

## **CYBER BULLYING ACT 115**

Students using any electronic devices including telephone, cell phone, wireless communication devices, computer, or pager as a means to harass another student member.

ACT 115 applies to electronic act whether or not it originated on school property or with school equipment if the electronic act is directed specifically at students or school personnel.

This punishment will take the form of suspension, a recommendation for expulsion, and notification of the police if necessary.

### **Piggott School District Bullying Prevention Policy (Compliance with A.C.A 6-18-514)**

#### **A. Policy Statement**

1. The Piggott School District, in order to achieve our agreed district vision, believes that all students have a right to a safe and healthy school environment.
2. All public school students in the Piggott School District shall be provided a public school environment that does not infringe on safety and is reasonably free from bullying, substantial intimidation, harassment, harm or the threat of harm by another student through words or actions.
3. The Board of Directors of the Piggott School District shall adopt policies to prevent bullying.

#### **B. Definitions:**

1. "Bullying" means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public school employee by written, verbal, electronic, or physical act that causes or creates a clear and present danger of:
  - a. Physical harm to a public school employee or student or damage to the public school employee's or student's property;
  - b. Substantial interference with a student's education or with a public school employee's role in education;
  - c. A hostile educational environment for one (1) or more students or public school employees due to the severity, persistence, or pervasiveness of the act; or

- d. Substantial disruption of the orderly operation of the school or educational environment;
  2. "Cyberbullying" means any form of communication by electronic act that is sent with the purpose to:
    - a. Harass, intimidate, humiliate, ridicule, defame. Or threaten a student, public school employee, or person with whom the other student or public school employee is associates; or
    - b. Incite violence to a student, public school employee, or person with home the other student or public school employee is associated;
  3. "Harassment" means a pattern of unwelcome verbal or physical conduct relating to another person's constitutionally or statutorily protected status or causes, or reasonably should be expected to cause, substantial interference with the others performance in the school environment; and
  4. "Substantial disruption "means without limitation that any one (1) or more of the following occur as a result of the bullying":
    - a. Necessary cessation of instruction or educational activities;
    - b. Inability of students or educational staff to focus on learning or function as an educational unit because of a hostile environment;
    - c. Severe or repetitive disciplinary measures are needed in the classroom or during educational activities; or
    - d. Exhibition of other behaviors by students or educational staff that substantially interfere with the learning environment.

C. Bullying is prohibited:

1. While in school, on school equipment or property, in school vehicles, on school buses, at designated school bus stops, at school-sponsored activities, at school-sanctioned events or through cyberbullying. Students shall not engage in any of the following activities:
  - a. Cyberbullying that substantially disrupts orderly school operation and educational environment whether or not it generated on school property or with school equipment it was directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school and has a high likelihood of succeeding in that purpose
  - b. Hurtful comments about race, color, religion, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical experience, sexual orientation or mental, physical, developmental, or sensory disability;
  - c. Manipulation;
  - d. Mocking or taunting;
  - e. Physical injury;
  - f. Public humiliation;
  - g. Purposeful social isolation;

- h. Rumor spreading;
  - i. Threats (verbal, non-verbal, or electronic [including cyberbullying]);
  - j. Verbal assaults, such as teasing or name calling;
  - k. Any other verbal, non-verbal or electronic means (including cyberbullying) the administration deems as an attempt to bully;
- D. To build staff capacity to maintain a safe and healthy school environment, staff will engage in development and training on approved bullying prevention policies, bullying prevention, on the relationship between bullying incidents and suicide risk, on how to cultivate acceptance and understanding. School leadership teams shall be provided an opportunity for school employees to participate in programs or activities designed to develop knowledge and skills to prevent and respond to bullying.

- E. Educators shall discuss the bullying prevention policy with students in age-appropriate ways and school assure them that they need not endure any form of bullying.
- F. The procedures for reporting bullying incidents include:
  - 1. Immediately report any act of bullying/cyberbullying to trusted adult and/or building administrators.
  - 2. Provide information of what was done, who was involved, when the incident occurred, where the incident occurred, and if this behavior has been noted before.
  - 3. Administrators or their designated personnel must begin immediate investigation in the allegation to determine if it is a credible bullying situation. Personnel should follow the Bullying Assessment Flow Chart.
  - 4. Administrators or their designated personnel should then contact the parents or guardians of the students involved in the situation to notify them of the issue and the results of the investigation. A written report should be made available to the parents or guardians within five business days or within a reasonable time frame of the situation.
  - 5. If the issue results in any form of a crime, law enforcement will be contacted.
  - 6. The building administrator will review all information regarding the incident and follow the six step response to bullying protocol on the bottom of the assessment flow chart. Written reports will be kept on file for the remainder of the school year.
- G. Students are encouraged to report behavior they consider to be bullying to a teacher or their principal. Any student who reports bullying shall not be subject to retaliation.
- H. School employees are required to report as soon as possible to the principal (or designee) of alleged bullying incidents that they have witnessed or when they have reliable information that a student has been a target of bullying. School employees who witness such acts shall take immediate steps to intervene when safe to do so. School employees that report bullying incidents shall not be subject to retaliation and be immune from tort liability that may arise from the failure to remedy the reported incident.
- I. Each report of bullying shall be promptly investigated.
- J. The steps that must be taken by employees to address a report of an alleged incident of bullying:
  - 1. Prior to investigation, report to the parent of the targeted student that the student was a target in a credible bullying report.
  - 2. A written record of the investigation shall be maintained. It should include:
    - a) Detailed description of alleged bullying incident

- b) Detailed summary of material witness statements to the alleged bullying incident
  - 3. Upon investigation completion, notify the parent of the proven aggressor regarding the consequences of continued bullying.
  - 4. 5 days upon investigation completion, notify the parents of students who are party to the investigation of information about the investigation:
    - a) Existence of a credible report
    - b) Whether the credible report was found to be true based on investigation
    - c) Whether action was taken upon the conclusion of the investigation
    - d) Communicate the need to report recurring bullying incidents
  - 5. Notices to parents shall comply with state and federal privacy laws.
  - 6. A written record of any action shall be maintained.
  - 7. If needed, align counseling and intervention services with the needs of students involved in the bullying incident
- K. Students found through investigation to have engaged in bullying are in violation of this policy and subject to disciplinary action. Consequences for bullying:
- 1. Will be at the discretion of the building administrator and could range from warning to expulsion depending on the severity of the situation.
  - 2. Anyone found guilty of retaliation will be subject to further disciplinary action ranging from suspension to expulsion depending on the severity of the situation.
- L. The superintendent shall report to the school board of directors a public hearing data regarding discipline, including the number of incidents of bullying reported and the actions taken regarding incidents of bullying.
- M. A notice of the behaviors that constitute bullying, the prohibition of bullying, and the consequences of engaging in bullying shall be clearly posted in every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus in the school system.
- N. Copies of the notice of the behaviors that constitute bullying, the prohibition of bullying, and the consequences of engaging in bullying shall be provided annually to students, parents and legal guardians, employees, and school volunteers. A full copy of this policy shall be made available upon request.
- O. A notice of the school system's policies to prevent bullying shall appear in the student handbook and the publication of the comprehensive rules, procedures, standards and code of conduct for each school.

- P. The school system shall provide the Arkansas Division of Elementary Secondary Education (DESE) with the website address at which a copy of the policies adopted in compliance with Act 1029.