

805 BULLYING PREVENTION & CYBER BULLYING

The Woodbridge School District (hereinafter referred to as “The District”) recognizes that safe learning environments are necessary for students to learn and achieve high academic standards. The District strives to provide safe learning environments for all students and all employees.

I. Prohibition of Bullying Which Includes Cyber Bullying

To further these goals and as required by 14 Del. C. 4112D, the District hereby prohibits the bullying of any person on school property or at school functions or by use of data or computer software that is accessed through a computer, computer system, computer network or other electronic technology. In addition cyber bullying (as defined herein) is prohibited by students directed at other students. Incidents of cyber bullying shall be treated in the same manner as incidents of bullying. The District further prohibits reprisal, retaliation or false accusation against a target, witness or one with reliable information about an act of bullying.

II. Definition of Bullying & Cyber Bullying

As used in this policy, bullying means any intentional written, electronic, verbal or physical act or actions against a student, school volunteer or school employee that a reasonable person, under the circumstances should know will have the effect of:

- A. Placing a student, school volunteer or school employee in reasonable fear of substantial harm to his or her emotional or physical well-being or substantial damage to his or her property; or
- B. Creating a hostile, threatening, humiliating or abusive educational environment due to the pervasiveness or persistence of actions or due to a power differential between the bully and the target; or

- C. Interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities or benefits; or
- D. Perpetuating bullying by inciting, soliciting or coercing an individual or group to demean, dehumanize, embarrass or cause emotional, psychological or physical harm to another student, school volunteer or school employee.
- E. As used in this policy cyber bullying means the use of uninvited and unwelcome electronic communication directed at an identifiable student or group of students, through means other than face-to-face interaction which (1) interferes with a student's physical well-being; or (2) is threatening or intimidating; or (3) is so severe, persistent, or pervasive that it is reasonably likely a student's ability to participate in or benefit from the educational programs of the school. Communication shall be considered to be direct at an identifiable student or group if it is sent directly to that student or group, or posted in a medium that the speaker knows is likely to be available to a broad audience within the school community.
 - 1. Whether speech constitutes cyber bullying will be determined from the standpoint of a reasonable student of the same grade and other circumstances as the victim.
 - 2. The place of origin of speech otherwise constituting cyber bullying is not material to whether it is considered cyber bullying under this policy, nor is the use of school or district materials.

III. School-Wide Bully Prevention Program

Each school in the District will develop or adopt an on-going, school-wide bully prevention program. This effort will be monitored by the Building Management Team in each building. The school's supervisory system in non-classroom areas will be reviewed through this process.

IV. Coordinating Committee

The coordinating committee will be responsible for coordinating the school's bully prevention program including the design, approval and monitoring of the program. A majority of the members of the committee shall be members of the school professional staff, of which a majority shall be instructional staff. The committee also shall contain representatives of the administrative staff, support staff, student body (for schools enrolling students in grades 7 through 12), and parents. These representatives shall be chosen by members of each respective group except that representatives of the non-employee groups shall be appointed by the school principal. The committee shall operate on a 1-person, 1-vote principle.

V. Reporting Requirements

Any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of bullying shall immediately report it to the administration.

VI. Investigative Procedures

A. The Building Administrative team of each building will develop a procedure to assure that they will investigate in a timely manner and determine whether

bullying has occurred and that such procedure include investigation of such instances, including a determination of whether the target of the bullying was targeted or reports being targeted wholly or in part due to the target's race, age, marital status, creed, religion, color, sex, disability, sexual orientation, gender identity or expression, or national origin. This does not preclude schools from identifying other reasons or criteria why a person is a target of bullying.

- B. All reported incidents of bullying, regardless of whether the school could substantiate the incident must be reported to the Department of Education by the Principal or his designee within five (5) working days pursuant to Department of Education regulations,

VII. Non-Classroom Supervision

To the extent that funding is available, each school must develop a plan for a system of supervision in non-classroom areas. The plan shall provide for the review and exchange of information regarding non-classroom areas.

