

The School Board of Nassau County

Bullying Prevention
and Intervention
Handbook
and
Procedure Manual



John L. Ruis, Superintendent

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Florida Statute and NCSB Administrative Rule Updated 2014

FORWARD

This handbook and procedure manual was created as an aid to schools in implementing the Nassau County School Board Bullying Prevention and Intervention Program. It is the culmination of the efforts of the school district to meet the requirements of the "Jeffery Johnson Stand Up for All Students Act" and the Nassau County School Board Administrative Rule 5.49 - Bullying and Harassment. NCSB Administrative Rule 5.49 was certified by the Florida Department of Education to be in substantial conformity with Section 1006.147, Florida Statutes.

The district thanks the following individuals who served on the committee to develop Nassau County's Bullying Prevention and Intervention Program.

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Fernandina Beach Middle School - Lisa Crowley (Guidance), Davis Friedman (Assistant Principal)

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DEFINITION OF BULLYING

The Nassau County School Board Administrative Rule 5.49 defines bullying and harassment.

Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation.

Harassment means any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property; has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or has the effect of substantially disrupting the orderly operation of a school.

Bullying and harassment also encompass retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

Key elements of these definitions are:

1. The behavior is unwanted.
2. The behavior is repeated.
3. The behavior substantially interferes with the educational environment and impairs the victim's school performance or participation.
4. There is a real or perceived imbalance of power between the bully and the victim.

Many behaviors are not, in themselves, bullying but rise to the level of bullying when they become repeated. Promptly addressing such behaviors may prevent them from becoming bullying.

BULLYING PREVENTION AND INTERVENTION PROGRAM OVERVIEW

The Nassau County School Board Bullying Prevention and Intervention Program is based on best practices identified through research. The program seeks to use a comprehensive approach to reduce bullying behavior in the schools and address incidents promptly and appropriately when they occur. All administration, faculty, staff, bus drivers, students, parents, volunteers, and visitors play critical roles in creating an atmosphere that is healthy, civil, and conducive to learning.

The elements of the program are:

- All school staff will be trained in bullying prevention. Regular, annual training and education will be provided to employees, students, parents, and volunteers.
- Schools and the District will explain, reinforce, and uphold the standards of behavior expected of students and adults.
- Each school will use an anonymous survey periodically to assess the nature and extent of bullying at the school.
- Time will be set aside on a regular basis at each school to discuss bullying and improving peer relationships. Each school will use appropriate bullying prevention curriculum/resources to reduce violence and increase pro-social behavior.
- School rules and policies will be established and guidance will be given regarding enforcement. School rules will be posted and discussed with students and parents.
- Schools will increase supervision of areas where bullying tends to thrive, such as hallways, PE classes, restrooms, playgrounds, etc.
- School staff will be trained to recognize and intervene in bullying or suspected bullying.

- All complaints and reports will be taken seriously and investigated promptly and thoroughly according to a standard procedure, ensuring confidentiality and protecting witnesses and victims from retaliation.
- Interventions appropriate for the level of seriousness of infractions will be provided and appropriate disciplinary consequences will be implemented if allegations are substantiated.
- Suspected child abuse, sexual assault, or other criminal acts will be promptly reported.
- Schools will maintain data regarding the number of complaints of bullying that are received, the number confirmed as bullying, and the number unsubstantiated in order to report to the Florida Department of Education.

Each school will implement the elements of this program as best fits the school's needs and circumstances in compliance with NCSB Administrative Rule 5.49. To confirm that all elements of the program are in place at each school, an implementation checklist is provided.

BULLYING PREVENTION AND INTERVENTION PROGRAM IMPLEMENTATION CHECKLIST

Activity	Check if Complete	Date Completed, If Applicable
All school staff are trained in bullying prevention:		
Administrators	_____	_____
Teachers	_____	_____
Paraprofessionals	_____	_____
Custodians	_____	_____
Other Staff	_____	_____
Parent training/education has been provided		
Volunteer training has been provided		
Visitor awareness has been provided		
Students have been informed of behavior expectations, rights and responsibilities regarding bullying outlined in the Code of Student Conduct, and of consequences for bullying		
An assessment survey was conducted and reviewed		
A curriculum or other means of discussing bullying prevention, improving peer relationships, reducing violence and increasing pro-social behavior is in place		
School rules and rules promoting bullying prevention are posted and have been discussed with students and parents		
Means of recognizing students for appropriate behavior have been established and are routinely employed		
Supervision of areas such as hallways, PE classes, restrooms, playgrounds has been assigned to school staff sufficiently to reduce opportunities for bullying		
All personnel assigned to investigate complaints have been trained in investigation techniques		
A school intervention team is in place and functions as an integral part of the bullying intervention process		
A master school file of all bullying complaints has been established and maintained		
Records of bullying investigations are placed in individual student discipline folders		
Data is collected, maintained, and reported as required by the FLDOE according to FL Statutes regarding the number of complaints received, the number confirmed as bullying, and the number unsubstantiated		
Data is accurately reported in SESIR		

PREVENTION

School Culture

The Nassau County School District seeks to create and maintain at every school a culture that promotes civility and respect among all and is clearly intolerant of bullying and harassment. Establishing an environment in which students and teachers feel safe and schools are able to focus on learning is the desired standard. The District will provide sample rules in poster form for promoting a bully-free environment.

The rules recommended for district-wide implementation to promote a bully-free environment are:

I help my school to be bully-free because:

1. I treat others the way I want to be treated.
2. I speak up if I see someone bullying.
3. I am a friend and include others in activities.
4. I respect differences in people.

Assessment of the Scope and Magnitude of Bullying

In order to understand the prevalence of bullying on campus, each school should take the first step of conducting an anonymous student survey. The Nassau County School District will provide a survey form for this purpose. Data from this survey can be used to develop the program at a school or to assess the effectiveness of existing programs and activities at the school.

Awareness Activities

To kick off the Bullying and Harassment Prevention and Intervention Program, each school should consider how to make the school community aware of the district and school's program. Holding a school-wide event, using a unique slogan printed on banners, posters, etc., assemblies, closed-circuit TV broadcasts, student-produced plays, and signing "anti-bullying and harassment pledges" are only a few suggested means for promoting awareness. Involvement of parents at parent meetings or Open Houses is also recommended.

