

BOARD POLICY

JCEC

STUDENTS BULLYING PREVENTION

~~MAY 7, 2012~~

The Board of Education believes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. It is the policy of the District to provide a safe educational environment for all of its students. All forms of bullying toward a student, whether by students, staff, or third parties, including Board members, parents, guests, contractors, vendors, or volunteers, is strictly prohibited.

This policy equally protects all students from bullying behavior regardless of the subject matter or motivation for such impermissible behavior. This policy applies to all activities in the District, including activities in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at any school-sponsored, school-approved or school-related activity or function whether or not it is held on school premises, such as field trips or athletic events where students are under the school's control, or where an employee is engaged in school business. This policy also applies to conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if the telecommunications access device or the telecommunications service provider is owned by or under the control of the District. Misconduct occurring outside of school may also be disciplined if it interferes with the school environment.

"Bullying" is any written, verbal, psychological, physical act or electronic communication, **including but not limited to cyberbullying**, that is intended or that a reasonable person would know is likely to harm one or more students either directly or indirectly by doing any of the following:

- a. Substantially interfering with education opportunities, benefits, or programs of one or more students
- b. Adversely affecting the ability of a student to participate in or benefit from the District's educational programs or activities by placing the student in reasonable fear of physical harm or by causing emotional distress
- c. Having an actual and substantial detrimental effect on a student's physical or mental health
- d. Causing substantial disruption in, or substantial interference with, the orderly operation of the school

"Cyberbullying" is any electronic communication that is intended or that a reasonable person would know is likely to harm one or more students either directly or indirectly by doing any of the following:

- a. Substantially interfering with education opportunities, benefits, or programs of one or more students

- b. Adversely affecting the ability of a student to participate in or benefit from the District's educational programs or activities by placing the student in reasonable fear of physical harm or by causing emotional distress
- c. Having an actual and substantial detrimental effect on a student's physical or mental health
- d. Causing substantial disruption in, or substantial interference with, the orderly operation of the school

Bullying includes a person willfully and repeatedly exercising power or control over another with hostile or malicious intent (i.e., repeated oppression, physical or psychological, of a less powerful individual by a more powerful individual or group) that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristic. Bullying can be physical, verbal, psychological, written or a combination of all four. Some examples of bullying are:

- a. Physical – hitting, kicking, spitting, pushing, pulling; taking and/or damaging personal belongings or extorting money, blocking or impeding student movement, unwelcome physical contact
- b. Verbal – taunting, malicious teasing, insulting, name calling, making threats
- c. Psychological – spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion, or intimidation
- d. Written - graphic or electronically transmitted

Any student, whether victim or not, who believes s/he has been or is the victim of bullying, or who is aware of another student who has been or is the victim of bullying, should, and every staff member must, report the situation to the building principal or his/her designee. Complaints against the building principal should be filed with the Superintendent or his/her designee. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator.

The building principal (or his/her designee) shall investigate, as promptly as the circumstances permit, and document all complaints about bullying (as defined in this policy) and other behavior which may violate this policy. If the investigation finds an instance of bullying has occurred, it will result in appropriate consequences.

The individual responsible for conducting the investigation shall notify the parents/legal guardians of the victim, as well as of the perpetrator, of the verified incident(s) of bullying as well as the results of the investigation to the extent consistent with student confidentiality requirements. A record of this contact, or attempt to notify, shall be noted.

The individual responsible for conducting the investigation shall document all reported incidents which are prohibited and report all verified incidents of bullying or other behavior which violates this policy, as well as any remedial action taken, to the Superintendent or his/her designee.

The Superintendent, or his/her designee, shall submit a compiled report to the Board on an annual basis. The Superintendent is responsible for implementation of this policy. **This policy will be publicized by being placed on the School District's website and in student handbooks.**

Retaliation, or making a false accusation against a target of bullying, a witness, another person with reliable information about an act of bullying, or any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation or false accusations should be reported in the same manner as bullying behavior. Making intentionally false reports about bullying behavior for the purpose of getting someone in trouble is similarly prohibited. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

This policy is not intended to and should not be interpreted to interfere with legitimate free speech rights of any individual. However, the District reserves the right and responsibility to maintain a safe environment for students, conducive to learning and other legitimate objectives of the school program. This policy is published in the student handbook annually, which is accessible on the school and district websites.

Confidentiality

To the extent appropriate and/or legally permitted, confidentiality will be maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations. **To the extent permitted by law, documents comprising the investigation will be maintained in a secure manner, will not be co-mingled with other documents, and will be disclosed only in accordance with law or on a “need to know” basis.**