

# Policy 0502.90 Bullying

It is the policy of this district to maintain a safe school environment for all students while attending school, riding the school bus, and attending district-sponsored activities on school premises or at other locations. Bullying regardless of the specific nature of the students' behavior, is disruptive to a safe school environment and will not be tolerated.

## Definition

1. Bullying means any intentional gesture or any intentional written, verbal or physical act or threat by a student that a reasonable person under the circumstances should know, will have the effect of:
  - a. Harming a student; or
  - b. Damaging a student's property; or
  - c. Placing a student in reasonable fear of harm to his or her person; or
  - d. Placing a student in reasonable fear of damage to his or her property; or
  - e. Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for a student; or
  - f. Unreasonably interferes with an individual's educational performance; or
  - g. Otherwise adversely affects an individual's educational opportunities.
2. Cyberbullying is an aggressive, intentional act carried out by a group or individual using electronic forms of contact. These include but are not limited to:
  - a. Text message bullying involves sending unwelcome texts that are threatening or cause discomfort.
  - b. Picture/video-clip bullying via mobile phone cameras is used to make the person being bullied feel threatened or embarrassed, with images usually sent to other people.
  - c. Phone call bullying via mobile phone uses silent calls or abusive messages.
  - d. Email bullying uses email to send bullying or threatening messages
  - e. Chat room bullying involves sending menacing or upsetting responses to children or young people when they are in a web-based chat room.

- f. Bullying through instant messaging (IM) is an Internet-based form of bullying where students are sent messages as they conduct real-time conversations online.
- g. Bullying via websites includes the use of defamatory blogs (web logs), personal websites and online personal polling sites.

## Prohibited Behavior

Students attending district schools are prohibited from engaging in the following behaviors:

1. Physical abuse against a student, including, but not limited to, hitting, pushing, tripping, kicking, blocking, or restraining another's movement; causing damage to another's clothing or possessions; and another's belongings.
2. Verbal abuse against a student, including, but not limited to, name calling, threatening, taunting, and malicious teasing.
3. Psychological abuse against a student, including, but not limited to, spreading harmful or inappropriate rumors regarding another, drawing inappropriate pictures or writing inappropriate statements regarding another, and intentionally excluding another from groups, or similar activities.
4. Bullying also includes any act of retaliation taken against:
  - a. Any person bringing a complaint of bullying
  - b. Any person assisting another person in bringing a complaint of bullying, or
  - c. Any person participating in an investigation of an act of bullying.

## Investigation

The school administrator or designee will investigate any allegations of misconduct that are reasonably characterized as bullying. At the discretion of the school principal and/or superintendent, the alleged perpetrator(s) may be suspended pending the outcome of the investigation.

The administrator in charge of the investigation should take the following steps: 1. Obtain a written statement from the complainant regarding the allegations; 1. Obtain a written statement from the accused; 1. Obtain a written statement from witnesses, if any.

## Disciplinary Action

If there is sufficient evidence to support the allegations, disciplinary action, up to and including expulsion may be taken against the offender.

If there is insufficient evidence to support the allegations, no record will be made of the allegations in the complaining student's permanent record or in the accused student's permanent record.

In the event the investigation discloses that the complaining student has falsely accused another individual of bullying knowingly or in a malicious manner, the complaining student may be subject to disciplinary action, up to and including expulsion.

In the event the bullying involves violent or other conduct which could be reasonably considered to be criminal in nature, the building administrator will refer the matter to the local law enforcement agency for violation of Idaho Code 18-917A.

In the event that it can be proven that cyberbullying took place using district resources, i.e. computers or phones, the student found to have used district equipment may be subject to disciplinary action, up to and including expulsion (see Policy 1001.3)

## PROTECTION AGAINST RETALIATION

No retaliation will be taken against a student, parent or employee who reports bullying in good faith. Any person found to have retaliated against another individual for reporting an incident of bullying may be subject to the same disciplinary action up to and including expulsion.