It is the policy of the District that all students and school employees enjoy a safe and secure educational setting. In addition to the policies involving hazing, harassment, intimidation and bullying of students on school grounds and in person, the District prohibits cyberbullying, as defined herein.

Bullying is any intentional written, verbal or physical act that a student has exhibited toward another particular student more than once, and the behavior causes mental or physical harm to the other student and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student, or violence in a dating relationship.

Cyberbullying is bullying by an electronic act. An electronic act means an act committed through the use of a cellular telephone, computer, pager, personal communication device, or other electronic communication device.

Cyberbullying can include but is not limited to:

1. Severe, persistent or pervasive behavior that occurs more than once and causes mental or physical harm to another student through an electronic act such as the following:
   a. Posting or sending slurs or abusive or humiliating or threatening comments on web sites, social networking sites, blogs or personal online journals, or through emails, text or instant messages;
   b. Distributing or posting embarrassing, compromising, or obscene images or videos of students;
c. Using web sites, social networking sites, blogs or personal online journals, emails, text or instant messages to circulate gossip and rumors to or about other students;

d. Using websites, social networking sites, blogs or personal online journals, emails or text or instant messages to exclude a student from group activities, events, or relationships;

e. Excluding others from social networks or other online activity by falsely reporting them for inappropriate conduct to Internet service providers, social network administrators, or other authorities.

Permission, consent or assumption of risk by an individual subjected to bullying does not lessen the prohibitions contained in this policy.

Cyberbullying often materially disrupts school operation or substantially impinges on the rights of other students such as, but not limited to: creating reasonable fear of harm to the student’s person or property; creating a substantially detrimental effect on the student’s physical or mental health; substantially interfering with the student’s academic performance or interfering with the student’s ability to participate in or benefit from services, activities, or privileges provided by the school; or being so severe, persistent, or pervasive as to cause severe emotional distress.

The District shall have jurisdiction to prohibit cyberbullying that originates on the school’s campus if the electronic communication was made using the school’s technological resources or the electronic communication was made on the school’s campus using the student’s own personal technological resources.

The school shall have jurisdiction to prohibit cyberbullying that originates off the school’s campus if it was reasonably foreseeable that the electronic communication would reach the school’s campus; or there is sufficient nexus between the electronic communication and the school which includes, but is not limited to: speech that is directed at a school specific audience or vulgar, lewd, and potentially illegal and disruptive of the educational environment, or the speech was brought onto or accessed on the school campus, even if it was not the student in question who did so.

The District reserves the right to temporarily confiscate and inspect a student’s personal electronic device if there is reason to believe the student has violated board policies, regulations, school rules, or has engaged in other misconduct while using their personal electronic device. If a staff member confiscates a student’s device, he or she will not conduct the search of the phone, but must immediately turn the phone over to the administrator responsible for conducting a search of the device. Any search will be conducted in compliance with board policies and applicable law.

Any evidence of cyberbullying discovered during an investigation shall be preserved. Such actions may include, but are not limited to, saving the victim’s cell phone, text, or email messages; and printing or copying posts or other electronic communications available on websites before removing them.
If, during the course of a cyberbullying investigation, images of nude minors are discovered, those images should not be distributed or shown to anyone else, including other school officials. The school official who discovered the image should promptly contact law enforcement.

The reporting procedures and policies for cyberbullying are the same as for any type of hazing, harassment, intimidation or bullying and are outline in Board policy on Hazing, Harassment, Intimidation and Bullying, JFCF and JFCF-R.

An individual who is found responsible for cyberbullying, may be suspended or otherwise disciplined consistent with Board policies and the law.

CROSS REFS.:
AC, Nondiscrimination
ACAA, Sexual Harassment
JFC, Student Conduct (Zero Tolerance)
JFCF, Hazing and Bullying
JFCF-R, Hazing and Bullying
EDEC, Staff Use of Social Media