

JICL—Bullying

Definition of Bullying

Bullying is defined as misconduct that is characterized by the aggressor(s) repeatedly engaging in negative actions against another student in an attempt to exercise control over the victim. As used in this policy, bullying means any intentional gesture, or any intentional written, verbal or physical act or threat by a student that a reasonable person under the circumstances should know will have the effect of:

- Harming a student; or,
- Damaging a student's property; or,
- Placing a student in reasonable fear of harm to his or her person; or,
- Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for a student.

An act of harassment, intimidation, or bullying may also be committed through the use of a land line, car phone, or wireless telephone or through the use of data or computer software that is accessed through a computer, computer system, or computer network.

Bullying generally involves a student repeatedly doing or saying something to or about another in an attempt to exercise control over the victim. Further, while the student's conduct may be similar to incidents of harassment, bullying is distinguished from illegal harassment in that it is not necessarily motivated by discrimination against an individual in a protected class or retaliation.

Bullying is generally characterized by aggressive behavior, or intentional harm doing, that is carried out repeatedly over time. It also involves an imbalance of power between the victim and the aggressor, possibly based on age, physical prowess, or socio-economic status.

Bullying often occurs without apparent provocation.

Prohibited Behavior

Physical Abuse—

Bullying may involve acts of physical abuse, including, but not limited to:

- Hitting;
- Pushing;
- Tripping;
- Kicking;
- Blocking or restraining another student's movement;
- Sexual misconduct;
- Causing damage to another student's clothing or possessions; or
- Taking another student's belongings.

Verbal Abuse—

The actions that constitute bullying do not require physical contact and may be based solely on verbal abuse, such as:

- Name calling;
- Threatening;
- Sexual misconduct;
- Taunting; or
- Malicious teasing.

Psychological Abuse—

Bullying may occur even when the victim is not directly subjected to physical or verbal abuse, which is sometimes referred to as “psychological bullying.”

Incidents may involve:

- Spreading harmful or inappropriate rumors regarding another;
- Drawing inappropriate pictures or writing inappropriate statements regarding another; or
- Intentionally excluding another from groups or similar activities.

Investigation

The Administrator, or designee, will investigate any allegations of misconduct that are reasonably characterized as bullying. At the discretion of the Administrator, the alleged perpetrator(s) may be suspended pending the outcome of the investigation.

Disciplinary Action

Any staff member or student who violates this policy will be disciplined as determined to be appropriate, up to and including suspension and/or expulsion and referred to the local law enforcement agency for prosecution. Engaging in bullying results in a \$75 fine by the Bonneville County Sheriff’s Office for each infraction.

References Idaho Code §33-512, 18-917