The District will provide material for use in educating school staff, school resource officers, parents, volunteers, and bus drivers about bullying prevention. Schools will provide training for school-based staff and the District will conduct training for bus drivers and SROs. Instruction regarding bullying prevention will be incorporated into the required annual training regimen for school employees.

The District will provide a pamphlet suitable for distribution to inform visitors and other non-school individuals such as vendors about bullying prevention.

Student Activities

Students want to feel that they can make a difference. In addition to helping students learn what to do in response to bullying, either as a victim or a bystander, schools should seek to establish clubs and other student activities that encourage positive social behavior. Youth Crime Watch and Peer Mediation are examples of student programs that encourage positive social behavior.

Recognition Activities

Each school is expected to incorporate systematic methods for student and staff recognition through positive reinforcement for good conduct, self discipline, good citizenship, and academic success as per NCSB Administrative Rule 5.49. Schools are strongly encouraged to find authentic ways to recognize students who may not be the "top student" but consistently behave according to expectations and/or show improvement in their actions. These recognition activities may be done at the school level, classroom level, or for individual students.

Program Mentors

The Nassau County School District intends to support the bullying and harassment prevention programs at the school level by identifying Program Mentors. These mentors will be selected by the Principals for their schools and should be individuals committed to the tenets of the program. The mentors will, individually or with the assistance of a school committee, promote the program and monitor the program's implementation. In addition, mentors will provide examples, modeling, and coaching for teachers in adopting classroom practices and activities that support the bullying and harassment prevention program. The mentors will assist in educating the faculty and staff regarding appropriate intervention in bullying.

CURRICULUM IDENTIFICATION/DEVELOPMENT

As an integral part of a comprehensive bullying and harassment prevention program, curriculum provides a uniform avenue to teach students about standards and expectations for behavior, how to avoid victimization, what to do about bullying seen or experienced, and how to develop relationship and social skills to reduce the possibility that a child will become a bully or a victim.

Each school should select and implement an age-appropriate program that best meets the school's needs. Where district-provided programs are available, such as Second Step in middle schools, schools are expected to implement those programs with the highest level of fidelity possible.

Cyberbullying, an increasingly prevalent form of bullying among teens, can also be addressed through a presentation on Cybersafety available from the State Attorney General's Office. All School Resource Officers have been trained to make this presentation and have the required materials.

The chart on the following page lists curriculum and programs currently being used in Nassau County Schools. In addition, two programs developed and used at Bryceville Elementary School and Callahan Middle School are presented as resources. For further information about those programs, please contact the individual schools.

Anti-Bullying Resources and Materials Currently Used in Nassau County Schools*

<i>Activity</i>	<i>Book</i>	<i>Video</i>	<i>Classroom Presentation</i>	<i>Outside Agency</i>	<i>Grade Level: E, M, H</i>
Auto-B-Good		X	X		E
Adventures in Odyssey		X	X		E
BEST (Building Esteem in Students Today)	X		X		E
<u>Bullies Are A Pain In The Brain</u>	X	X	X		E, M
Bully-Proof Classroom	X				E
Bully-Proof Kit	X	X			E
Child Advocate Rapid Response Team (CARRT)				X	E, M, H
<u>Don't Laugh At Me</u>	X	X			E, M
Groark		X	X		E
<u>Just Kidding</u>	X				M
Learning For Life			X	X	E, M
Peers Making Peace (Peer Mediation Program)					M, H
Project Alert	X	X	X		M
Research Based Tips, Strategies & Activities for Dealing with Bullies	X	X	X		
Second Step			X		M
Skill Streaming			X		E
<u>Sorry</u>	X				M
Stand Up, Speak Out		X	X		E, M
Stop Bullying Now		X	X		M
Sutton Place (Project Success)				X	M, H
The Bully-Free Classroom	X		X		E
<u>Tough Kid Bully Blockers Book</u>	X				M

*Contact the Office of Student Services for more information about these resources.

The following are examples of an elementary and a middle school program.

Anti-Bullying Policy Bryceville Elementary School

I. Premise: Every student has the right to a safe school, and the responsibility to stop bullying. "You have the right to not be bullied."

A. Definition: Bullying is an aggressive behavior (either psychological or physical), when someone keeps doing or saying things to have power over another person. Bullying is unacceptable behavior when it makes the person being bullied feel afraid or uncomfortable.

B. Examples of bullying:

Taunting, teasing or "joking", calling names (ridicule), making unwanted comments, glaring at a classmate in a threatening manner (intimidation), saying or writing nasty things about someone (put-downs or rumors), making someone feel scared or uncomfortable, purposely leaving someone out of an activity, taking or damaging someone else's property, hitting or kicking someone, and making someone do things they don't want to do.

C. Establish classroom rules against bullying:

1. Define bullying.
2. Have students give examples (see list under B of this section)
3. Explain that an incident of bullying (example list) will be written on a discipline form and given to the principal.

D. Policy for reporting:

Each direct observation or report of a bullying incident that results in a **Student Code of Conduct** infraction will be recorded on the discipline form and taken directly to the principal.

Other observations or reports of bullying that do not result in a referral infraction will be reported to the principal or school

counselor, so that alternative interventions such as the "Bully Packets" can be used.

It is understood that classroom interventions occur daily in response to bullying behavior.

II. Steps to be taken for reporting a bullying incident:

Step 1: Reinforce the premise with the student who is reporting; "You have the right to not be bullied." (It is now out in the open and can be dealt with.)

Step 2: Determine if this is a bullying situation. If the "victim" is reporting, ask if they felt scared or uncomfortable. If the "bystander" is reporting, ask for details that would indicate bullying.

Step 3: Determine if this is a referral report (the outcome of the bullying causes an infraction in the **Student Code of Conduct.**)

- If yes, then fill out the discipline referral and give to the principal.
- If no, then choose:
 - To report the incident to the principal or school counselor for further interventions (ie. Bully Packets, counseling), or
 - To follow classroom procedures for discipline (ie. Brief counseling, points taken away, phone call home, etc.)

