

BULLYING

WHAT IS BULLYING?

As used in NDCC 15.1-19-17 through 15.1-19-22:

1. "Bullying" means:

- a. Conduct that occurs in a public school, on school district premises, in a district owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event and which:
 - Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities;
 - Places the student in actual and reasonable fear of harm;
 - Places the student in actual and reasonable fear of damage to property of the student; or
 - Substantially disrupts the orderly operation of the public school; or
- b. Conduct that is received by a student while the student is in a public school, on school district premises, in a district owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event and which:
 - Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities;
 - Places the student in actual and reasonable fear of harm;
 - Places the student in actual and reasonable fear of damage to property of the student; or
 - Substantially disrupts the orderly operation of the public school.

2. "Conduct" includes the use of technology or other electronic media.

All students have the right to learn in an environment that is free from harassment, including sexual harassment, intimidation and bullying.

Harassment, intimidation and bullying can take many forms. It includes but is not limited to slurs, rumors, "put-downs," jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral, physical, or electronically-transmitted messages or images.

Sexual harassment is a type of harassment. It occurs when the types of verbal, visual or physical conduct described above are sexual in nature or are based on gender.

Sexual harassment conduct includes repeated offensive sexual flirtations, advances or proposition and continued or repeated verbal abuse of a sexual nature. It also includes graphic or degrading verbal comments about an individual or about his/her appearance, the display of sexually suggestive objects or pictures, and any offensive or abusive physical contact.

Bullying is unwanted, aggressive behavior among school age children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated over time.