

## **ASSAULTS, THREATS AND HARASSMENT**

*Policy Code:*

**4331**

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The board will not tolerate assaults, threats or harassment from any student while in a school building, on any school premises, on any school bus, or at any school activity, function, or event before, during or after school hours. Any student engaging in such behavior shall be removed from the classroom or school environment for as long as is necessary to provide a safe and orderly environment for learning.

### **A. PROHIBITED BEHAVIOR**

#### 1. Assault

Students are prohibited from assaulting, physically injuring, attempting to injure or intentionally behaving in such a way as could reasonably cause injury to any other person, including hitting, shoving, biting, blocking the passage of, or throwing objects at another person.

Assault includes engaging in a fight. Fighting includes adversarial physical contact, differentiated from poking or pushing, in which one or the other party or both contributed to the situation by instigating a physical altercation. A student who is attacked may use reasonable force in self-defense but only to the extent to free himself from the attack and notify proper school authorities. A student who exceeds this reasonable force may be disciplined even though he or she may not have provoked the fight. In addition, no student shall take any action or make any comments or written messages intended to cause others to fight or which might reasonably be expected to result in a fight.

#### 2. Threatening Acts

Students are prohibited from directing toward any other person any language that threatens force, violence or disruption, or any sign or act that constitutes a threat of force, violence or disruption.

Bomb and terrorist threats are also addressed in policy 4333, Weapons. Bomb Threats, Terrorist Threats and Clear Threats to Safety.

#### 3. Harassment

Students are prohibited from engaging in or encouraging any form of harassment, including bullying of students, employees or other individuals on school grounds or at school-related functions. Harassment is unwanted, unwelcome and uninvited behavior that demeans, threatens or offends the victim and results in a hostile environment for the victim. The hostile environment may be created through pervasive or persistent misbehavior or a single incident if sufficiently severe.

Harassment and bullying are further defined in policy 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying. Complaints of harassment will be investigated pursuant to policy 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure. For incidents of misbehavior that do not rise to the level of harassment, see policy 4310, Integrity and Civility, which establishes the expectation that students will demonstrate civility and integrity in their interactions with others.

## **B. CONSEQUENCES**

The disciplinary consequences for violations of this policy shall be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

A student who is long-term suspended or reassigned to alternative education services as a result of assaulting or injuring a teacher shall not return to that teacher's classroom without the teacher's consent.

Legal References: G.S. 14-33, -34 through -34.2; 115C-47, -276(r), -288, -307, -390.2, -390.7

Cross References: Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230), Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7225), Student Behavior Policies (policy 4300), Integrity and Civility (policy 4310), Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy 4333)

Adopted: August 18, 2008

Revised: August 2, 2011