Step 4: Determine action to be taken (by principal in response to the referral). Consequences include, but are not limited to the following:

- Apology; stated and/or written.
- Door greeter; student greets other students with politeness and respect.
- Repayment of damaged property (if needed).
- Referral to a peer mediation session.
- Referral to small group counseling or anger management and conflict resolution.
- Repeated offense towards the same student - conduct a Child Study Team (CST) meeting with parents.

- Retaliation, violence, or extremely aggressive behavior - immediate suspension and a date set for a CST meeting with parents.

III. Positive steps to prevent bullying:

- A. Classroom discussions of the definition of bullying and student-generated examples.
- B. "No Bullying" added to classroom rules.
- C. Classroom guidance lessons on: respect, responsibility, empathy, tolerance, self-esteem, friendship skills, responding to bullying - "Recognizing, Refusing, and Reporting".
- D. Small group counseling: anger management and conflict resolution, or self-esteem and confidence building.
- E. Teachers and staff, parents, and students are encouraged to report bullying, not to tell the victim to ignore it, solve it themselves, or hit back.
- F. Positive praise/note for any student who sands up for someone being bullied.
- G. Other programs utilized, such as "Bully Buzz", "Mean Talk, Mean Acts", etc.

Anti-Bullying Program Callahan Middle School

Resources

The Tough Kidd Bully Blockers Book, Julie Bowen, PhD., Paula Ashcraft, M.S., William R. Jenson, PhD., and Ginger Rhode, PhD

Just Kidding by Trudy Ludwig

Don't Laugh at Me by Steve Sesdin & Allen Shamblin

Research Based Tips, Strategies & Activities for Dealing with Bullies by Trevor Romain (workbook and video)

Bullies are a Pain in the Brain by Trevor Romain

Stop Bullying Now, video toolkit

Second Step - Used by social study classes

Class Presentations

What the program is and how it works

How to recognize a bully

What to do and what not to do as a bystander

Am I a victim and what to do as a victim?

 Direct victimization - physical and verbal

 Indirect victimization - manipulation

 Overt victimization - insults

 Relational victimization = peer relationships (Martin & Huebner, 2008)

What do I do if I am the bully and I know I need help?

What do I do if I need to report something or someone?

Difference between tattling and reporting

Club

Recruit student from the cliques in the school

Hold a meeting to explain the parameters

Send a parent permission form home to involve parents

Group Sessions

Victims

- Group share
- How to assert yourself
- How to stand up to a bully
- Role play
- Brainstorming with other members
- Creative writing stories
- Journals
- Parent information - what to watch for
- Create a group of older student to share with younger students

Bullies

- Get to know you
- Why do I do this?
- What else can I do strategies for expression anger?
- Strategies for catching yourself in the bully mode
- Parent information - strategies to use at home

To be done prior to setting up groups

- Create a survey for teachers of suspected bullies and targets, based on peer victimization paper by (Martin & Huebner, 2007).
- Create parent permission forms for participants in the group sessions.
- Create the lesson/treatment plan for each group. There are going to be 4-5 sessions.
- Create an evaluation process to determine if the program is successful.

School Awareness

- Bulletin boards in cafeteria and around school
- Articles for the newspaper, local and school
- Letters for parents sent home
- Parent night to address bullying and the signs

Other programs in school include the Second Step program presented in the Social Studies classrooms.

On-line Resources

Center for Effective Collaboration and Practice
Early Warning, Timely Response: A Guide to Safe Schools
<http://cecp.air.org/guide/>

US Department of Health and Human Services
Health Resources and Services Administration
Stop Bullying NOW
<http://www.hrsa.gov/>

Stop Bullying Now
<http://www.stopbullyingnow.com/>

National School Safety Center
<http://www.schoolsafety.us/Bullying-Resources-p-26.html>

INTERVENTION

What to Do if You Witness Bullying

The most important action if you see bullying is to tell the bully to stop. A simple plan to follow if bullying is witnessed is:

1. Stand between the victim and the bully (bullies) to stop interaction, preferably blocking eye contact between them. Don't send anyone away. Don't immediately ask for details or try to sort out the situation.
2. Use a matter-of-fact tone of voice to state the behavior you saw or heard and that the behavior is unacceptable and against school rules. For example: "I saw you pushing and calling names. Students at this school aren't permitted to treat others that way."
3. Be supportive of the bullied child. Do not question the child in front of other students, especially not in front of the bully (bullies). Make a point to speak to the child in private or refer the student to a counselor. Increase supervision to assure the bullying is not repeated and does not escalate.
4. Include bystanders in the conversation and give them guidance about how they might appropriately intervene or get help next time. Use a calm tone of voice to let bystanders know you noticed their efforts to help (even if unsuccessful) or their allowance of the behavior. If they did not help or if they condoned the bullying, encourage them to respond in a more pro-social manner next time.
5. Apply immediate consequences for students who bully others. Let students who bully know that you will be watching them (and their friends) to make sure there's no retaliation. Report the situation to the school disciplinarian. If the incident does not require formal consequences or a report to the office, such as if a student not previously known to bully starts to tease another, a warning may be sufficient. However, if a second incident occurs, be sure to document all prior occurrences on the discipline referral.

What to Do if Bullying is Reported to You

1. Take all reports seriously.

2. Ask, "Has this happened before?" One incident may not seem significant, but it is important to determine whether a pattern of behavior exists.
3. Do not blame the victim. Understand that it probably took courage to report the incident.
4. Get the facts of what happened. Give the information to the school disciplinarian.
5. Reassure the victim. Let the student know you will report the bullying to those at the school who can best help. Assure the student you will maintain confidentiality. Encourage the victim to not act upset or angry in front of the bully, and to communicate any further incidents to you or to the school disciplinarian. Do not encourage the student to fight back or ignore bullying.
6. Look for signs of serious impact on the victim. Refer the student to the guidance counselor or to the school intervention team to connect the student to the right help.
7. If bullying is reported to you by another party, such as the parent, connect the person to the school disciplinarian. Follow up to make sure the report has been investigated.

