

1 B. Perpetuation of conduct listed in the definition of bullying or harassment by an
2 individual or group with intent to demean, dehumanize, embarrass, or cause
3 emotional or physical harm to a student or school employee by:

4 1. incitement or coercion;

5 2. accessing or knowingly and willingly causing or providing access to data or
6 computer software through a computer, computer system, or computer
7 network within the scope of the District school system;

8 3. acting in a manner that has an effect substantially similar to the effect of
9 bullying or harassment.

10 **“Cyberbullying”** means bullying through the use of technology or any electronic communication, which
11 includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence
12 of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic
13 system, or photo-optical system, including, but not limited to, electronic mail, Internet communications,
14 instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or
15 weblog in which the creator assumes the identity of another person, or the knowing impersonation of
16 another person as the author of posted content or messages, if the creation or impersonation creates any
17 of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by
18 electronic means of a communication to more than one person or the posting of material on an electronic
19 medium that may be accessed by one or more persons, if the distribution or posting creates any of the
20 conditions enumerated in the definition of bullying.

21
22 **“Cyberstalking”** which is defined as engaging in a course of conduct to communicate, or to cause to be
23 communicated, words, images, or language by or through the use of electronic mail or electronic
24 communication, directed at a specific person, causing substantial emotional distress to that person and
25 serving no legitimate purpose. (see F.S. 784.048(1)(d))

26 In addition, "bullying", "cyberstalking", and "harassment" (hereinafter referred to as "bullying" for the
27 purpose of this policy) also encompass, but are not limited to, unwanted harm towards a student or
28 employee in regard to their real or perceived: sex, race, color, religion, national origin, age, disability
29 (physical, mental, or educational), marital status, socio-economic background, ancestry, ethnicity, gender,
30 gender identity or expression, linguistic preference, political beliefs, sexual orientation, or social/family
31 background, or being viewed as different in its education programs or admissions to education programs
32 and, therefore, prohibits bullying of any student or employee by any Board member, Board employee,
33 consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the
34 school at school-sponsored events, on school buses, at a school bus stop, and at training facilities or
35 training programs sponsored by the District. For acts of harassment against Federally identified protected
36 categories, and acts of harassment, including sexual harassment, which do not meet the definition of
37 bullying, refer to Board [Policy 1362](#), [Policy 3362](#), [Policy 4362](#), and [Policy 5517](#).

38 **Description of the Type of Behavior Expected from Each Student and Employee**

39 The Board expects students to conduct themselves as appropriate for their levels of development,
40 maturity, and demonstrated capabilities, and expects students and employees to conduct themselves
41 appropriately with a proper regard for the rights and welfare of other students and school staff, the
42 educational purpose underlying all school activities, and the care of school facilities and equipment.

43 The Board believes that standards for student behavior must be set cooperatively through interaction
44 among the students, parents/legal guardians, staff, and community members producing an atmosphere
45 that encourages students to grow in self-discipline. The development of this atmosphere requires respect
46 for self and others, including obeying and responding to those who hold lawful authority, as well as for
47 District and community property on the part of students, staff, and community members. Since students

1 learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate
2 behavior, treat others with civility and respect, and refuse to tolerate harassment or bullying.

3 The Board upholds that bullying of any student or employee is prohibited:

- 4 A. during any education program or activity conducted by a District school;
- 5 B. during any school-related or school-sponsored program or activity;
- 6 C. on a school bus or at a school bus stop; or
- 7
8 D. through the use of data or computer software that is accessed through a computer,
9 computer system, or computer network within the scope of the District school system.
10 "Within the scope of the District school system" [R]1] means, regardless of ownership,
11 any computer, computer system, or computer network that is physically located on
12 school property or at a school-related or school-sponsored program or activity.
13
14 E. through the use of data or computer software that is accessed at a non-school-related
15 location, activity, function, or program or through the use of technology or an
16 electronic device that is not owned, leased, or used by a school district or school, if
17 the bullying substantially interferes with or limits the victim's/victimized person's [R]2]
18 ability to participate in or benefit from the services, activities, or opportunities offered
19 by a school or substantially [R]3] [SK4] disrupts the education process or orderly
20 operation of a school. This paragraph does not require a school ~~to~~ staff ~~to~~ monitor
21 any non-school-related activity, function, or program.

