

CYBER-BULLYING

The South Colonie Central School District Board of Education is committed to providing a safe and nurturing environment within the school district that is free from all forms of cyber-bullying, including cyber-stalking, sexting and cyber-threats. The increasing frequency of internet predatory practices necessitates that the District take proactive measures to secure the educational process.

1. **Cyber-bullying** is the use of information technology or electronic communication to bully, harm or harass other people in a deliberate, repeated, and hostile manner; typically by sending messages of an intimidating or threatening nature.
 - Cyber-bullying involves behavior with intent to harm.
 - Cyber-bullying is perpetrated through harassment, cyber-stalking, denigration (sending or posting cruel rumors and falsehoods to damage reputation and friendships), impersonation, and possibly exclusion (intentionally and cruelly excluding someone from an online group).

Cyber-bullying is defined in legal glossaries as:

- Actions that use information and communication technologies to support deliberate, repeated, and hostile behavior by an individual or group that is intended to harm another or others.
- Use of communication technologies for the intention of harming another person(s).
- Use of internet service and mobile technologies such as web pages and discussion groups as well as instant messaging or SMS text messaging or other social media tools with the intention of harming another person(s).

Examples of what constitutes cyber-bullying include communications that seek to intimidate, control, manipulate, put down, falsely discredit, or humiliate the recipient. The actions are deliberate, repeated, and hostile behavior intended to harm another.

Cyber-bullying has been defined by The National Crime Prevention Council as, "When the internet, cell phones or other devices are used to send or post text or images intended to hurt or embarrass another person."

A cyber-bully may be a person whom the target knows or an online stranger. A cyber-bully may be anonymous and may solicit involvement of other people online who do not even know the target. This is known as a 'digital pile-on'.

Sexting is a type of cyber-bullying that involves sending, receiving or forwarding sexually suggestive, nude or nearly nude, photos through text messages or e-mail.

Cyber-bullying, including sexting, can be transmitted either in the form of text or images, may be posted on personal websites, blogs or sent via email, discussion groups, message boards, chat rooms, instant messages, or cellular phones.

2. **Cyber-stalking** is the use of the internet or other electronic means to stalk or harass an individual, a group of individuals, or an organization. It may include the making of false accusations or statements of fact (as in defamation), monitoring, making threats, identity theft, damage to data or equipment, the solicitation of minors for sex, or gathering information that may be used to harass.

A cyber-stalker may be an online stranger or a person whom the target knows. A cyber-stalker may be anonymous and may solicit involvement of other people online who do not even know the target.

A number of key factors have been identified:

- False accusations. Many cyber-stalkers try to damage the reputation of their victim and turn other people against them. They post false information about them on websites. They may set up their own websites, blogs or user pages for this purpose. They post allegations about the victim to newsgroups, chat rooms, or other sites that allow public contributions.
- Encouraging others to harass the victim. Many cyber-stalkers try to involve third parties in the harassment. They may claim the victim has harmed the stalker or his/her family in some way, or may post the victim's name and telephone number in order to encourage others to join the pursuit.
- False victimization. The cyber-stalker will claim that the victim is harassing him/her.
- Arranging to meet. Young people face a particularly high risk of having cyber-stalkers try to set up meetings between them.

Cyber-stalking is a criminal offense that comes into play under state anti-stalking laws, slander laws, and harassment laws. A cyber-stalking conviction can result in a restraining order, probation, or even criminal penalties against the assailant, including jail.

Cyber-stalking may include false accusations, monitoring, making threats, identity theft, damage to data or equipment, the solicitation of minors for sex, or gathering information in order to harass. A repeated pattern of such actions and harassment against a target constitutes cyber-stalking. Cyber-stalking often features linked patterns of online and offline behavior. There are consequences of law in offline stalking and online stalking, and cyber-stalkers can be put in jail. Cyber-stalking is a form of cyber-bullying.

3. A **cyber threat** is the possibility of a malicious attempt to damage or disrupt a computer network or system.

The use of the District's Internet system, cellular phones on school district property, cellular phones not on school district property, or the use of an Internet system not owned or operated by the District to bully or harass students, faculty and staff is prohibited.

Off-campus cyber-bullying, cyber-stalking and cyber-threats – regardless of the form in which the message is transmitted – is prohibited. This includes endangering the health, welfare or safety of students, faculty or staff within the District, or adversely affecting the educational process.

Any student who believes that he or she has been subjected to cyber-bullying, cyber-stalking, or cyber-threats within the meaning of this policy shall report the bullying or threats to any staff member or an administrator immediately. The building principal shall immediately take the appropriate disciplinary actions pursuant to the District’s Code of Conduct.

Cross-Reference: Technology Use, Policy 4526
 Instructional Technology: General Use Students & Staff, Policy 4526.1
 Code of Conduct, Policy 5300

Reference: Education Law §3214
 Appeal of S.W., Decision No. 15,226 – May 12, 2005
 Appeal of K.S., Decision No. 15,063 – June 18, 2004
 Appeal of A.R. & S.R., Decision No. 14,477 – October 19, 2000
 Matter of Coghlan v. Board of Education, 262 A.D.2d 949, Fourth Department –
 June 18, 1999
 www.stopbullying.gov/cyberbullying/
 <http://cyberbullying.us/>

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