

# POLICY

## CAMDEN COUNTY EDUCATIONAL SERVICES COMMISSION

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CYBERBULLYING

### 5512.02 CYBERBULLYING

A safe and civil environment in school is necessary for pupils to learn and achieve high academic standards. Cyber-bullying by a pupil in the Commission directed toward another Commission pupil or Commission staff member is conduct that disrupts both a pupil's ability to learn and the Commission's ability to educate its pupils in a safe environment.

The Board of Directors prohibits acts of cyber-bullying by Commission pupils through the use of any Commission owned, operated, and supervised technologies. The Program Administrator or designee may report allegations of cyber-bullying to law enforcement authorities.

#### Definitions

"Cyber-Bullying" is the use of electronic information and communication devices, to include but not be limited to, e-mail messages, instant messaging, text messaging, cellular telephone communications, internet blogs, internet chat rooms, internet postings, and defamatory websites, that:

1. Deliberately threatens, harasses, intimidates an individual or group of individuals; or
2. Places an individual in reasonable fear of harm to the individual or damage to the individual's property; or
3. Has the effect of substantially disrupting the orderly operation of the Commission.

"Commission owned, operated, or supervised technologies" is any computer, networking system, electronic equipment, or any other equipment or device that may be used by a person to communicate to another which is owned, leased, operated, or under the control or supervision of the Commission and/or Commission staff.

#### Reporting Procedure and Investigation

Any pupil or Commission staff member who believes he/she has or is being subjected to cyber-bullying, as well as any person who has reason to believe a pupil or Commission



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staff member has knowledge or reason to believe another pupil or Commission staff member is being subjected to or has been subjected to cyber-bullying shall immediately make a report to the Program Administrator or designee.

The Program Administrator or designee shall investigate all reports of such conduct. If the investigation results indicate cyber-bullying was not committed, the Program Administrator or designee will inform the affected parties of the investigation results. In the event the investigation results indicate cyber-bullying was committed by a Commission pupil on Commission grounds and/or using Commission technologies, the pupil will be subjected to appropriate discipline.

In the event the investigation results indicate cyber-bullying was committed by a Commission pupil using non-Commission technologies away from Commission grounds, the Program Administrator or designee may report the investigation results to local law enforcement. In addition, Commission authorities have the right to impose a consequence on a pupil for conduct away from Commission grounds, including on a school bus or at a Commission-sponsored function pursuant to N.J.A.C. 6A:16-7.6. This authority shall be exercised only when it is reasonably necessary for the pupil's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other pupils, staff, or Commission grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2. This authority shall be exercised only when the conduct, which is the subject of the proposed consequence, materially and substantially interferes with the requirements of appropriate discipline in the operation of the Commission. Consequences shall be handled in accordance with Policy and Regulation 5600, N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.5.

Any investigation regarding an allegation of cyber-bullying will provide all parties the appropriate due process rights, including the right to appeal the determination of the Program Administrator or designee as outlined in Regulation 5512.

### Discipline and Consequences

Some acts of cyber-bullying may be isolated incidents requiring the Commission to respond appropriately to the individual committing the acts. Other acts may be so serious or part of a larger pattern of cyber-bullying that require a response either at the classroom, Commission building, or Commission level or by law enforcement officials.



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Consequences and appropriate remedial actions for pupils who commit an act of cyber-bullying range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils. In addition, cyber-bullying using Commission technology violates Policy 2361 – Acceptable Use of Computer Network/Computer and Resources and subjects the pupil to discipline and sanctions of Policy and Regulation 2361.

Prevention and intervention techniques to prevent cyber-bullying and to support and protect victims shall include appropriate strategies and activities as determined by the Program Administrator or designee.

### Reprisal or Retaliation Prohibited

The Commission prohibits reprisal or retaliation against any person who reports an act of cyber-bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Program Administrator or designee after consideration of the nature and circumstances of the act, in accordance with case law, Federal and State statutes and regulations, and Commission policies and procedures.

### Consequences for False Accusation

Consequences and appropriate remedial action for a pupil found to have falsely accused another of an act of cyber-bullying range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils.

Consequences and appropriate remedial action for a Commission employee found to have falsely accused another of an act of cyber-bullying shall be disciplined in accordance with Commission policies and procedures.

### Policy Publication

This Policy will be disseminated annually to all Commission staff, pupils, and parent(s) or legal guardian(s).

Adopted: 1 October 2008

