

1 The board is committed to providing a safe, inviting, and civil educational environment for all
2 students, employees, and other members of the school community. The board expects all
3 students, employees, volunteers, and visitors to behave in a manner consistent with that goal.
4 The board recognizes that bullying and harassing behavior creates an atmosphere of intimidation
5 and fear, detracts from the safe environment necessary for student learning, and may lead to
6 more serious misconduct or to violence. Accordingly, the board prohibits all forms of bullying
7 and harassing behavior, including encouragement of such behavior, by students, employees,
8 volunteers, and visitors. “Visitors” includes parents and other family members and individuals
9 from the community, as well as vendors, contractors, and other persons doing business with or
10 performing services for the school system.

11
12 This policy prohibits bullying and harassing behavior, or the encouragement of bullying or
13 harassing behavior, that takes place (1) in any school building or on any school premises before,
14 during or after school hours; (2) on any bus or other vehicle as part of any school activity; (3) at
15 any bus stop; (4) during any school-sponsored activity or extracurricular activity; (5) at any time
16 or place when the student, employee, or other person is subject to the authority of school
17 personnel; or (6) at any time or place when the bullying has a direct and immediate effect on
18 maintaining order and discipline in the schools.

19
20 This policy is not intended to prohibit expression of religious, philosophical, social, or political
21 views, provided that the expression does not substantially disrupt the educational environment.

22
23 **A. RELATIONSHIP TO OTHER POLICIES**

24
25 This policy applies to bullying and harassing behavior that is not otherwise prohibited by
26 the following board policies that address discriminatory harassment in violation of
27 federal law:

- 28
29 • Discrimination and Harassment Prohibited by Federal Law, policy
30 1710/4020/7230 (prohibiting harassment based on race, color, national origin,
31 disability, or religion)
- 32
33 • Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, policy
34 1725/4035/7236 (prohibiting sexual harassment)
- 35
36 • Discrimination and Harassment in the Workplace, policy 7232 (prohibiting
37 harassment of employees and applicants based on race, color, national origin, sex,
38 age, disability, military affiliation, or genetic information)

39
40 Individuals who wish to report bullying or harassing behavior that is based on sex, race,
41 color, national origin, disability, religion, or other personal characteristic addressed by
42 the policies above should refer to and follow the reporting processes provided in those
43 policies.

45 Conduct that may constitute discriminatory harassment under federal law must be
46 addressed first in accordance with the requirements of the applicable policy(ies) listed
47 above. If subsequently, the conduct is determined not to rise to the level of
48 discriminatory harassment prohibited by those policies, the conduct may be addressed
49 under this policy. Conduct that does not rise to the level of bullying or harassing behavior
50 as defined and prohibited in this policy may nevertheless violate other board policies or
51 school rules.

52
53 **B. CONDUCT THAT IS CONSIDERED BULLYING OR HARASSING BEHAVIOR**

- 54
- 55 1. Bullying is deliberate conduct intended to harm another person or group of
56 persons. It is characterized by repeated unwanted aggressive behavior that
57 typically involves a real or perceived imbalance of power, such as a difference in
58 physical size, strength, social standing, intellectual ability, or authority. It may
59 consist of either physical, verbal, or nonverbal behavior. Cyberbullying is a form
60 of bullying that is carried out using electronic communication media, such as
61 words, action, or conduct conveyed through email, instant messages, text
62 messages, tweets, blogs, photo or video sharing, chat rooms, or websites, and may
63 exist in the absence of a power imbalance typical of other forms of bullying.
64
 - 65 2. Harassing behavior is conduct that is intimidating, hostile, or abusive, or is
66 unwelcome conduct of a sexual nature. Harassing behavior may violate this
67 policy even if no harm is intended to the target and no power imbalance is
68 evident.
69
 - 70 3. Bullying or harassing behavior includes conduct that is, or reasonably appears to
71 be, motivated by actual or perceived differentiating personal characteristics, or by
72 a person's association with someone who has or is perceived to have a
73 differentiating personal characteristic. Differentiating personal characteristics
74 include, but are not limited to race, color, religion, ancestry, national origin,
75 gender, socioeconomic status, academic status, gender identity, physical
76 appearance, sexual orientation, or mental, physical, developmental, or sensory
77 disability. Bullying and harassing behavior can violate this policy regardless of a
78 student's motivation.
79
 - 80 4. Examples of behavior that may constitute bullying or harassing behavior are
81 repeated acts of disrespect, intimidation, or threats, such as verbal taunts, name-
82 calling and put-downs, epithets, derogatory or lewd comments, spreading rumors,
83 extortion of money or possessions, implied or stated threats, assault, offensive
84 touching, physical interference with normal work or movement, visual insults,
85 such as derogatory posters or cartoons, and sharing intimate photos or video of a
86 person or sharing photos or videos that may subject a person to ridicule or insult.
87
 - 88 5. Other behaviors that may constitute bullying or harassing behavior under this

