

## **BOARD POLICY BULLYING**

**DESCRIPTOR CODE: JCDAG  
DATE: JUNE 9, 2015**

Under Georgia law each local school district is required to adopt a bullying policy and must include it its Code of Conduct a specific prohibition against bullying using the definitions and parameters codified at O.C.G.A. § 20-2-751.4.

1. No student shall engage in “bullying” of another student as that term is defined in Georgia law and in the Code of Conduct.
2. Each principal shall ensure that students and parents are notified of this policy and the prohibition against bullying, and the penalties for violating the prohibition, by posting such information at each school and by including such information in student and parent handbooks.
3. Upon a finding that bullying has occurred, with respect to each victim and each perpetrator, the principal or designee shall notify each of the parents, guardians, or other persons who have control or charge of the offender and victim (1) that the offender has committed an offense of bullying and (2) that the victim was the victim of said bullying.
4. The following prohibition against bullying shall be effective for and incorporated into the Student Code of Conduct for the 2015-16 school year and subsequent years, unless amended:

### **Bullying:**

No student shall engage in bullying of another student.

As used in this Rule, the term “bullying” means 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 “bullying” applies to acts which occur on school property, on school vehicles, at designated school bus stops, or at school related functions or activities or by use of data or

software that is accessed through a computer, computer system, computer network, or other electronic technology of a local school system. The term also applies to acts of cyberbullying which occur through the use of electronic communication, whether or not such 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. For purposes of this Code Section, 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.

**Consequences:**

First offense: Parent conference and ISS.

Second offense: Parent conference and OSS.

Third offense: For students in grades 6 to 12 - Tribunal referral for alternative education placement. For students in grades K to 5 – up to 10 days OSS.

Four or more offenses: 10 days OSS and Tribunal referral.

5. Retaliation against a person who reports suspected bullying is also prohibited. “Retaliation” is defined as bullying, harassment or intimidation toward a person in response to previously reported bullying, harassment or intimidation. (Under Georgia law any person who reports an incident of bullying in good faith shall be immune from civil liability for any damages caused by such reporting.) Students guilty of “retaliation” should be charged under the bullying rule or other existing conduct rules as warranted by the facts and circumstances of the case.

