

## ANTI-HARASSMENT/BULLYING

Opelika City Schools is committed to providing all students with a safe and supportive school environment in which all members of the school community are treated with respect. This policy is intended to comply with *Alabama Act No. 2009-571*, Student Harassment Prevention Act and Alabama Code 16-28B-4.

*No student shall engage in or be subjected to harassment, violence, threats of violence, or intimidation by any other student that is based on any of the specific characteristics of said student. These terms have been identified by the Board of Education as defined below. Students who violate this policy will be subject to disciplinary sanctions.*

### Section 1 Definitions

- (a) The term "Harassment/Bullying" as used in this policy means a continuous pattern of intentional behavior that takes place on or off school property, on a school bus, or at a school sponsored function including, but not limited to:
- Written, verbal, cyber bullying, 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 categories of personal characteristics set forth in Section 2(b) below.

**To constitute harassment, a pattern of behavior may demonstrate any of the following:**

- Place a student in a reasonable fear of harm to his or her person.
  - 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.
  - 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.
- (b) 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.
- (c) 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.
- (d) 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 students from participating in or taking advantage of any school program, benefits, activity or opportunity for which the student is or would be eligible.

- (e) The term “student” as used in this policy means a student who is enrolled in the Opelika City Schools system.

## **Section 2 Description of Behavior Expected of Students**

- (a) Students are expected to treat other students with courtesy, respect, and dignity and comply with the Opelika City Schools’ Code of Student Conduct. Students are expected and required (1) to comply with the requirements of the law, policy, regulation and rules prohibiting harassment, violence, or intimidation; (2) to refrain from inflicting or threatening to inflict violence and injury to another student; and (3) to refrain from placing another student in fear of being subjected to violence and injury when such actions or threats are reasonably perceived as being motivated by any personal characteristic of the student that is identified in this policy.
- (b) 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.
- The student’s race;
  - The student’s sex;
  - The student’s religion;
  - The student’s national origin;
  - The student’s disability;
  - Any other personal characteristic.

## **Section 3 Consequences for Violations**

Any student who violates the Anti-Harassment/Bullying policy will be subject to disciplinary action based upon the incident severity and in accordance with the Opelika City Schools’ Code of Student Conduct.

## **Section 4 Reporting, Investigation and Complaint Resolution Procedures**

- (a) Complaints alleging violation of this policy must be made on Opelika City Schools’ Harassment Incident Report Form (CHIRF), which is available in the main office of the school and/or principal’s and counselor’s office. The complaint must be signed by the student alleging the violation or by the student’s parent or legal guardian.
- (b) Upon receipt of the complaint, the principal or the principal’s designee will, in their 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 principal’s designee will undertake an investigation of the complaint. The investigation will entail the gathering of the relevant facts and evidence and will be conducted in a reasonable prompt time period taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a

recurrence of the violations(s) may also be imposed by the principal or the school system.

*\*Please note if it is determined a violation did occur but was not on Opelika City Schools' property or activity, Opelika City Schools does not have jurisdiction or legal authority to discipline the perpetrator.*

- (c) 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 sanctions that may include any sanction, penalty, or consequence that is available to school officials under the Code of Student Conduct. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy will be subject to disciplinary sanctions as outlined in the Code of Student Conduct.
- (d) 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 and document the date and time of such report on the CHIRF.

***ALABAMA SUICIDE HOTLINES***  
**Crisis Center of East Alabama (334) 821-8600**  
**The Crisis Center – Birmingham (205) 323-7777**  
**Kids Help Line – (205) 328-KIDS (5437)**

## **Section 5 Promulgation of Policy and Related procedures, Rules, and Forms**

This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to student, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes, including publication on the Opelika City Schools' Web site, [www.opelikaschools.org](http://www.opelikaschools.org).

**ADOPTED: June 22, 2010**

**REVISED: September 15, 2015**

**REVISED: July 25, 2019**