

## **BULLYING**

The County Board of Education of Education of Richmond County believes that all students can learn better in a safe school environment. Behavior that infringes on the safety of students will not be tolerated. Bullying, as defined in Georgia law, of a student by another student is strictly prohibited. Such prohibition shall be included in the Code of Student Conduct and Discipline for all schools within the school system.

A student shall not bully, attempt to bully, or threaten to bully any person, including students and employees. Bullying is defined as follows: An act that is:

1. Any willful attempt or threat to inflict injury on another person, when accompanied by an apparent present ability to do so;
2. Any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm; or
3. Any intentional written, verbal, or physical act which a reasonable person would perceive as being intended to threaten, harass, or intimidate, that:
  - a. Causes another person substantial physical harm within the meaning of Code Section 16-5-23.1 or visible bodily harm as such term is defined in Code Section 16-5-23.1;
  - b. Has the effect of substantially interfering with a student's education;
  - c. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
  - d. Has the effect of substantially disrupting the orderly operation of the school.

The term applies to acts which occur in school, on school property, on school vehicles, at school bus stops, at school related functions or activities, enroute to and from school or by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of this School System.

The term also applies to acts of cyberbullying which occur through the use of electronic communication, whether or not electronic act originated on school property or with school equipment, if the electronic communication: (1) is directed specifically at students or school personnel, (2) is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and (3) creates a reasonable fear of harm to the students' or school personnel's person or property or has a high likelihood of succeeding in that purpose. Electronic communication includes, but is not limited to, any transfer of signs, signals, writings, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system.

### Reporting

Students, parents, guardians, or other persons who have control or charge of a student, either anonymously or in person, are encouraged to report or otherwise provide information on bullying activity to the school principal or designee

Any teacher or other school employee who, in the exercise of his or her personal judgment and discretion, believes he or she has reliable information that would lead a reasonable person to suspect that someone is a target of bullying should immediately report it to the school principal.

Any report of bullying will be appropriately investigated by the administration in a timely manner based on the nature of the complaint to determine the following:

- a. whether bullying has occurred;
- b. whether there are other procedures related to illegal harassment or discrimination that should be implemented; and
- c. what other steps should be taken.

### Discipline

Acts of bullying shall be punished by a range of consequences through the progressive discipline process, as stated in the Code of Student Conduct and Discipline. Such consequences shall include, at a minimum and without limitation, disciplinary action or counseling, as appropriate under the circumstances. However, upon a finding by the disciplinary hearing officer or tribunal that a student in grades 6-12 has committed the offense of bullying for the third time in a school year, the student shall be assigned to an alternative school. Nothing herein shall prohibit the tribunal panel from assigning the student to Tubman Education Center Alternative Program before a third offense of bullying should the circumstances warrant.

### Notification of Bullying Offense

Upon a finding by a school administrator that a student has committed an act of bullying or is a victim of bullying, the administrator or designee shall notify the parent, guardian, or other person having control or charge of the student by telephone call or through written notice, which may be done electronically.

### General Notification of Bullying Prohibition

Students and parents will be notified of the prohibition against bullying and the penalties for violating the prohibition by posting such information at school and by way of the inclusion of such information in the Code of Student Conduct and Discipline.

### Retaliation Prohibited

Under O.C.G.A. § 20-2-751.4, retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Any report of retaliation for reporting bullying will be investigated and addressed as called for in this policy and in accordance with school system procedures.

### False Reporting

Any student who knowingly files a false report of bullying, harassment or intimidation shall be punished under existing disciplinary provisions.

### Immunity

Any person who reports in good faith an incident of bullying, shall be immune from civil liability for any damages caused by such reporting.

In determining when and how to implement this policy and any procedures related to it, educators exercise their professional judgment and discretion. Therefore, the policy is not to be construed as imposing ministerial duties on individual employees. Further, it is not intended to interfere with the duties of law enforcement.