



Indian River State College Administrative Procedures

TITLE:	Cyber-Bullying
NUMBER:	AP-3.132
REFERENCE:	Non-Discrimination and Non-Harassment Policy, 6Hx11-3.13 Information Technology Policy, 6Hx11-9.12 Employee Standards of Conduct, 6Hx11-6.12 Employee Standards of Discipline, 6Hx11-6.13 Student Standards of Conduct, 6Hx11-7.24 Student Standards of Discipline, 6Hx11-7.25 Social Media Procedure, AP-3.72
RESPONSIBLE ADMINISTRATOR(S):	Vice President of Student Affairs Associate Vice President of Institutional Technology Dean of Human Resources Dean of Minority Affairs/Equity Officer/Title IX Coordinator
REVISED:	February 5, 2015

Indian River State College is committed to providing a safe, positive learning and working environment for all full-time, part-time, and temporary employees; employment applicants; students and prospective students; non-employee volunteers who work subject to the control of a College employee; guests; contractors; vendors; and other affiliates for conduct that occurs in the course of official College business, events or programs.

IRSC recognizes the negative impact that cyber-bullying has on one's health, welfare, and safety and on the learning and working environment. Cyber-bullying creates an atmosphere of fear and intimidation, detracts from the safe learning and working environment, and may lead to more serious violence.

IRSC prohibits acts of cyber-bullying through the use of any College-owned, operated, and supervised technologies. The President 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, social media, cellular telephone communications, internet blogs, internet chat rooms, internet postings, and defamatory websites, that:

- Deliberately threatens, harasses, or intimidates an individual or group of individuals; or
- Places an individual in reasonable fear of harm to the individual or damage to the individual's property; or

ADMINISTRATIVE PROCEDURES

- Has the effect of substantially disrupting the orderly operation of the College.

“College-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 College and/or College staff.

Reporting Procedure and Investigation

Students

Any student who believes he/she has or is being subjected to cyber-bullying, as well as any person who has knowledge of or reason to believe another student is being subjected to or has been subjected to cyber-bullying shall immediately report it to the Student Affairs Office and/or the Associate Vice President of Institutional Technology or designee.

The Student Affairs Office shall investigate all reports of such conduct. If the investigation results indicate cyber-bullying was not committed, the Vice President of Student Affairs will inform the affected parties of the investigation results. In the event the investigation results indicate cyber-bullying was committed by a student on College property and/or using College technologies, the student will be subject to appropriate discipline.

In the event the investigation results indicate cyber-bullying was committed by a College student using non-College technologies away from College property, the Vice President of Student Affairs or designee and/or Associate Vice President of Institutional Technology may report the investigation results to appropriate law enforcement and Campus Safety and Security. In addition, College authorities have the right to impose disciplinary action on a student for conduct away from College grounds, including a College-sponsored function.

The Dean of Minority Affairs must be notified of all cyber-bullying complaints to determine if the act(s) constituted discrimination, harassment, sexual assault, sexual misconduct or other acts of crimes of violence. If so deemed, College Board policies 6Hx11-3.13 and 6Hx11-3.151 and accompanying procedures must be followed.

Employees and Non-Student Members of the ‘College Community

Any employee and non-student member of the ‘College Community’ who believes he/she has or is being subjected to cyber-bullying, as well as any person who has knowledge of or reason to believe another employee and/or non-student members of the ‘College Community’ is being subjected to or has been subjected to cyber-bullying shall immediately make a report to the Dean of Human Resources or designee.

The Dean of Human Resources or designee and/or the Associate Vice President of Institutional Technology or designee shall investigate all reports of such conduct. If the investigation results

ADMINISTRATIVE PROCEDURES

indicate cyber-bullying was not committed, the Dean of Human Resources or designee and/or the Associate Vice President of Institutional Technology will inform the affected parties of the investigation results.

In the event the investigation results indicate cyber-bullying was committed by a College employee or non-student member of the 'College Community', on College property and/or using College technologies, the employee will be subject to appropriate discipline and any finding with a non-student member of the 'College Community' will be addressed appropriately.

In the event the investigation results indicate cyber-bullying was committed by a College employee on the job using non-College technologies or non-student member of the 'College Community', away from school grounds, the Dean of Human Resources or designee and/or Associate Vice President of Institutional Technology may report the incident to appropriate law enforcement and Campus Safety and Security. In addition, College authorities have the right to take disciplinary action on an employee and/or non-student member of the 'College Community' for conduct away from College property or a College-sponsored function.

The Dean of Minority Affairs must be notified of all cyber-bullying complaints to determine if the act(s) constituted discrimination, harassment, sexual assault, sexual misconduct or other acts of crimes of violence. If so deemed, College Board policies 6Hx11-3.13 and 6Hx11-3.151 and accompanying procedures must be followed.

Enforcement

In the event actions committed occur on any one of the College campuses, sites and/or locations or off-campus locations, and have violated federal, state or local laws, law enforcement agencies with jurisdiction are responsible for investigating the crime and making any subsequent arrests, in collaboration with IRSC Campus Safety and Security. The College will cooperate fully in the enforcement of federal, state, and/or local laws. The existence of criminal proceedings will not necessarily delay or interrupt the procedures outlined in this procedure, unless the law enforcement agency or prosecution requests that the College procedures be suspended, in which case the College will determine whether and for how long to suspend its procedures.

Retaliation

No IRSC member or affiliate shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual who has filed a complaint, participated in an investigation, or openly opposed any unlawful or questionable practice. Retaliation will subject the person who retaliates to disciplinary action.

ADMINISTRATIVE PROCEDURES

Disciplinary Actions

Any IRSC member or affiliate who is found to have violated College procedures will be subject to disciplinary action(s), up to and including separation of service, suspension and/or expulsion.

False or Malicious Complaints

Any IRSC member or affiliate who may be found to have acted dishonestly or maliciously in making false complaint allegations, or false witness statements during an official investigation, shall also become subject to possible disciplinary action(s).

Original document on file in the Office of the President.