

CHAPTER 19 DEFINITIONS

“BULLYING” means any written, verbal, graphic, or physical act that a student or group of students exhibits toward other particular student(s) and the behavior causes mental or physical harm to the other student(s); and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s)

“CYBERBULLYING” means electronically transmitted acts, i.e., Internet, cell phone, personal digital assistance (PDA), or wireless hand-held device that a student has exhibited toward another student or employee of the department which causes mental or physical harm to the other student(s) or school personnel and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening, or abusive educational environment:

- (1) On campus, or other department of education premises, on department of education transportation, or during a department of education sponsored activity or event on or off school property;
- (2) Through a department of education data system without department of education authorized communication; or
- (3) Through an off campus computer network that is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student or school personnel, or both.

“DISORDERLY CONDUCT” means the following actions or activities on campus or other department of education premises, on department of education transportation, or during a department of education sponsored activity or event on or off school property:

- (1) Engaging in fighting or threatening, or in violent or tumultuous behavior such as yelling or screaming, or both;
- (2) Making unreasonable noise as to cause disruption of normal school operations;
- (3) Making any offensively coarse utterance, gesture, or display, or addressing abusive language to any person present, which is likely to provoke a violent response;
- (4) Creating a hazardous or physically offensive condition by any act which is not performed under any authorized license or permit;
- (5) Impeding or obstructing any person in a public school for the purpose of begging or soliciting alms or other forms of aid; or
- (6) Inappropriate physical contact including but is not limited to consensual sex or consensual touching of body parts, or both.

“HARASSMENT” means a student who is **harassing, bullying**, including **cyberbullying**, annoying, or alarming another person by engaging in the following conduct that includes but is not limited to:

- (1) Striking, shoving, kicking, or otherwise touching a person in an offensive manner or subjecting such person to offensive physical contact;
- (2) Insulting, taunting, or challenging another person in a manner likely to provoke a violent response;
- (3) Making verbal or non-verbal expressions that causes others to feel uncomfortable, pressured, threatened, or in danger because of reasons that include but are not limited to the person’s race, color, national origin, ancestry, sex, including gender identity and expression, religion, disability, or sexual orientation that creates an intimidating, hostile, or offensive educational environment, or interferes with the education of a student, or otherwise adversely affects the educational opportunity of a student or students;
- (4) Name calling, making rude gestures, insulting, or teasing another person who feels humiliated, intimidated, threatened, or embarrassed;
- (5) Making a telephone call without purpose of legitimate communication;
- (6) Making repeated communications anonymously, or at extremely inconvenient hours, or in offensively coarse language on campus or, other department of education premises, on department of education transportation, or during a department of education sponsored activity or event on or off school property;
- (7) Causing fear as to prevent others from gaining legitimate access to or use of school buildings, facilities, services, or grounds such as, but is not limited to, restroom facilities; or
- (8) Physically harming, physically restraining, threatening, or stalking, or a combination of the foregoing.