89 policy are deliberate, unwelcome touching that has sexual connotations or is of a
90 sexual nature, pressure for sexual activity, offensive sexual flirtations, advances
91 or propositions, verbal remarks about an individual’s body, sexually degrading
92 words used toward an individual or to describe an individual, or the display of
93 sexually suggestive drawings, objects, pictures, or written materials.

94
95 6. These examples are not exhaustive but are intended to illustrate the wide range of
96 behavior that may constitute bullying and harassing behavior.

97
98 7. Conduct such as the following is not considered bullying or harassing behavior:
99 legitimate pedagogical techniques, the exercise of legitimate authority, and
100 academic or work performance monitoring and evaluation.

101 102 **C. WHEN BULLYING OR HARASSING BEHAVIOR VIOLATES THIS POLICY**

103
104 Not all conduct that may be described as bullying or harassing behavior violates this
105 policy. Bullying or harassing behavior violates this policy when any pattern of repeated
106 gestures or written, electronic, or verbal communications, or any physical act or
107 threatening communication:

- 108
109 1. places a student, an employee, or other person in actual and reasonable fear of
110 harm to their person or property; or
111
112 2. creates or is certain to create a hostile environment by substantially interfering
113 with or impairing a student’s educational performance, opportunities, or benefits.

114
115 “Hostile environment” means that the victim subjectively views the conduct as
116 bullying or harassing behavior and the conduct is objectively severe or pervasive
117 enough that a reasonable person would agree that it is bullying or harassing
118 behavior.

119
120 The definition of bullying and harassing behavior in this section is intended to be no less
121 inclusive than the definition of bullying and harassing behavior in G.S. 115C-407.15.

122
123 Bullying or harassing behavior based on sex, race, color, national origin, disability, or
124 religion may also constitute discriminatory harassment in violation of federal law and
125 other board policies as described in Section A, above.

126 127 **D. REPORTING BULLYING AND HARASSING BEHAVIOR**

128
129 1. Reports by Students and/or Parents and Guardians

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131 a. The board encourages students or parents/guardians of students who have
132 been the victim of or who have witnessed bullying or harassing behavior

133 in violation of this policy to immediately report such incidents to a
134 teacher, counselor, coach, assistant principal, or the principal.

135
136 b. Reports may be made orally or in writing and may be made anonymously.

137
138 c. All reports of serious violations and complaints made under this policy
139 will be investigated expeditiously. Anonymous reports will be
140 investigated to the extent reasonably possible under the circumstances.

141
142 d. If, at any time, school officials determine that the alleged bullying or
143 harassing behavior appears to be based on sex, race, color, national origin,
144 disability, or religion, the matter will be investigated in accordance with
145 the applicable policy listed in Section A above.

146
147 2. **Mandatory Reporting by School Employees**

148
149 An employee who witnesses or who has reliable information that a student or
150 other individual has been bullied or harassed in violation of this policy must
151 report the incident to his or her supervisor or to the building principal
152 immediately. If sexual harassment is suspected, the employee also must report
153 the incident to the Title IX coordinator. An employee who does not promptly
154 report possible bullying or harassing behavior will be subject to disciplinary
155 action.

156
157 3. **Reporting by Other Third Parties**

158
159 Other members of the school community may report incidents of bullying or
160 harassment to the school principal or the superintendent or designee.

161
162 4. **Reporting False Allegations**

163
164 It is a violation of board policy to knowingly report false allegations of bullying
165 or harassing behavior. A student or employee found to knowingly report or
166 corroborate false allegations will be subject to disciplinary action.

167
168 **E. REPORTS OF BULLYING OR HARASSING BEHAVIOR BASED ON SEX, RACE, COLOR,**
169 **NATIONAL ORIGIN, DISABILITY, OR RELIGION**

170
171 Bullying or harassing behavior that is based on sex, race, color, national origin, disability,
172 or religion may constitute discriminatory harassment that is a violation of the individual's
173 civil rights. A school employee who receives a report of bullying or harassing behavior
174 that may constitute sexual harassment must immediately contact the Title IX coordinator.
175 If the reported behavior appears to be based on any other such personal characteristic, the
176 employee must immediately notify the appropriate civil rights coordinator designated in

177 policy 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law.
178 Uncertainty as to whether alleged bullying or harassing behavior is based on sex, race,
179 color, national origin, disability, or religion should be resolved by notifying the Title IX
180 Coordinator.

