

## **BULLYING**

**JICK**

The Seaford 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 Cyberbullying**

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 of a school district or charter school from grades kindergarten through grade twelve. In addition, cyberbullying (as defined herein) is prohibited by students directed at other students. Incidents of cyberbullying shall be treated by each school district and charter school in the same manner as incidents of bullying. The District/Charter School further prohibits reprisal, retaliation or false accusation against a target, witness or one with reliable information about an act of bullying.*

"School function" includes any field trip or any officially sponsored public or charter school event.

"School property" means any building, structure, athletic field, sports stadium or real property that is owned, operated, leased or rented by any public school district or charter school including, but not limited to, any kindergarten, elementary, secondary, or vocational-technical school or charter school, or any motor vehicle owned, operated, leased, rented or subcontracted by any public school or charter school.

### **II. Definition of Bullying & Cyberbullying**

A. *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:*

1. *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*

2. *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*
3. *Interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities or benefits; or*
4. *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.*

*B. As used in this policy, cyberbullying 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 to limit a student's ability to participate in or benefit from the educational programs of the school district or charter school. Communication shall be considered to be directed at an identifiable student or group of students 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 cyberbullying 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 cyberbullying is not material to whether it is considered cyberbullying under this policy, nor is the use of school or district materials.*

Explanation: Bullying is usually defined as involving **repeated** acts of aggression that aim to dominate another person by causing pain, fear or embarrassment. However, one act alone may constitute bullying if the requisite intent and effect set forth in the definition are met. Bullying may be perpetuated by an individual or a group. It may be direct or indirect. Although a person may be repeatedly bullied, a different person might be doing the bullying each time, which may make it difficult to recognize that bullying is occurring. An act is intentional if it is the person's conscious objective to engage in conduct of that nature. The actions listed below are some examples of intentional actions which may become bullying depending on their reasonably foreseeable effect:

Physical bullying: Pushing, shoving, kicking, destroying of property, tripping, punching, tearing clothes, pushing books from someone's hands, shooting/throwing objects at someone, gesturing, etc.

Verbal bullying: Name calling, insulting, making offensive comments, using offensive language, mimicking, imitating, teasing, laughing at someone's mistakes, using unwelcome nicknames, threatening

Relational Bullying: Isolation of an individual from his or her peer group, spreading rumors.

Cyberbullying: Bullying by using information and communication technologies. Cyber-bullying may include but is not limited to:

1. Denigration: spreading information or pictures to embarrass,
2. Flaming: heated unequal argument online that includes making rude, insulting or vulgar remarks,
3. Exclusion: isolating an individual from his or her peer group,
4. Impersonation: Using someone else's screen name and pretending to be them
5. Outing or Trickery: forwarding information or pictures meant to be private.

Sexual Bullying: Unwanted touch of a sexual nature, unwanted talking about private parts, unwanted comments about target's sexuality or sexual activities.

This list should be used by way of example only, and is by no means exhaustive. These actions become bullying if they meet the definition with regard to intent and reasonably foreseeable effect. This policy is not intended to prohibit expression of religious, philosophical or political views, provided that the expression does not substantially disrupt the education environment. Similar behaviors that do not rise to the level of bullying may still be prohibited by other district/charter school policies or building, classroom or program rules.

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SEAFORD SCHOOL DISTRICT  
Seaford, Delaware