22 Student rights shall be as outlined in this policy and in the Code of Student Conduct. To positively
23 reinforce good conduct, self-discipline, good citizenship, and academic success, the Superintendent shall
24 continue and, as needed, expand the District's student recognition programs and publicly congratulate
25 students exhibiting exemplary qualities in these areas.

26 **Consequences for a Student or Employee who Commits an Act of Bullying or Harassment**

27 Concluding whether a particular action or incident constitutes a violation of this policy requires a
28 determination based on all of the facts and surrounding circumstances. The physical location or time of
29 access of a computer-related incident cannot be raised as a defense in any disciplinary action.
30 Consequences and appropriate remedial action for students who commit acts of bullying or harassment
31 may range from positive behavioral interventions up to and including suspension or expulsion, as outlined
32 in the Code of Student Conduct. Consequences and appropriate remedial action for an employee found
33 to have committed an act of bullying or harassment may be disciplined in accordance with District
34 policies, procedures, and agreements. Additionally, egregious acts of harassment by certified educators
35 may result in a sanction against an educator's state issued certificate. (See State Board of Education
36 Rule F.A.C. 6B-1.006, The Principles of Professional Conduct of the Education Profession in Florida.)
37 Consequences and appropriate remedial action for a visitor or volunteer, found to have committed an act
38 of bullying or harassment shall be determined by the school administrator after consideration of the
39 nature and circumstances of the act, including reports to appropriate law enforcement officials.

40 **Consequences for a Student or Employee who is Found to have Wrongfully and Intentionally** 41 **Accused Another of an Act of Bullying or Harassment**

42 Consequences and appropriate remedial action for a student found to have wrongfully and intentionally
43 accused another as a means of bullying or harassment range from positive behavioral interventions up to
44 and including suspension or expulsion, as outlined in the Code of Student Conduct. Consequences and
45 appropriate remedial action for an employee found to have wrongfully and intentionally accused another

1 as a means of bullying or harassment may be disciplined in accordance with District policies, procedures,
2 and agreements. Consequences and appropriate remedial action for a visitor or volunteer, found to have
3 wrongfully and intentionally accused another as a means of bullying or harassment shall be determined
4 by the school administrator after consideration of the nature and circumstances of the act, including
5 reports to appropriate law enforcement officials. Accusations made in good faith, even though
6 subsequently determined to be false, shall not be subject to discipline, consequences, or remedial action
7 as called for by this section.

8 **Reporting Procedure for Receiving Reports of an Alleged Act of Bullying or Harassment,**
9 **Including Provisions for Anonymous Reporting that Permit a Person to Anonymously Report**
10 **Such an Act.**

11 At each school, the principal or the principal's designee is responsible for receiving complaints alleging
12 violations of this policy. All school-based employees are required to report alleged violations of this policy
13 to the principal or the principal's designee. Other employees are required to report alleged violations of
14 this policy to their supervisor. All other members of the school community, including students,
15 parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation
16 of this policy anonymously or in-person to the principal or principal's designee.

17 The principal of each school in the District shall establish and prominently publicize to students, staff,
18 volunteers, and parents/legal guardians, how a report of bullying may be filed either in-person or
19 anonymously and how this report will be acted upon. The person who was the victim of bullying, anyone
20 who witnessed the act of bullying, and anyone who has credible information that an act of bullying has
21 taken place may file a report of bullying. An employee, school volunteer, student, parent/legal guardian
22 or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate
23 official and who makes this report in compliance with the procedures set forth in District policy is immune
24 from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported
25 incident. Submission of a good faith complaint or report of bullying or harassment will not affect the
26 complainant or reporter's future employment, grades, learning or working environment, or work
27 assignments.

28 Written and oral reports shall be considered official reports. Reports may be made anonymously, but
29 formal disciplinary action may not be based solely on the basis of an anonymous report.

30 **Investigation of Whether a Reported Act of Bullying or Harassment is Within the Scope of the**
31 **District School System and, if not, Referral of such an Act to the Appropriate Jurisdiction**

32 A principal or designee will assign a designee(s) who is trained in investigative procedures to initiate an
33 investigation of whether an act of bullying or harassment is within the scope of the School District.

