Coordinate training for students and the university community in general, on matters related to the problem identified as bullying, harassment or intimidation "bullying" and its consequences.
5. Train the professors so that they can identify and act against this behavior whether verbal or physical.
6. Prepare an Action Plan and coordinate any additional aid, which includes notifying the Police Department of cases where there is any suspicion of a crime that has been committed.
7. Control all information related to interventions of the Committee. This includes ensuring that the HCC keeps statistics of the cases of "bullying" that have occurred during the year.
8. Maintain high levels of confidentiality to protect both the informants and the victim.
9. Submit required reports along with recommendations to the Academic Dean concerning the cases that have been intervened.

10. Give support to the victim and set a follow up and monitor plan with the aggressor so that he/she modifies the behavior before being referred to the HCC Disciplinary Committee for further actions.
11. Monitor and consult with the parents or relatives of the aggressor, with the purpose of checking out whether there is any problem that is influencing the conduct of the student.
12. The Committee will be responsible for maintaining an adequate and healthy study environment that is free of bullying incidents.
13. Promote the inclusion of the University Community to the prevention and attention efforts that will stop spreading this problem in our society.

VII. PREVENTION STRATEGIES AND PROTOCOL DISSEMINATION PLAN

1. The administrative and academic personnel of HCC will be informed on the existence of this **“Protocol to Address Bullying Incidents”**.
2. The Human Resources Office will be responsible for disseminating this communication to all employees of the Institution. New employees must also be informed.
3. The Admission’s Office must notify of this protocol to all new students and to all readmission and transferred students.
4. The Academic Dean will be responsible for providing orientation to the student community and to disseminate literature regarding this protocol.
5. Accessible and visible places will be identified for the promotion and distribution of this Policy. For example:
 - Academic Dean’s Office
 - Administration
 - Educational Resources Center
6. Advise the security personnel regarding comments and expressions that they may hear from students against other students with the intention of humiliating, mocking, or denigrating them, among other things. Security personnel should guide these students to immediately cease this behavior and will warn them of possible consequences.

7. Provide orientation to the staff regarding the prevention of major situations through rapid and effective intervention and mobilization, and through referrals to the Committee.
8. Provide orientation to the professors regarding the processes to be carried out if a student is suffering the consequences of harassment in their classrooms.
9. Encourage professors to address the problem through talks and orientation sessions as many bullying incidents take place within the classroom at the moment when any student differs from other students.

VIII. PROCEDURES TO HANDLE BULLYING INCIDENTS

Bullying or intimidation incidents can come to us in different ways, either through:

- The faculty
- The affected party
- The students
- Anonymous
- We have witnessed the incident.

Complaint Process

1. As soon as the information is received, or we have witnessed any bullying incident, the Institution will proceed to gather all the information of the parties involved in the incident.
2. The Academic Dean's Office will be in charge of receiving the complaints, and report or inform of any act defined as "bullying".
3. Immediately, and under strict confidentiality controls, any event that could be considered as "bullying" will be notified to HCC's Security, who, in turn, must note down the incident in the Logbook. If necessary, the incident will be notified simultaneously to the police by submitting a complaint.

Investigation Procedure

1. Any complaint that was notified to the Academic Dean will be referred to the "Committee for Addressing Harassment Complaints" who, in turn, will initiate an inquiry.
2. As a precautionary measure and, if necessary, the aggressor may be suspended immediately.
3. The president of the Committee will appoint one of its members to carry out the inquiry of the parties involved in the case. The committee will meet as soon as possible to analyze and attend the case.

4. The assigned person (from this point forward, the Investigator) will interview all the parties involved in the incident for which the Initial Interview Form must be filled and completed. If the aggressor was suspended, the investigator will visit the aggressor's home, and, if is necessary, with the assistance of the police.
5. The investigator of the case should specially take into consideration the following:
 - a. Situations of risk where the victim and his/her schoolmates may be exposed to any danger from the aggressor, among other things.
6. Signatures of the parties involved, including the victim, will be collected so that they are aware that the case is being investigated by the "Committee for Addressing Harassment Complaints" if the aggressor has not been suspended.

Intervention

1. The person assigned to the case must immediately prepare a Restriction Plan for the parties for the period on which the investigation is carried out.
2. Necessary measures will be taken to protect the affected party and could include the following:
 - a. Establish agreements with the professor so that the parties involved may continue their studies of the parties at home until the case has been solved.
 - b. Provide a change of schedule to the affected party, if necessary.
 - c. Suspension of the aggressor until the notification process for a hearing is completed by the Committee.
 - d. Submit a complaint to the police when there is suspicion that a crime has been committed.
3. The aggressor and the victim may be referred to the pertinent aid agencies through a referral created for these purposes.
4. The professor of the parties involved in the case must be informed on the investigation, to the extent that the information can be divulged.
5. The Committee will notify all parties and witnesses involved in the case and coordinate interviews.
6. If necessary, parents of students who were involved in the incident will be notified.

7. The hearings of the Committee hearings will be registered in minutes, and pertinent recommendations will be issued.

Consequences or Sanctions

1. HCC's Student Regulations will be considered, and the necessary disciplinary measures will be taken. This could include the summary suspension of the student from the Institution.
2. Parties will be notified, in writing, on the decision taken by the Committee within five days of the incident.
3. The Academic and Student Affairs Dean will keep all the files of each case, along with the forms used, interviews and protection plan, among other documents. The information will be kept in confidential files.
4. To set and follow up a monitoring plan with the victim through the counseling office to help him/her return to classes in an effective way.
5. To set and follow up a monitoring plan with the aggressor by establishing compulsory visits to the counseling office.

Forms that will be part of the File:

1. Initial interview of the investigation of the incident
2. Security and Protection Plan for the Victim of "Bullying"
3. Referral to aid agencies
4. Referral Authorization
5. Counseling Follow – up Form
6. Minutes of meetings and incidents



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