

# Bullying in N.C. & The Law

## North Carolina

### Bullying/Harassment

Statute 115C-407.5 (2009) defines bullying or harassing behavior and requires each local school administrative unit to adopt a policy prohibiting bullying or harassing behavior. The requirements of the policy are outlined in the statute. The statute defines bullying or harassing behavior as that which may place a student or school employee in actual and reasonable fear of harm to his or her person or damage to their property, create or is certain to create a hostile environment. It also states that bullying or harassing behavior includes "acts reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics."

Statute 115C-407.5 (2009) prohibits bullying of students or school employees and acts of reprisal or retaliation against a victim, witness or a person without reliable information about an act of bullying or harassment. It also requires that witnesses report the incident to the appropriate school official.

State Board of Education Policy HRS-A-007 requires local school boards to develop and maintain policies and procedures to prevent, intervene, investigate, document, and report all acts of bullying and harassment. Statute 115C-335.5 (2001) allows each local board of education to adopt a policy addressing sexual harassment of school employees by students, or other local school employees or school board members.

### Cyber Bullying

Statute 115C-407.5 (2009) includes electronic communication in its definition of "bullying or harassing behavior." The statute prohibits such communication that places a student or school employee in actual and reasonable fear of harm to their person or property, or creates or is certain to create a hostile environment. Each school must adopt a policy prohibiting bullying or harassing behavior that includes a definition no less inclusive than that of Statute 115C-407.5 (2009).

### Hazing

Statute 14-35 (2003) states that it is illegal for any school or college in the state to engage in hazing, or to aid or abet any other student in committing this offense.

**Source:** National Association of State Boards of Education

**For additional information, please visit:** <http://www.olweus.org>.



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