34 The trained designee(s) will provide a report on results of investigation with recommendations for the
35 principal to make a determination if an act of bullying or harassment falls within the scope of the District
36 and will act according to the following protocols:

- 37 A. If it is within the scope of the District, further investigation will commence in
38 accordance with *Prompt Investigation of a Report of Bullying or Harassment and the*
39 *Persons Responsible for the Investigation* below.
- 40 B. If it is outside scope of the District, and reasonably suspected to be a criminal act,
41 refer to appropriate law enforcement, and inform parents/legal guardians of all
42 students involved.
- 43 C. If it is outside scope of the District, and determined not a criminal act, inform
44 parents/legal guardians of all students involved.

1 **Prompt Investigation of a Report of Bullying or Harassment and the Persons Responsible for the**
2 **Investigation**

3 The investigation of a reported act of bullying or harassment is deemed to be a site-related activity and
4 begins with a report of such an act.

5 At each school or site in the District, the procedures for investigating bullying and/or harassment include:

6 A. The principal/site administrator or designee selects a designee(s), employed by the
7 School District, trained in investigative procedures to initiate the investigation. The
8 designee(s) may not be the accused perpetrator (~~harasser~~person who harassed or
9 ~~bully~~bullied) or ~~victim~~the victimized.

10 B. Each individual (~~victim~~the person who was victimized, alleged perpetrator, and
11 witnesses) will be interviewed separately and at no time will the alleged perpetrator
12 and ~~victim~~the person who was victimized be interviewed together.

13 C. The investigator shall collect and evaluate the facts including, but not limited to:

14 1. description of incident including nature of the behavior; context in which the
15 alleged incident occurred, etc.;

16 2. how often the conduct occurred;

17 3. whether there were past incidents or past continuing patterns of behavior;

18 4. the relationship between the parties involved;

19 5. the characteristics of parties involved (i.e., grade, age, etc.);

20 6. the identity of the perpetrator, including whether the perpetrator was in a
21 position of power over the student allegedly subjected to bullying or
22 harassment;

23 7. the number of alleged ~~bullies/harassers~~person(s) who bullied/harassed;

24 8. the age(s) of the alleged ~~bullies/harassers~~person(s) who bullied/harassed;

25 9. where the act of bullying and/or harassment occurred; and

26 10. whether the conduct adversely affected the ~~student-victim's~~ education or
27 educational environment of the student who was victimized or the ~~employee~~
28 ~~victim's~~ work environment; of the employee who was victimized.

29 D. Whether a particular action or incident constitutes a violation of this policy requires a
30 determination based on all the facts and surrounding circumstances and includes:

31 1. recommended remedial steps necessary to stop the bullying and/or harassing
32 behavior;

33 2. a written final report to the principal/site administrator.

34 Where the ~~victim~~person who was victimized is a student, according to the severity of the infraction, the
35 principal or designee shall promptly notify the parent/legal guardian of the ~~victim~~student who was

1 | victimized of any actions being taken to protect the victimvictimized. The frequency of notification will
2 | depend on the severity of the bullying incident.

3 | Where the victimperson who was victimized is not a student, the principal's or designee's report will be
4 | made to the employee-victim's supervisor of the employee who was victimized and the same process
5 | described above will be followed if the alleged bullying or harassment was not alleged to occur at a
6 | school, but another District site.

7 | The initial filing of incidents and completion of the investigative procedural steps shall be completed within
8 | ten (10) school days, unless circumstances require a longer period, in which case it shall be completed
9 | within a reasonable time.

10 | **Determination of Disciplinary Sanctions or Consequences and Due Processes for a Person who**
11 | **Commits an Act of Bullying Under this Policy**

12 | Concluding whether a particular action or incident constitutes a violation of this policy requires a
13 | determination based on all of the facts and surrounding circumstances, followed by the determination of
14 | disciplinary sanctions appropriate to the perpetrator's position within the District.

15 | Consequences and appropriate interventions for students who commit acts of bullying may range from
16 | positive behavioral interventions up to, but not limited to suspension, reassignment, or expulsion as
17 | outlined in the Student Code of Conduct.

18 | Consequences and appropriate interventions for a school/District employee found to have committed an
19 | act of bullying will be instituted in accordance with Board policy. Additionally, egregious acts of bullying
20 | by certified educators may result in a sanction against an educator's State issued certificate (Rule F.A.C.
21 | 6B-1.006).

