

## **506-B BULLY PREVENTION & CYBERBULLYING**

The Sussex Academy of Arts & Sciences (hereinafter referred to as “Sussex Academy”) recognizes that safe learning environments are necessary for students to learn and achieve high academic standards. Sussex Academy strives to provide safe learning environments for all students and all employees.

### **Prohibition of Bullying Which Includes Cyberbullying**

To further these goals and as required by 14 Del. C. 4112D, Sussex Academy 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 the school. 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. Sussex Academy further prohibits reprisal, retaliation or false accusation against a target, witness or one with reliable information about an act of bullying.*<sup>1</sup> Consequences for substantiated acts of bullying are identified in the Student Code of Conduct that is provided to students and parents annually.

### **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:*

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.*

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*

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<sup>1</sup> Legal or Regulatory Requirements are in *italics* throughout.

*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*

## **School-wide Bully Prevention Program**

Sussex Academy is committed to supporting the adoption and implementation of a school-wide research-based bully prevention program. The school shall develop and maintain a system of supervision of classroom and non-classroom areas. All members of the Sussex Academy learning community (students, teachers, staff, and parents/guardians) will participate in components of the program that will attempt to:

1. Reduce existing bullying problems among students
2. Prevent development of new bullying problems
3. Achieve better peer relations and staff-student connections at school

## **Coordinating Committee**

*The Student Achievement Team (SAT) of Sussex Academy shall be responsible for coordinating the school's bully prevention program. The representatives of this committee shall be chosen by members of the staff with representatives of the non-employee group being appointed by the Director. The program will be an annual yearlong program that is connected to positive behavior supports as well as the Student Code of Conduct.*

## **Reporting Requirements and Procedure**

Bullying is unacceptable and a culture of openness is the best way to counter such behavior. It is the responsibility of each member of the school community: pupils, staff and parents to report instances of bullying or suspicions of bullying to the school administration, in writing, with the understanding that all such reports will be listened to taken seriously. This policy requires that any school employee who suspects bullying report it to the school administration.

## **Investigative Procedures**

All complaints shall be appropriately investigated and handled consistent with due process requirements and appropriate disciplinary action(s) will be taken when instances or acts of bullying have been determined to have occurred *and the investigation of such instances will include an attempt to determine 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 or other reasons or criteria why a person is a target of bullying.* All reported instances, whether substantiated or alleged, will be reported to the Delaware Department of Education within 5 working days. Sussex Academy will follow all State and Federal reporting requirements. The Executive Director may designate a person or persons to be responsible for responding to bullying complaints.

**Training**

*Sussex Academy will provide a combined training each year totaling of at least one (1) hour for all members of the staff 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.*

**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 will be notified in a timely manner by the individual responsible for the investigation.*

Should bullying issues at school impact the physical or emotional health of a student, the school will communicate with medical professionals as per a signed release by the parent, guardian, or relative caregiver.

**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.*

**Informing Students of Electronic Mediums**

*Upon implementation of this policy, and again at the beginning of each academic year, each school district and charter school shall inform students in writing of mediums where posting 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. From implementation of this policy, postings on Facebook, Twitter, MySpace, YouTube, and Pinterest shall, at a minimum, be included in the list of mediums where posting 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.*

**Policy Notification**

*The policy shall appear in the student and staff handbook and if no handbook is available, or it is not practical to reprint new handbooks, a copy of the policy will be distributed annually to all students, parents, faculty and staff.*

Date Approved:	Date(s) Amended:
4/17/08	2/15/12, 8/15/12, 4/17/13