Investigations

The Nassau County School District provides a standard structure for conducting investigations, as well as the associated forms (see Appendices). In addition, to comply with the requirements of notifying individuals involved in bullying complaints as victims or the accused, the District provides templates for letters of notification. An investigation flow chart is shown on page 22.

All staff designated as bullying complaint investigators must be trained. The Nassau County School District will conduct initial and follow-up training for all Principals, Assistant Principals, Deans, and Principal-Designees.

Imbedded in the recommended investigation procedures are the following concepts specific to bullying and harassment complaints:

- Take all reports seriously and investigate promptly.

- Take time to listen and ask appropriate questions to learn the details of a complaint.
- Determine whether the bullying is within the scope of the District's authority. If not, report the incident to Law Enforcement, if applicable. Report the complaint to the victim's parents.
- If an incident is not within the scope of the District's authority, complete an informal investigation and make a written record of the complaint. This record will be important if off-campus activities later cause on-campus issues.
- Avoid blaming the victim.
- Differentiate bullying and harassment from other forms of peer conflict.
- Do not attempt to use peer mediation when bullying is suspected.
- Question victims, witnesses, and the accused separately.
- Do not interview groups of students - interview individuals.
- Maintain and emphasize confidentiality.
- Protect the victim and witnesses.
- Look for signs of serious impact on the victim and implement immediate interventions, if indicated.
- Document all investigation activities on the forms provided and properly file reports in individual students' records as well as in the school's master bullying file. Access to information regarding previous complaints, both founded and unfounded, is instrumental in knowing whether actions are repeated.

District and Community Assistance

In each community and at the school district level, there are agencies, groups, and individuals with unique skills and/or are professionally trained to work with students who are victims or bullies. Schools are encouraged to form relationships with groups and individuals to supplement the school's ability to help students. Within the school district or by contract or agreement with the district, the following groups and individuals are available:

NCSB Intervention and Prevention Department
 CARRT - Child Advocate Rapid Response Team
 NCSB Psychological Services

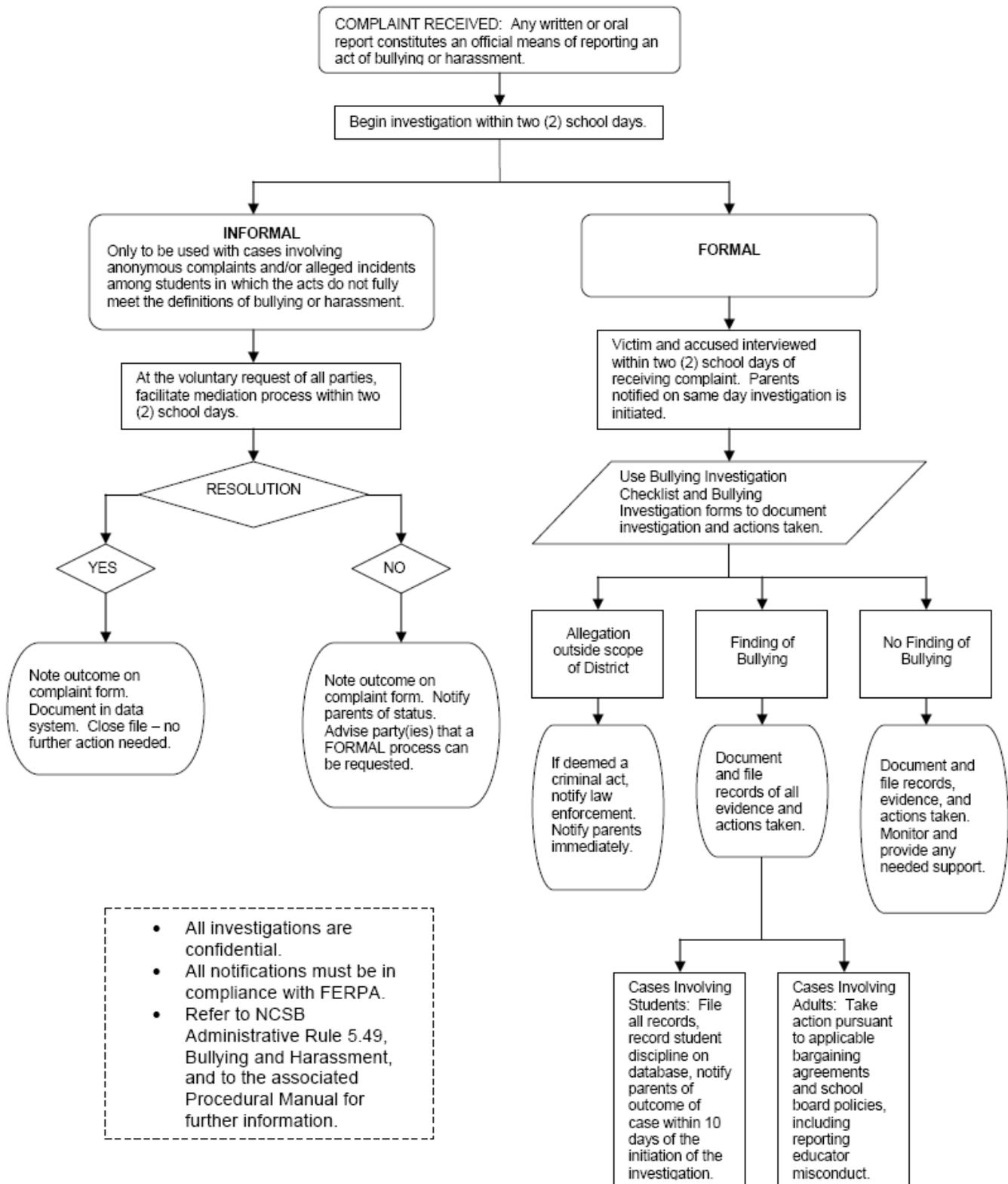
ESE Staffing Specialists
 Sutton Place Behavioral Health

This list is not all-inclusive and schools are encouraged to seek resources in their own vicinities.