22 | Consequences and appropriate intervention for a visitor or volunteer, found to have committed an act of
23 | bullying shall be determined by the school administrator after consideration of the nature and
24 | circumstances of the act, including reports to appropriate law enforcement officials.

25 | These same actions will apply to persons, whether they be students, school employees, or
26 | visitors/volunteers/independent contractors, who are found to have made wrongful and intentional
27 | accusations of another as a means of bullying.

28 | If a complaint of bullying or harassment is made by the alleged victimperson who was victimized during or
29 | after the commencement of an investigation into employee or student misconduct, it shall not be a
30 | defense to the allegations of employee or student misconduct but may be considered as a mitigating
31 | factor under Board policy, if appropriate.

32 | **Providing Immediate Notification to the Parents/Legal Guardians of a Victimized Student-Victim of**
33 | **Bullying or Harassment and the Parents/Legal Guardians of the Student Perpetrator of an Act of**
34 | **Bullying or Harassment as well as Notification to all Local Agencies Where Criminal Charges may**
35 | **be Pursued Against the Perpetrator**

36 | The principal, or designee, shall report the occurrence of any incident of bullying as defined by this policy
37 | to the parent or legal guardian of all students involved on the same day an investigation of the incident
38 | has been initiated. Notification must be consistent with the student privacy rights under the applicable
39 | provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

40 | Once the investigation has been completed, appropriate local law enforcement agencies will be notified to
41 | determine whether to pursue criminal charges.

42 | **Referral of Victimsthe Victimized and Perpetrators of Bullying or Harassment for Counseling**

1 The Superintendent shall establish a procedure to refer ~~victims and perpetrators~~ the victimized and the
2 alleged perpetrator of bullying or harassment for counseling, including a protocol for intervening when
3 bullying or harassment is suspected or when a bullying incident is reported. The procedure shall include:

4 A. a process by which the teacher or parent/legal guardian may request informal
5 consultation with school staff (specialty staff, e.g., school counselor, school
6 psychologist, etc.) to determine the severity of concern and appropriate steps to
7 address the concern (the involved students' parents or legal guardian may be
8 included);

9 B. a referral process to provide professional assistance or services that include:

10 1. a process by which school personnel or parent/legal guardian may refer a
11 student to the school intervention team (or equivalent school-based team with
12 a problem-solving focus) for consideration of appropriate services; (Parent or
13 legal guardian involvement is required at this point.)

14 2. if a formal discipline report or formal complaint is made, the principal or
15 designee must refer the student(s) to the school intervention team for
16 determination of counseling support and interventions; (Parent or legal
17 guardian involvement is required at this point.)

18 3. referral of school personnel to the Employee Assistance Program;

19 C. a school-based component to address intervention and assistance as determined
20 appropriate by the intervention team that includes:

21 1. counseling and support to address the needs of the ~~victims~~ victimized of
22 bullying or harassment;

23 2. interventions to address the behavior of the students who ~~bully~~ use bullying
24 behaviors and harass others (e.g., empathy training, anger management);

25 3. intervention which includes assistance and support provided to parents/legal
26 guardians, if deemed necessary or appropriate.

27 **Providing Instruction to Students, Parents/Legal Guardians, Teachers, School Administrators,**
28 **Counseling Staff, and School Volunteers on Identifying, Preventing, and Responding to Bullying**
29 **or Harassment**

30 The Board seeks to ensure that schools sustain healthy, positive, and safe learning environments for all
31 students. It is important to change the social climate of the school and the social norms with regards to
32 bullying. This requires the efforts of everyone in the school environment – teachers, administrators,
33 counselors, school nurses other non-teaching staff (such as bus drivers, custodians, cafeteria workers,
34 and/or school librarians), parents/legal guardians, and students.

35 Students, parents/legal guardians, teachers, school administrators, counseling staff, and school
36 volunteers shall be given instruction at a minimum on an annual basis on the District's policy and
37 regulations against bullying and harassment. The instruction shall include evidence-based methods of
38 preventing bullying and harassment, as well as how to effectively identify and respond to bullying in
39 schools.

40 **Training**

1 The School District will conduct training for students, parents, teachers, regional/District staff, school
2 administrators, student support staff, counseling staff, bus drivers, School Resource Officers/Deputies,
3 and school volunteers on identifying, preventing, and responding to bullying. At the beginning of each
4 school year, the school principal/designee and/or appropriate regional/District administrator shall provide
5 notice of this policy, as well as the process for reporting incidents, investigation, and appeal to students,
6 school staff, parents, or other persons responsible for the welfare of a student through appropriate
7 references in the Student Code of Conduct, the school website, and/or through other reasonable means.

