*Policy*

INTIMIDATION, BULLYING, OR HARASSMENT

*Code* **JICFAA\*** *Issued***DRAFT/19**

The board prohibits acts of intimidation, bullying, or harassment of a student by other students, staff, or third parties that interfere with or disrupt a student’s ability to learn and the school’s responsibility to educate its students in a safe and orderly environment whether in a classroom, on school premises, on a school bus, or other school-related vehicle, at an official school bus stop, at a school-sponsored activity or event whether or not it is held on school premises, or at another program or function where the school is responsible for the student.

For purposes of this policy, intimidation, bullying, or harassment is defined as a gesture, electronic communication, or a written, verbal, or physical act reasonably perceived to have the effect of either of the following:

* harming a student physically or emotionally or damaging a student’s property, or placing a student in reasonable fear of personal harm or property damage
* insulting or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school

Any student who feels he/she has been subjected to intimidation, bullying, or harassment is encouraged to file a complaint in accordance with procedures established by the superintendent. Complaints will be investigated promptly, thoroughly, and confidentially. All staff members are required to report alleged violations of this policy to the principal or his/her designee. Reports by students or staff may be made anonymously.

The district prohibits retaliation or reprisal in any form against a student or staff member who has filed a complaint or report of intimidation, bullying, or harassment. The district also prohibits any person from falsely accusing another as a means of intimidation, bullying, or harassment.

The board expects students to conduct themselves in an orderly, courteous, dignified, and respectful manner. Students and staff have a responsibility to know and respect the policies, rules, and regulations of the school and district. Any student or staff member who is found to have engaged in the prohibited actions as outlined in this policy will be subject to disciplinary action, up to and including expulsion in the case of a student or termination in the case of a staff member. Individuals may also be referred to law enforcement officials. The district will take all other appropriate steps to correct or rectify the situation.

Students, parents/legal guardians, and staff members should be aware that the district may take disciplinary actions for conduct initiated and/or created off-campus involving the
inappropriate use of the Internet or web-based resources if such conduct poses a threat or
substantially interferes with or disrupts the work and discipline of the schools, including discipline for student intimidation, bullying, or harassment.

The superintendent will be responsible for ensuring notice of this policy is provided to students, staff, parents/legal guardians, volunteers, and members of the community, including its applicability to all areas of the school environment as outlined in this policy.

The superintendent will also ensure that a process is established for discussing the district policy with students.

Cf. GBEB, JIAA, JICDA

Adopted ^

Legal References:

1. S.C. Code of Laws, 1976, as amended:
2. Section 16-3-510 - Hazing unlawful.
3. Section 16-3-755 - Sexual battery with a student.
4. Section 59-63-110, *et seq*. - Safe School Climate Act.
5. Section 59-63-275 - Student hazing prohibited; definitions.
6. Federal Cases:
7. *Kolwalski v. Berkeley County Schools*, 652 F.3d 565 (4th Cir. 2011).
8. S.C. State Board of Education Regulations:
9. R43-279 - Minimum standards of student conduct and disciplinary enforcement procedures to be implemented by local school districts.