VIII. Consequences For Bullying

The appropriate range of consequences for bullying will be delineated in the district code of conduct.

IX. Training.

The District will provide a combined training each year totaling at least one (1) hour in the identification and reporting of criminal youth gang activity pursuant to § 617, Title 11 of the Delaware Code and bullying prevention pursuant to § 4112D, Title 14 of the Delaware Code.

Association, the Delaware School Boards Association and the Delaware Association of School Administrators. Any in-service training required by this section shall be provided within the contracted school year as provided in 14 Del. C. § 1305(e).

X. Reporting Procedures

The procedures for a student and parent, guardian or relative caregiver pursuant to § 202(f) of this Title or legal guardian to provide information on bullying activity will be developed by the school administration.

XI. Anonymous Reports

Formal disciplinary action solely based on an anonymous report is not permitted. Independent verification of the anonymous report is necessary in order for any disciplinary action to be applied.

XII. Notification of Parents

A parent, guardian or relative caregiver pursuant to 14 Del. C § 202(f) or legal guardian of any target of bullying or person who bullies another must be notified.

XIII. Retaliation

Retaliation following a report of bullying is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

XIV. Procedure to Communicate with Medical and Mental Health Professionals

The procedures for communication between school staff members and medical professionals who are involved in treating students for bullying issues will be developed by the school administration and will conform to HIPPA and FERPA guidelines.

XV. School Ombudsperson Information

The telephone number of the Department of Justice School Ombudsman shall be provided in writing to parents, students, faculty and staff, and shall be on the website of the school district and each school. The contact information shall also be prominently displayed in each school.

XVI. Informing Students of Electronic Mediums

Social media refers to any electronic outlet of communicating with another person. The following social mediums where postings of speech will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other limitations on those postings, shall include: Facebook Twitter, MYSpace, YouTube, Snap Chat, Instagram, Pinterest, Secret, YikYak, or similar type of social media applications. This list is NOT considered exclusive and any social media outlet or electronic communication, such as email, texting, instant messaging, which allows for communications that may be viewed by the intended victim shall be considered as an electronic medium for the purposes of enforcing the electronic bullying aspects of the Woodbridge School District Bullying Prevention policy. Internet sites such as “blogs” which may be created or used by individuals for the specific purpose of bullying as defined above shall also be treated in the same manner as other publicly accessible internet portals.

XV. Implementation

The school bullying prevention program must be implemented throughout the year, and be integrated with the school's discipline policies and 14 Del. C. § 4112.

XVI. Accountability

Each school shall notify the district in writing of their compliance with this policy and submit a copy of the procedures they have adopted under this policy by December 1, of each school year. Each school shall assure that the policy appears in the student and staff handbook each year.

XVII. Awards

Each year, the Woodbridge School District shall submit to the Delaware Department of Education a nomination for 1 exemplary school for its Bullying Prevention Program award.

XVII. Other Defenses

- A. The physical location or time of access of a technology-related incident is not a valid defense in any disciplinary action by the school district initiated under this policy provided there is sufficient school nexus.
- B. This section does not apply to any person who uses data or computer software that is accessed through a computer, computer system, computer network or other electronic technology when acting within the scope of his or her lawful employment or investigation of a violation of this policy in accordance with school district policy.

XIX. Relationship to School Crime Reporting Law

An incident may meet the definition of bullying and also the definition of a particular crime under State or federal law. Nothing in this policy shall prevent school officials from fulfilling all of the reporting requirements of § 4112, Title 14 of the Delaware Code,

or from reporting probable crimes that occur on school property or at a school function which are not required to be reported under that section. Nothing in this section shall abrogate the reporting requirements for child abuse or sexual abuse set forth in Chapter 9 of Title 16 of the Delaware Code, or any other reporting requirement under State or federal law.

XX. Rules and Regulations

Implementation of this policy shall comply with all rules and regulations the Delaware Department of Education may promulgate to implement Title 14 Section 4112D of the Delaware Code.

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