8
9 Approved Evidence-Based Programs and Curriculum that are authorized to provide intentional[RJ5]
10 instruction to students, parents/legal guardians[RJ6], teachers, school administrators, counseling staff,
11 and school volunteers on identifying, preventing, and responding to bullying or harassment, including
12 instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate
13 preventative action based on those observations:

- 14 • Olweus Bullying Prevention Program (OBPP) Grades K-12
- 15 • Second Step Program (Bullying Prevention) Unit Grades K-5
- 16 • Monique Burr Foundations for Children, Inc.'s Child Safety Matters (Bullying Prevention) Grades
17 K-5
- 18 • Creating a Safe and Respectful Environment in Our Nation's Classrooms (For teachers) Grades
19 K-12
- 20 • Creating a Safe and Respectful Environment on Our Nation's School Buses (For bus drivers)
21 Grades K-12

22
23 The below approved websites offer resources to be used in conjunction with the approved Evidence-
24 Based Programs and Curriculum listed above.

- 25 • Common Sense Media K-12
 - 26 ○ <https://www.commonsensemedia.org/parent-concerns>
 - 27 ○ <https://www.commonsensemedia.org/educators>
- 28 • Florida Department of Education
 - 29 ○ <http://fldoe.org/schools/safe-healthy-schools/safe-schools/bullying-prevention.stml>
- 30 • Office of the Attorney General of Florida - Safe Florida
 - 31 ○ <http://www.safeflorida.net/>
- 32 • U.S. Department of Health and Human - Services Stop Bullying
 - 33 ○ <http://www.stopbullying.gov/>

34
35 Decisions to include additional Evidence-Based Instructional Programs or Activities, not previously listed
36 within the policy, will be made on a case-by-case basis to be determined by the Superintendent and/or
37 appropriate school district staff.

38
39 **Regularly Reporting to a-Victim'sthe Parents/Legal Guardians of the Victimized and the Actions**
40 **Taken to Protect the VictimVictimized**

41 According to the level of infraction, parents/legal guardians will be notified of actions being taken to
42 protect the child; the frequency of notification will depend on the seriousness of the bullying or
43 harassment incident. Notification must be consistent with the student privacy rights under the applicable
44 provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

45 **Incident Reporting Requirements**

46 The procedure for including incidents of bullying in the school's report of data concerning school safety
47 and discipline data is required under F.S. 1006.09(6). The report must include each incident of bullying
48 and the resulting consequences, including discipline, interventions, and referrals. In a separate section,
49 the report must include each reported incident of bullying or harassment that does not meet the criteria of
50 a prohibited act under this policy with recommendations regarding said incident.

1 The School District will utilize Florida's School Environmental Safety Incident Reporting (SESIR)
2 Statewide Report on School Safety and Discipline Data, which includes bullying/harassment in its codes.

3 Discipline, referral data, investigations, interventions, and actions of discipline shall be recorded on the
4 specified data system as with other infractions from the Code of Student Conduct.

5 **Publication of the Policy, Including Publication in the Code of Student Conduct and in All**
6 **Employee Handbooks**

7 At the beginning of each school year, the Superintendent or designee shall, in writing, inform school staff,
8 parents/legal guardians, or other persons responsible for the welfare of a student of the District's student
9 safety and violence prevention policy. The Superintendent shall also make all contractors contracting
10 with the District aware of this policy. This information shall be published in the Code of Student Conduct
11 and all employee handbooks.

12 Each school principal shall develop an annual process for discussing the School District policy on bullying
13 and harassment with students in a student assembly or other reasonable format. Reminders of the policy
14 and bullying prevention messages such as posters and signs will be displayed around each school and
15 on the District school buses.

16 F.S. 110.1221, 1001.32(2), 1001.41, 1001.42, 1001.43, 1002.20, 1006.13
17 F.S. 1006.147

18 Florida Department of Education Model Policy (June 2008) [Revised xx/xx/xx](#)

19
20 Approved as to form and legality:

21
22
23 
24 _____
25 School Board Attorney

26