The Nassau County School District

BULLYING/HARASSMENT INVESTIGATION FLOW CHART



Recommended Consequences

In applying consequences for bullying, consider the following:

- Attempt to understand the bully's motives. Possible motives include wanting attention, prestige, or recognition; getting access to what they want (extortion, intimidation); need for power, control or domination; lack of understanding of social, cultural, psychological or physical differences and norms.
- Referral to the School Intervention Team can assist in determining appropriate consequences for a specific student.
- Consequences should escalate for repeated incidents.
- Consequences can include the opportunity to provide for social skill acquisition and empathy-building, restitution, involvement in positive leadership roles, and removal of privileges.
- Requests to apologize, asking "why," pleading with a bully, and expressing frustration with the bully are likely to have negative impact.
- Bullying is a form of victimization, not peer conflict, therefore peer mediation is not an appropriate consequence.
- Follow-up monitoring should be done to confirm the completion of assigned consequences.
- Make sure that victims and witnesses are safe.
- If moving or separating students is considered, the bully should be first considered for the move. If the bullying is done by a group, remove the primary bully.
- Clearly communicate with parents/guardians of both the victim and the bully, but maintain confidentiality when doing so. It is not permitted to reveal the identities of other students involved in an incident or to discuss consequences assigned to students with someone other than their own parents or guardians. It is permitted to indicate that appropriate action has been taken.
- When communicating with parents or guardians, explain the facts of an incident and any relevant information about the District's or school policy.
- When communicating with parents or guardians of a victim, outline what steps will be taken to protect their child's safety and guard against future victimization.

SUMMARY OF RECOMMENDED CONSEQUENCES FOR STUDENTS

Please note that application of the recommendations in the following chart should be **age-sensitive**. Refer to the Nassau County Codes of Student Conduct (CSC), Elementary/Secondary. Consequences escalate with the severity of the offense and with the number of times offenses are committed. Reminder: A bully must not be allowed to minimize the behavior or externalize the cause. Under no circumstances should peer mediation be used as an intervention.

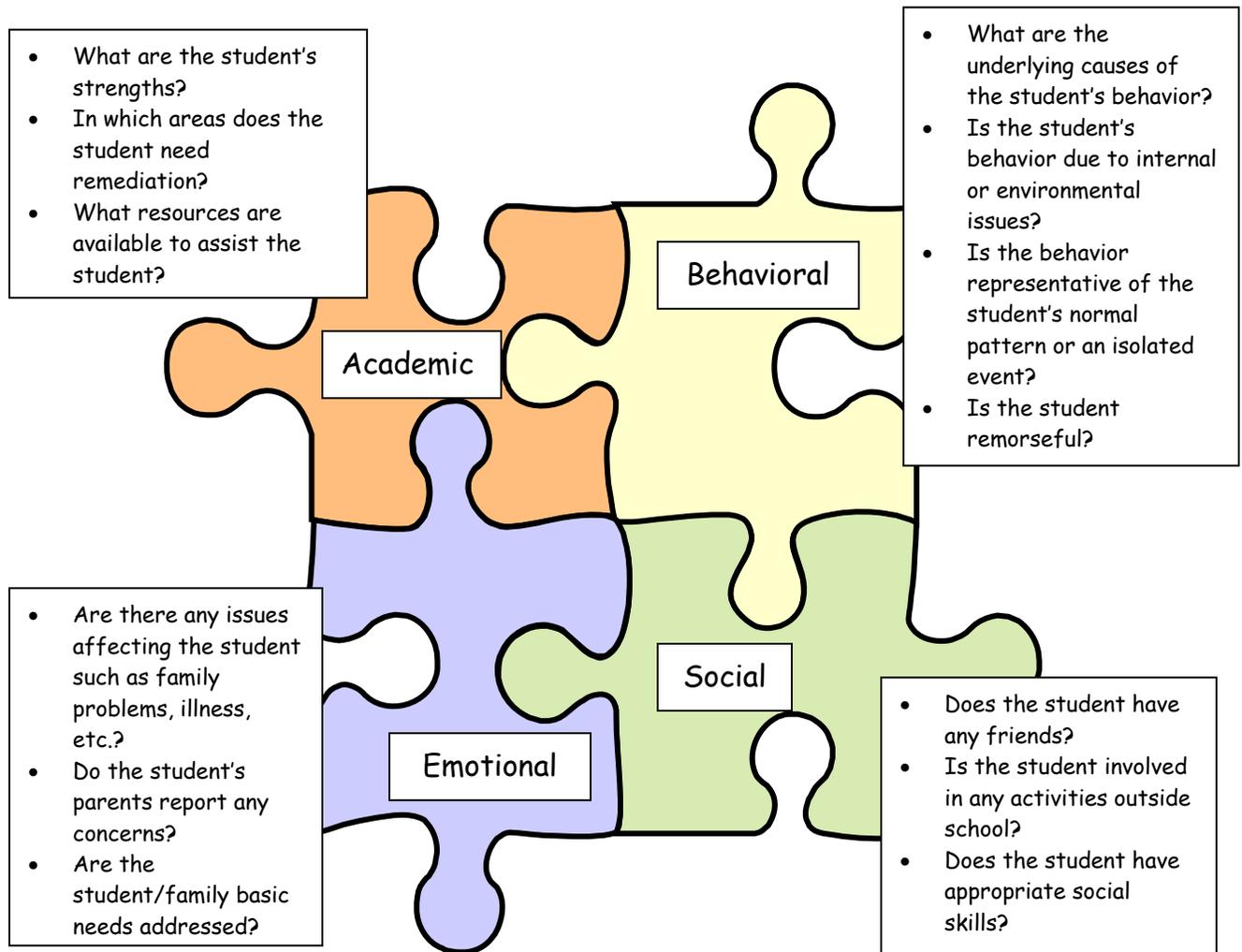
Examples of Behavior	First Time Class II (CSC)	Second Time Class II (CSC)	Third Time Class III(CSC)	After Third Time Class III
Teasing, systematic exclusion, rumors	Warning Student calls parent	A privilege is withheld. Refer to intervention team Parent notified	Parent notified Non-consequential acts	After the third time a student shows the behavior of bullying in a school year, school staff and parents need to meet to discuss a behavior plan and/or expulsion.
Hitting, pushing, grabbing, slapping	In-school suspension Out-of-school suspension Counseling	In-school suspension (intensive work on social skills, and/or anger management) Positive behavioral interventions (Practice social skills) Non-consequential acts	In-school-suspension Out-of-school suspension Report to law enforcement Teen Court See CSC for Other options	
Harassment, severe physical harm	Out-of-school suspension Anger management Counseling Report to law enforcement			

CONSEQUENCES FOR ADULTS

For incidents in which the perpetrator of a bullying act is an adult employee of the District, consequences should be consistent with Nassau Teacher Association (NTA) or Nassau Educational Support Personnel Association (NESPA) contract. In addition, the requirements of Nassau County School Board Administrative Rule 3.58 - Report of Employee Misconduct and the associated investigation procedures must be met. See also: The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida.

