

4.21—STUDENT ASSAULT OR BATTERY, ABUSE, THREATS, or THREATENING BEHAVIOR

A student shall not threaten, physically abuse, or attempt to physically abuse, or behave in such a way as to be perceived to threaten bodily harm to any other person (student, school employee, or school visitor). Any gestures; vulgar, abusive, or insulting language, taunting, threatening, harassing, or intimidating remarks by a student toward another person that threatens their well-being is strictly forbidden. This includes, but is not limited to fighting, racial, ethnic, religious, or sexual slurs.

Furthermore, it is unlawful, during regular school hours, and in a place where a public school employee is required to be in the course of his or her duties, for any person to address a public school employee using language which, in its common acceptance, is calculated to:

- a. Cause a breach of the peace;
- b. Materially and substantially interfere with the operation of the school; or
- c. Arouse the person to whom it is addressed to anger, to the extent likely to cause imminent retaliation.

Students guilty of such an offense may be subject to legal proceedings in addition to any student disciplinary measures.

Assaults, Abuse and Threats or Threatening Behavior

DEFINITIONS:

“Assault” is the willful attempt or treat to inflict injury upon the person of another coupled with the apparent present ability to do so. Any display of force that would give the victim reason to fear bodily harm is assault, even if touching or striking does not occur.

“Battery” is similar to assault, but requires unexcused physical touching or injury.

“Abuse” means to wrong in speech, reproach coarsely, disparage, revile or malign. Use of profanity or vulgar expressions directed at another person is considered abuse.

“Threat” is defined as a communicated intent to inflict physical or other harm on any person or on property.

Statement of Policy

Students are to keep their hands to themselves, and treat school employees and fellow students with respect and courtesy. Horseplay and physical teasing as well as shoving, striking, fighting or threatening others constitute battery and/or assault and are strictly forbidden. All threats of violence or property damage will be taken seriously. Students should be aware that uttering threats can not only lead to disciplinary action being taken against a student, it can also lead to serious criminal penalties. Profanity and rude and abusive language directed at others is considered abuse, and this is also strictly forbidden. Violation of this policy will result in disciplinary action and may also constitute a criminal offense. By law, the local law enforcement must be notified whenever a felony or an act of violence may have been committed on campus.

Refer to Student Handbook for Penalties

Legal Reference: A.C.A. § 6-17-106 (a)

Date Adopted: 09/08/03

Last Revised: 07/08/2019