181
182 **F. RESPONSE TO REPORTS OF BULLYING OR HARASSING BEHAVIOR**

- 183
184 1. Reports of bullying and harassing behavior or the encouragement of such
185 behavior under this policy will be investigated promptly by the principal or the
186 principal's designee and addressed in accordance with this policy and policy
187 4340, School-Level Investigations. If the principal is the alleged perpetrator, the
188 superintendent will designate an appropriate investigator.
189
190 2. If at any time before, during, or after the investigation under this policy, the
191 principal or designee determines or suspects that the alleged bullying or harassing
192 behavior is based on sex, race, color, national origin, disability, or religion, the
193 principal or designee shall notify the appropriate civil rights coordinator and
194 proceed in accordance with the applicable board policy as described in Section A,
195 above. However, referral to the civil rights coordinator will not preclude
196 appropriate disciplinary consequences for a violation of this policy if, following
197 the designated investigation and resolution process under the appropriate board
198 policy, the behavior is determined not to constitute discriminatory harassment in
199 violation of federal law.
200
201 3. No reprisals or retaliation of any kind are permitted as a result of good faith
202 reports of bullying or harassing behavior. An employee who engages in reprisal
203 or retaliation will be subject to disciplinary action, up to and including dismissal.
204 A student who does so is subject to disciplinary consequences as provided in
205 Section G, below.
206

207 **G. CONSEQUENCES**

- 208
209 1. Students

210
211 The disciplinary consequences for violations of this policy should take into
212 consideration the frequency of incidents, the developmental age of the student
213 involved, and the severity of the conduct and must be consistent with the Code of
214 Student Conduct. The superintendent or designee shall list in the Code of Student
215 Conduct the specific range of consequences that may be imposed on a student for
216 violations of this policy.

217
218 A student who is convicted under G.S. 14-458.2 of cyberbullying a school
219 employee will be transferred to another school. If there is no other appropriate
220 school within the school system, the student will be transferred to a different class

221 or assigned to a teacher who was not involved as a victim of the cyberbullying.
222 The superintendent may modify the required transfer of an individual student on a
223 case-by-case basis and shall provide a written statement of this modification in the
224 student's record.

225
226 2. Employees

227
228 Employees who violate this policy will be subject to disciplinary action, up to and
229 including dismissal.

230
231 3. Others

232
233 Volunteers and visitors who violate this policy will be directed to leave school
234 property and/or reported to law enforcement, as appropriate, in accordance with
235 policy 5020, Visitors to the Schools. A third party under the supervision and
236 control of the school system will be subject to termination of
237 contracts/agreements, restricted from school property, and/or subject to other
238 consequences, as appropriate.

239
240 **H. OTHER INTERVENTIONS**

241
242 Interventions designed to remediate the impact of a violation of this policy and to restore
243 a positive school climate will be provided as determined necessary by school officials.

244
245 **I. NOTICE**

246
247 This policy must be provided to employees, students, and parents, guardians, and
248 caregivers at the beginning of each school year. Notice of this policy must be included in
249 the Code of Student Conduct and in all student and employee handbooks. Principals are
250 encouraged to post a copy or summary of this policy in each classroom and in a
251 prominent location within the school building and to make an age-appropriate summary
252 of the policy available to elementary students. Information about this policy must also be
253 incorporated into employee training programs.

254
255 **J. RECORDS**

256
257 The superintendent or designee shall maintain confidential records of complaints or
258 reports of bullying or harassing behavior under this policy. The records must identify the
259 names of all individuals accused of such offenses and the resolution of such complaints
260 or reports. The superintendent also shall maintain records of any remedial interventions
261 or other steps taken by the school system to provide an environment free of bullying.

262
263 Legal References: G.S. 14-458.2; 115C-105.51, -366.4, -407.15 through -407.18
264

265 Cross References: Discrimination and Harassment Prohibited by Federal Law (policy
266 1710/4020/7230), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process
267 (policy 1725/4035/7236), School-Level Investigations (policy 4340), Visitors to the Schools
268 (policy 5020), Discrimination and Harassment in the Workplace (policy 7232)
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271
272 **Revised:** [DATE]

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