If the perpetrator of an act of bullying is an adult but not a school employee, recommended consequences depending on the severity of the act may include: warning, ban from campus, or report to law enforcement.

The School Intervention Team



Each Nassau County School has a school intervention team. School intervention teams assist schools in looking at the total picture of a student, the school environment, and factors influencing the student's performance. In processing referrals, the school intervention team asks questions such as those shown above in order to develop and implement appropriate actions for a student. At a minimum the school intervention team will meet these standards:

1. There is a process within the school to refer students to the school intervention team.
2. The team develops a written plan for a referred student.
3. The team appropriately involves parents in the student's plan.
4. The team provides follow-up monitoring of the student's progress.
5. Written records are kept of the team's meetings, the student's plan, and the plan monitoring.

APPENDICES

5.49 BULLYING AND HARASSMENT--

- I. Statement Prohibiting Bullying and Harassment
 - A. It is the policy of the Nassau County School District that all of its students and school employees have an educational setting that is safe, secure and free from harassment and bullying of any kind. The District will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.
 - B. The District upholds that bullying or harassment of any student or school employee is prohibited
 1. During any education program or activity conducted by a public K- 12 educational institution;
 2. During any school-related or school-sponsored program or activity;
 3. On a school bus of a public K-12 educational institution; or
 4. Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K- 12 education institution within the scope of the school district, meaning regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity; or
 5. Through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school. This section does not require a school to staff or monitor any non-school-related activity, function, or program.
 - C. Students and employees of the Nassau County School District shall not be bullied or harassed on the basis of, but not limited to, the following:
 1. Sex,

2. Race,
3. Color,
4. Religion,
5. National Origin,
6. Age,
7. Disability (physical, mental or educational),
8. Marital Status,
9. Socioeconomic Background,
10. Ancestry,
11. Ethnicity,
12. Gender,
13. Gender Identity,
14. Linguistic Preference,
15. Political Beliefs,
16. Sexual Orientation, or
17. Social/Family Background.

II. Definitions

- A. Bullying includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to
 1. Unwanted teasing or taunting;
 2. Social Exclusion;

3. Threat;
4. Intimidation;
5. Stalking;
6. Physical violence;
7. Theft;
8. Sexual, religious, or racial harassment;
9. Public or private humiliation; or
10. Destruction of property.

The term bullying shall include cyberbullying whether or not specifically stated.

B. Harassment means any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that

1. Places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
3. Has the effect of substantially disrupting the orderly operation of a school.

C. Bullying and harassment also encompass

1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
2. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by
 - a. Incitement or coercion;

- b. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system;
 - c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.
- D. Cyberbullying means 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 a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying 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 creates any of the conditions enumerated in the definition of bullying.
- E. Cyberstalking as defined in s. 784.048(1)(d), F.S., means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

III. Behavior Standards and Expectations

- A. The Nassau County School District expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.
- B. The District believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and

others, as well as for District and community property on the part of students, staff, and community members. Because students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.

- C. Student responsibilities for acceptable behavior include:
 - 1. Conforming to reasonable standards of socially acceptable behavior;
 - 2. Respecting the person, property, and rights of others;
 - 3. Obeying constituted authority;
 - 4. Responding appropriately to those who hold authority.
- D. All administration, faculty and staff, in collaboration with parents, students and community members will incorporate systematic methods for student and staff recognition through positive reinforcement for good conduct, self discipline, good citizenship, and academic success.
- E. Student rights and responsibilities as outlined in this policy and in the Code of Student Conduct shall be explained to students annually.
- F. Proper intervention and prevention steps shall be taken based on the level of severity of an infraction as outlined in the Code of Student Conduct and in this policy.

IV. Consequences

- A. Committing an act of bullying or harassment
 - 1. Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.
 - 2. Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct.

3. Consequences and appropriate remedial action for a school employee, found to have committed an act of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements. Additionally, egregious acts of harassment by certified educators may result in a sanction against an educator's state issued certificate.
4. Consequences and appropriate remedial action for a visitor or volunteer, found to have committed an act of bullying or harassment, shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

B. Wrongful and intentional accusation of an act of bullying or harassment

1. Consequences and appropriate remedial action for a student, found to have wrongfully and intentionally accused another as a means of bullying or harassment, range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct.
2. Consequences and appropriate remedial action for a school employee, found to have wrongfully and intentionally accused another as a means of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements.
3. Consequences and appropriate remedial action for a visitor or volunteer, found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

V. Reporting an Act of Bullying or Harassment

- A. At each school, the principal or the principal's designee shall be responsible for receiving complaints alleging violations of this policy.
- B. All school employees are required to report alleged violations of this policy to the principal or the principal's designee.

- C. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or principal's designee.
- D. The principal of each school in the District shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians, how a report of bullying or harassment may be filed either in person or anonymously and how this report will be acted upon.
- E. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment.
- F. A school employee, school volunteer, student, parent/legal guardian or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.
- G. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.
- H. Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s).
- I. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

VI. Investigation of a Report of Bullying or Harassment

- A. The investigation of a reported act of bullying or harassment deemed to be a school-related activity shall begin with a report of such an act.
- B. The principal or designee shall select an individual(s), employed by the school and trained in investigative procedures, to initiate the investigation. The person may not be the accused perpetrator (harasser or bully) or victim or related to the accused perpetrator or victim.

