

Turquoise Trail Charter School
Governance Council: Cyber-Bullying Policy

7-1-14 “Cyber-bullying” is defined as bullying through the use of technology or any electronic communication, which includes but is not limited to any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by such things as electronic mail, internet communications, instant message, text message or facsimile. Cyber-bullying includes (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation is a violation under the law. Cyber-bullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting is a violation of the law.

It is the responsibility of every student, parent and employee of the school district to recognize acts of bullying, cyber-bullying and retaliation. Any student who believes that he or she has been the victim of bullying, cyber-bullying or retaliation should report it immediately to his or her teacher or principal.

Students, parents and members of the school staff (including but not limited to educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, coaches, advisors, advisors to an extracurricular activity, or paraprofessionals), who witness or become aware of bullying cyber-bullying or retaliation should immediately report it to the principal.

Reports of bullying or cyber-bullying will be promptly investigated. If the school principal or a designee determines that bullying or retaliation has occurred, the school principal or designee will (i) notify the police if the principal or designee believes that criminal charges may be pursued against the perpetrator; (ii) take appropriate disciplinary action; (iii) notify the parents or guardians of the perpetrator; and (iv) notify the parents or guardians of the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation.

The School district will provide age-appropriate instruction on bullying prevention and provide professional development to build the skills of staff members, as required by law. The Superintendent will develop a Bullying Prevention and Intervention Plan, which shall set forth the administrative guidelines and procedures for the implementation of this policy. Such Bullying Prevention and Intervention Plan shall include, but not be limited to: procedures for reporting, responding to and investigating reports of bullying or retaliation; the range of disciplinary actions that may be taken against a perpetrator for bullying or retaliation or against someone for making a false accusation of bullying; procedures for remedying incidents of bullying and restoring a sense of safety for a victim and assessing that victim’s needs for protection; strategies for protecting from bullying or retaliation a person who reports bullying or provides information during an investigation; any notification requirements consistent with state and

federal law; a strategy for providing counseling or referral to appropriate services for perpetrators, victims and family members; and provisions for educating and informing parents about bullying and the School District's bullying prevention curriculum.

Students and parents or guardians will receive notice of the relevant student-related section of the Plan annually and faculty and staff at each school shall be trained annually on the plan applicable to the school. Each building principal shall be responsible for the implementation and oversight of the Plan at his or her school. The building principal or designee shall assist students, parents, and employees of the School District who seek guidance or support in addressing matters relating to any form of bullying, cyber-bullying or retaliation.

Any student who knowingly makes a false accusation of bullying or retaliation will be subject to disciplinary action including, but not limited to reprimand, detention, loss of privileges, and/or suspension. An educational component will be part of the actions taken. If the false accusations have civil and/or criminal elements then further actions may be taken by appropriate law enforcement agencies.

Any staff member, parent, and/or community member who knowingly engage in false accusations will be subject to appropriate consequences administered by the school system and/or law enforcement agencies.

Complaints of bullying or retaliation may be made anonymously; however, no disciplinary action shall be taken against a student, staff member, parent, or community member solely on the basis of an anonymous report.

FROM NM STATE GUIDELINES:

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 12 PUBLIC SCHOOL ADMINISTRATION - HEALTH AND
SAFETY
PART 7 BULLYING PREVENTION

6.12.7.1 ISSUING AGENCY: Public Education Department
[6.12.7.1 NMAC - N, 11-30-06]

6.12.7.2 SCOPE: All public schools, including charter schools, and

state supported educational institutions.
[6.12.7.2 NMAC - N, 11-30-06]

6.12.7.3 STATUTORY AUTHORITY: This regulation is adopted pursuant to Sections 22-2-1 and 9-24-8 NMSA 1978.
[6.12.7.3 NMAC - N, 11-30-06]

6.12.7.4 DURATION: Permanent
[6.12.7.4 NMAC - N, 11-30-06]

6.12.7.5 EFFECTIVE DATE: November 30, 2006, unless a later date is cited at the end of a section.
[6.12.7.5 NMAC - N, 11-30-06]

6.12.7.6 OBJECTIVE: This rule establishes requirements for districts, schools and state supported educational institutions to address bullying of students by adopting and implementing policies.
[6.12.7.6 NMAC - N, 11-30-06]

6.12.7.7 DEFINITIONS:

A. "Bullying" means any repeated and pervasive written, verbal or electronic expression, physical act or gesture, or a pattern thereof, that is intended to cause distress upon one or more students in the school, on school grounds, in school vehicles, at a designated bus stop, or at school activities or sanctioned events. Bullying includes, but is not limited to, hazing, harassment, intimidation or menacing acts of a student which may, but need not be based on the student's race, color, sex, ethnicity, national origin, religion, disability, age or sexual orientation.

B. "Department" means the public education department.

C. "Harassment" means knowingly pursuing a pattern of conduct that is intended to annoy, alarm or terrorize another person.

D. "IDEA" means the federal Individuals with Disabilities Education Act, 20 USC Secs. 1401 and following, including future amendments.

E. "Local school board" means the governing body of a school district or charter school.

F. "School district" means an area of land established as a political subdivision of the state for the administration of public schools and segregated geographically for taxation and bonding purposes.

[6.12.7.7 NMAC - N, 11-30-06]

6.12.7.8 REQUIREMENTS:

A. This section applies to local school boards, local school districts, and charter schools and governs policies to be adopted and implemented by local school districts with regards to addressing bullying.

B. Each school district and charter school shall develop and implement a policy that addresses bullying, no later than April 1, 2007.

C. Any such anti-bullying policy shall at least include, but shall not be limited to:

- (1) definitions;
- (2) an absolute prohibition against bullying;
- (3) a method to ensure initial and annual dissemination of the anti-bullying policy to all students, parents, teachers, administrators and all other school or district employees;
- (4) procedures for reporting incidents of bullying which ensure confidentiality to those reporting bullying incidents and protection from reprisal, retaliation or false accusation against victims, witnesses or others with information regarding a bullying incident;
- (5) consequences for bullying which include consideration of compliance with state and federal IDEA requirements;
- (6) consequences for knowingly making false reports pursuant to the anti-bullying policy;
- (7) procedures for investigation by administration of incidents reported pursuant to the anti-bullying policy;
- (8) a requirement that teachers and other school staff report any incidents of bullying; and
- (9) a requirement that anti-bullying is included as part of the health education curriculum as set forth in 6.30.2.19 NMAC (“content standards - health education”).

[6.12.7.8 NMAC - N, 11-30-06]

History of 6.12.7 NMAC: [Reserved]