**PROHIBITION OF VIOLENCE, THREATS OF VIOLENCE (ANTI-BULLYING) 3.46.2**

No student shall engage in or be subjected to harassment (bullying), violence, threats of

violence, or intimidation on or off of school property by any other student that is based on any of the specific characteristics identified by the Wilcox County Board of Education in this policy. Students who violate this policy are subject to disciplinary actions described in the Code of Student Conduct and/or consequences established by law.

Definitions: The term “harassment” (bullying) as used in this policy means a continuous

pattern of intentional behavior that takes place on school or off of property, on a school

bus, or at a school-sponsored function including, but not limited to, cyberbullying or

written, electronic, verbal, or physical acts that are reasonably perceived as being

motivated by any characteristic of a student, or by the association of a student with an

individual who has a particular characteristic, if the characteristic falls into one of the

personal characteristics identified in this policy and implemented at each school. To

constitute harassment (bullying), a pattern of behavior may do any of the following:

* Place a student in reasonable fear of harm to his or her person or damage to his or her property.
* Have the effect of substantially interfering with the educational performance,

opportunities, or benefits of a student.

* Have the effect of substantially disrupting or interfering with the orderly operation

of the school, whether the conduct occurs on or off school property, online, or

electronically.

* Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
* Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

The term “hostile environment” as used in this policy is the perception by an affected

student or victim that the conduct of another student constitutes a threat of violence or

harassment (bullying) and that the conduct is objectively severe or pervasive enough

that a reasonable person, under the circumstances, would agree that the conduct

constitutes harassment bullying, threat of assault, or assault. The term threat as used in this policy is a statement of an intention to inflict pain, injury, damage, or other hostile action to cause fear of harm. The intention may be communicated through an electronic, written, verbal, or physical act to cause fear, mental distress, or interference in the school environment. The intention may be expressly stated or implied and the person communicating the threat has the ability to carry out the threat. The term “violence” as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.

The term “threat of violence” as used in this policy means an expression of intention to

inflict injury or damage that is made by a student and directed to another student.

The term “intimidation” as used in this policy means a threat or other action that is

intended to cause fear or apprehension in a student, especially for the purpose of

coercing or deterring the student from participating in or taking advantage of any

school program, benefit, activity or opportunity for which the student is or would be

eligible. The term “student” as used in this policy means a student who is enrolled in the Wilcox County School System.

**Description of Behavior Expected of Students:** Students are expected to treat other

students with courtesy, respect, and dignity and comply with the rules governing student

behavior. Students are expected and required (1) to comply with the requirements of law, policy, regulation, and rules prohibiting harassment, violence, or intimidation; (2) to

refrain from inflicting or threatening to inflict violence, injury, or damage to the person or

property of another student; and (3) to refrain from placing another student in fear of

being subjected to violence, injury, or damage when such actions or threats are reasonably perceived as being motivated by any personal characteristic of the student that is identified in this policy. Violence, threats of violence, harassment, and intimidation are prohibited and will be subject to disciplinary consequences and sanctions if the perpetrator of such action is found to have based the prohibited action on one or more of the following personal characteristics of the victim of such conduct:

* Race;
* Gender;
* Religion;
* National origin; or,
* Disability.

A series of graduated consequences for any violation of this policy will be those outlined in the Code of Student Conduct or any rule or standard adopted under authority of this policy. Reporting, Investigation, and Complaint Resolution Procedures: Complaints alleging violations of this policy must be made on Board-approved complaint forms available at the principal’s and or counselor’s office. The complaint must be signed by the student alleging the violation or by the student’s parent or legal guardian and delivered to the principal or the principal’s designee either by mail or personal delivery. At the request of the complaining student or the student’s parent or legal guardian, incidental or minor violations of the policy may be presented and resolved informally.

Upon receipt of the complaint, the principal or the principal’s designee will, in his/her sole discretion, determine if the complaint alleges a serious violation of this policy. If the

principal or the principal’s designee determines that the complaint alleges a serious

violation, the principal or the designee will undertake an investigation of the complaint.

The investigation will be conducted within a reasonably prompt time period, taking into

account the circumstances of the complaint. If the investigation establishes a violation,

appropriate disciplinary actions/consequences will be imposed on the offending

student(s). Other measures that are reasonably calculated to prevent a recurrence of the violation(s) may also be imposed by the principal or the school system.

Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary action that may include any sanction, penalty, or consequence that is available to school officials under the rules governing student behavior. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy is subject to disciplinary action as outlined in the Code of Student Conduct. A copy of the form shall be prominently posted and accessible on the website of each local

board of education and school. A copy shall also be available at each school office and shall be included in the student handbook that is distributed to each student at the beginning of each school year. Each school shall develop plans or programs, including, but not limited to, peer mediation teams, in an effort to encourage students to report and address incidents of harassment bullying, violence, or threats of violence. At the beginning of each school year, each school shall programmatically address the type of bullying and school violence with faculty and students. The program shall include a discussion of available resources and shall encourage the reporting of incidents of bullying. Each school shall also periodically convene a committee of faculty and students to review and discuss the issue of bullying and make recommendations to school administrators regarding school climate, safety, and bullying. The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the principal or the principal’s designee will inform the student’s parent or guardian of the report. This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes, including publication in the student handbook and on the school system website.

REFERENCE(S): CODE OF ALABAMA

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**Alabama Legislative Act 2009-571, ACT #2018-472**

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