- C. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately, separately, and shall be confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
- D. The investigator shall collect and evaluate the facts including but not limited to
 - 1. Description of incident(s) including nature of the behavior;
 - 2. Context in which the alleged incident(s) occurred;
 - 3. How often the conduct occurred;
 - 4. Whether there were past incidents or past continuing patterns of behavior;
 - 5. The relationship between the parties involved;
 - 6. The characteristics of parties involved, *i.e.*, grade, age;
 - 7. The identity and number of individuals who participated in bullying or harassing behavior;
 - 8. Where the alleged incident(s) occurred;
 - 9. Whether the conduct adversely affected the student's education or educational environment;
 - 10. Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and
 - 11. The date, time, and method in which the parents/legal guardians of all parties involved were contacted.
- E. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all the facts and surrounding circumstances and shall include
 - 1. Recommended remedial steps necessary to stop the bullying and/or harassing behavior; and
 - 2. A written final report to the principal.
- F. The maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.

- G. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and/or harassment and the investigative procedures that follow.
- VII. Investigation to Determine Whether a Reported Act of Bullying or Harassment is Within the Scope of the District
- A. The principal or designee will assign an individual(s) who is trained in investigative procedures to initiate an investigation of whether an act of bullying or harassment is within the scope of the School District.
 - B. The investigation of complaints of cyberbullying shall be done using a computer without web-filtering software or by using a computer with web-filtering software that is disabled.
 - C. The trained investigator(s) will provide a report on results of the investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of the District.
 - 1. If it is within the scope of the District, a thorough investigation shall be conducted.
 - 2. If it is outside the scope of the District and determined a criminal act, the principal shall refer the incident(s) to appropriate law enforcement.
 - 3. If it is outside the scope of the District and determined not a criminal act, the principal or designee shall inform the parents/legal guardians of all students involved.
- VIII. Notification to Parents/Guardians of Incidents of Bullying or Harassment
- A. Immediate notification to the parents/legal guardians of a victim of bullying or harassment.
 - 1. The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

2. If the bullying incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform the parents/legal guardian of the victim(s) involved in the bullying incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states “. . . a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.”
- B. Immediate notification to the parents/legal guardians of the perpetrator of an act bullying or harassment.

The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

- C. Notification to local agencies where criminal charges may be pursued.

Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.

IX. Referral of Victims and Perpetrators of Bullying or Harassment for Counseling

When bullying or harassment is suspected or when a bullying incident is reported, counseling services shall be made available to the victim(s), perpetrator(s), and parents/guardians.

- A. The teacher or parent/legal guardian may request informal consultation with school staff, e.g., school counselor, school psychologist, to determine the severity of concern and appropriate steps to address the concern. The teacher may request that the involved student’s parents or legal guardian are included.

- B. School personnel or the parent/legal guardian may refer a student to the school intervention team for consideration of appropriate services. Parent or legal guardian involvement shall be required when the student is referred to the intervention team.
 - C. If a formal discipline report or formal complaint is made, the principal or designee may refer the student(s) to the school intervention team for determination of counseling support and interventions. Parent or legal guardian involvement shall be required.
 - D. The intervention team may recommend
 - 1. Counseling and support to address the needs of the victims of bullying or harassment;
 - 2. Research-based counseling or interventions to address the behavior of the students who bully and harass others, *e.g.*, empathy training, anger management; and/or
 - 3. Research-based counseling or interventions which include assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.
- X. Reporting Incidents of Bullying and Harassment
- A. Incidents of bullying or harassment shall be reported in the school's report of data concerning school safety and discipline data required under s. 1006.09(6), F.S. The report shall include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. The report shall also include each reported incident of bullying or harassment that did not meet the criteria of a prohibited act under this section with recommendations regarding such incidents.
 - B. The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying/harassment as an incident code as well as bullying-related as a related element code.
 - 1. Bullying and/or harassment incidents shall be reported in SESIR with the bullying/harassment code.
 - 2. If the bullying/harassment results in any of the following SESIR incidents, the incident will be coded appropriately using the relevant incident code and the bullying-related code. Such incidents are

- a. Alcohol
- b. Arson
- c. Battery
- d. Breaking and Entering
- e. Disruption on Campus
- f. Drug Sale/Distribution Excluding Alcohol
- g. Drug Use/Possession Excluding Alcohol
- h. Major Fighting
- i. Homicide
- j. Kidnapping
- k. Larceny/Theft
- l. Robbery
- m. Sexual Battery
- n. Sexual Harassment
- o. Sexual Offenses
- p. Threat/Intimidation
- q. Trespassing
- r. Tobacco
- s. Vandalism
- t. Weapons Possession
- u. Other Major (Other major incidents that do not fit within the other definitions)

- C. Discipline and referral data shall be recorded in Student Discipline/Referral Action Report and Automated Student Information System.

- D. The District shall provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Surveys 2, 3 and 5 from Education Information and Accountability Services, and at designated dates provided by the Department.
- E. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment and threat/intimidation incidents as well as any bullying-related incidents that have as a basis sex, race or disability shall include the incident basis. Victims of these offenses shall also have the incident basis (sex, race or disability) noted in their student records.

XI. Instruction on Identifying, Preventing, and Responding to Bullying or Harassment

- A. The District shall ensure that schools sustain healthy, positive, and safe learning environments for all students. It is committed to maintain a social climate and social norms in all schools that prohibit bullying and harassment. This requires the efforts of everyone in the school environment – teachers; administrators; counselors; school nurses; other nonteaching staff such as bus drivers, custodians, cafeteria workers; school librarians; parents/legal guardians; and students.
- B. Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the District's policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment, recognizing behaviors that lead to bullying and harassment and how to take appropriate preventive action based on those observations, and how to effectively identify and respond to bullying in schools.

