

Sands CISD Freedom from Bullying Policy

The District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Bullying defined:

Means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that satisfies the applicability requirements below and that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property;
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
3. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or d. Infringes on the rights of the victim at school; and

Bullying defined under these conditions also includes cyberbullying. "Cyberbullying" means bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

Applicability: these provisions apply to these situations and locations.

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately -owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying:
 - a. Interferes with a student's educational opportunities; or
 - b. Substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity

Prohibiting Retaliation:

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions.

Unlawful retaliation does not include petty slights or annoyances.

False Claims:

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

Reporting Bullying:

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct. To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

A report may be made orally or in writing. Bullying Incident reports can be obtained in the Principal's office or online at the district website (sands.esc17.net). There is also an anonymous bullying report form that can be obtained online at the district website (sands.esc17.net) under the link for student resources. The principal or designee shall transfer any oral reports to written form.

Bullying Investigation/Determination:

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

Consequences for Bullying:

The principal or designee shall make final decisions regarding punishment on all bullying incidents. The principal will follow the Sands CISD code of conduct when administering discipline on all cases of bullying. Any student who violates the student code of conduct through the use of self-defense while being the victim of a bully will not be subject of disciplinary measures.

Bullying of a student with a disability:

Requires that discipline for bullying of a student with disabilities comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

Response to Bullying:

Upon receiving notification of a bullying incident, the principal or designee will:

- #1. Ensure the safety of the student.
- #2. Contact the parents of the students involved in the incident and schedule a conference if needed.

#3. Investigate and document all incidents of bullying.

#4. Provide an opportunity for a student to meet with school counselor for intervention purposes. The school counselor will also provide resources to further assist the student in properly addressing the bullying incident both emotionally and socially.

#5. Monitor the situation closely to ensure retaliation does not occur.

#6. Provide proper discipline measures to all applicable individuals.

#7. Conduct a follow up with victim of bullying and parents to verify student health and well-being.

#8. Analyze daily procedures and routines to create an environment that provides freedom from future bullying incidents.