XII. Reporting to a Victim's Parents/Legal Guardians the Actions Taken to Protect the Victim

The principal or designee shall by telephone and/or in writing report the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident has been initiated. According to the level of infraction, parents/legal guardians will be notified by telephone and/or writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

XIII. Publicizing the Policy

- A. At the beginning of each school year, the Superintendent or designee shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the District's student safety and violence prevention policy.
- B. Each District school shall provide notice to students and staff of this policy through appropriate references in the Code of Student Conduct and employee handbooks and through other reasonable means.
- C. The Superintendent shall also make all contractors contracting with the District aware of this policy.
- D. Each school principal shall develop an annual process for discussing the school district policy on bullying and harassment with students.
- E. Reminders of the policy and bullying prevention messages such as posters and signs will be displayed around each school and on the District school buses.

XIV. This policy must be construed and enforced in a manner consistent with the First Amendment rights of students.

Authority: 1001.41, 1001.42, F.S.

Law Implemented: 1001.43, 1003.04, 1003.31, 1003.32, 1006.07, 1006.08, 1006.09, 1006.10, 1006.147, F.S., 20 USC 1232g

History--New 11/18/08 Amended 2/27/14

The 2014 Florida Statutes

1006.147 Bullying and harassment prohibited.—

- (1) This section may be cited as the “Jeffrey Johnston Stand Up for All Students Act.”
- (2) Bullying or harassment of any student or employee of a public K-12 educational institution is prohibited:
 - (a) During any education program or activity conducted by a public K-12 educational institution;
 - (b) During any school-related or school-sponsored program or activity or on a school bus of a public K-12 educational institution;
 - (c) Through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of a public K-12 educational institution; or
 - (d) Through the use of data or computer software that is accessed at a nonschool-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the bullying substantially interferes with or limits the victim’s ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school. This paragraph does not require a school to staff or monitor any nonschool-related activity, function, or program.
- (3) For purposes of this section:
 - (a) “Bullying” includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students and may involve:
 1. Teasing;
 2. Social exclusion;
 3. Threat;
 4. Intimidation;
 5. Stalking;
 6. Physical violence;
 7. Theft;
 8. Sexual, religious, or racial harassment;
 9. Public or private humiliation; or
 10. Destruction of property.
 - (b) “Cyberbullying” means 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 a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying 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 creates any of the conditions enumerated in the definition of bullying.

- (c) "Harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a student or school employee that:
 - 1. Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;
 - 2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
 - 3. Has the effect of substantially disrupting the orderly operation of a school.
- (d) "Within the scope of a public K-12 educational institution" means, regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity.
- (e) Definitions in s. 815.03 and the definition in s. 784.048(1)(d) relating to stalking are applicable to this section.
- (f) The definitions of "bullying" and "harassment" include:
 - 1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
 - 2. Perpetuation of conduct listed in paragraph (a), paragraph (b), or paragraph (c) by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a student or school employee by:
 - a. Incitement or coercion;
 - b. Accessing or knowingly causing or providing access to data or computer

software through a computer, computer system, or computer network within the scope of the district school system; or

- c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

(4) Each school district shall adopt a policy prohibiting bullying and harassment of a student or employee of a public K-12 educational institution. Each school district's policy shall be in substantial conformity with the Department of Education's model policy. The school district bullying and harassment policy shall afford all students the same protection regardless of their status under the law. The school district may establish separate discrimination policies that include categories of students. The school district shall involve students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies in the process of adopting the policy. The school district policy must be implemented in a manner that is ongoing throughout the school year and integrated with a school's curriculum, a school's discipline policies, and other violence prevention efforts. The school district policy must contain, at a minimum, the following components:

- (a) A statement prohibiting bullying and harassment.
- (b) A definition of bullying and a definition of harassment that include the definitions listed in this section.
- (c) A description of the type of behavior expected from each student and employee of a public K-12 educational institution.
- (d) The consequences for a student or employee of a public K-12 educational institution who commits an act of bullying or harassment.
- (e) The consequences for a student or employee of a public K-12 educational institution who is found to have wrongfully and intentionally accused another of an act of bullying or harassment.
- (f) A procedure for reporting an act of bullying or harassment, including provisions that permit a person to anonymously report such an act. However, this paragraph does not permit formal disciplinary action to be based solely on an anonymous report.
- (g) A procedure for the prompt investigation of a report of bullying or harassment and the persons responsible for the investigation. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at a school bus stop.
- (h) A process to investigate whether a reported act of bullying or harassment is within the

scope of the district school system and, if not, a process for referral of such an act to the appropriate jurisdiction. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated.

- (i) A procedure for providing immediate notification to the parents of a victim of bullying or harassment and the parents of the perpetrator of an act of bullying or harassment, as well as notification to all local agencies where criminal charges may be pursued against the perpetrator.
 - (j) A procedure to refer victims and perpetrators of bullying or harassment for counseling.
 - (k) A procedure for including incidents of bullying or harassment in the school's report of data concerning school safety and discipline required under s. 1006.09(6). The report must include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. The report must include in a separate section each reported incident of bullying or harassment that does not meet the criteria of a prohibited act under this section with recommendations regarding such incidents. The Department of Education shall aggregate information contained in the reports.
 - (l) A procedure for providing instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying or harassment, including instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action based on those observations.
 - (m) A procedure for regularly reporting to a victim's parents the actions taken to protect the victim.
 - (n) A procedure for publicizing the policy, which must include its publication in the code of student conduct required under s. 1006.07(2) and in all employee handbooks.
- (5) A school employee, school volunteer, student, or parent who promptly reports in good faith an act of bullying or harassment to the appropriate school official designated in the school district's policy and who makes this report in compliance with the procedures set forth in the policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.
- (6) (a) The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated under this section.
- (b) This section does not apply to any person who uses data or computer software that is accessed through a computer, computer system, or computer network when acting within the scope of his or her lawful employment or investigating a violation of this section in accordance with school district policy.
- (7) Distribution of safe schools funds provided to a school district shall be contingent upon and

payable to the school district upon the school district's compliance with all reporting procedures contained in this section.

- (8) On or before January 1 of each year, the Commissioner of Education shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the implementation of this section. The report shall include data collected pursuant to paragraph (4)(k).
- (9) Nothing in this section shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

History.—s. 1, ch. 2008-123; s. 1, ch. 2013-87; s. 57, ch. 2014-39.