

STUDENT COMPLAINTS OF BULLYING OR HARASSING BEHAVIOR - PROCEDURES

Definition of Bullying: Bullying or harassing behavior is any **pattern** of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication, or any act reasonably perceived as being motivated by any actual or perceived differentiating characteristic that places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property, or creates or is certain to create a hostile environment by substantially interfering with or impairing a student's education, including but not limited to educational performance, opportunities, or benefits.

I. Procedures for Reporting a Complaint

- A.** Any student, school employee, or volunteer who feels he/she has been a victim of bullying or harassing behavior, or has witnessed or who has reliable information that a student, school employee, or volunteer has been subject to bullying or harassing behavior shall report such conduct to a teacher, principal, counselor, or other school official. The report shall be made promptly, but no later than five (5) calendar days after the alleged act or acts occurred.
- B.** The school official shall complete a "Bullying/Harassing Behavior" complaint form which shall include the name of the reporting person, the specific nature and date of the misconduct, the name(s) of the victim(s) of the misconduct, the name(s) of any witness(es) and any other information that would assist in the investigation of the complaint. The report shall be given promptly to the principal or superintendent who shall institute an immediate investigation. Complaints against the principal shall be made to the superintendent, and complaints against the superintendent shall be made to the Board chairman. The complaint shall be investigated promptly
- C.** Parents or guardians will be notified of the nature of any complaint involving their student. The District official will arrange such meetings as may be necessary with all concerned parties within five (5) working days after initial receipt of the complaint by the District. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The District official conducting the investigation shall notify the victim and parents as appropriate when the investigation is completed and a decision regarding disciplinary action, as warranted, is determined.
- D.** If the victim is not satisfied with the decision of the District official, he/she may submit a written appeal to the superintendent. Such appeal shall be filed within ten (10) working days after receipt of the results of the initial decision. The superintendent will arrange such meetings with the victim and other affected parties as deemed necessary to discuss the appeal. The superintendent shall provide a written decision to the victim's appeal within ten (10) working days.

- E.** If the victim is not satisfied with the decision of the superintendent, a written appeal may be filed with the Board. Such appeal shall be filed within ten (10) working days after receipt of the decision of the superintendent. The Board shall, within twenty (20) working days, allow the victim and parents as appropriate to appear before the Board to present reasons for dissatisfaction with the decision of the superintendent. The Board shall provide a written decision within ten (10) working days following the victim's appearance before the Board.
- F.** If, after an investigation, a student is found to be a victim of bullying, such student shall not face disciplinary action on the basis of that student's use of "reasonable self-defense was in response to the bullying."
- G.** If the victim of bullying is a student with disabilities, disciplinary action for the offender shall comply with the requirements of federal law including the Individuals with Disabilities Education Act (20 USCS Section 1400 et seq.)

The school district shall maintain and make available a list of counseling services to any student who is a victim of or a witness to bullying, or who engages in bullying. The following list of the types of counseling and support services are available to any victim of or a witness to bullying. This list is presented as a guide that by no means limits this school district from including other additional support services.

- *School/District Counseling*
- *Conflict Resolution Training*
- *Anger Management Training*
- *Problem Solving Skills Training (proactive, constructive, relationship-building)*
- *Social skills training*

Support may be provided by the school district through the assistance of the any of the following agencies:

- *Mississippi Department of Education*
- *Mississippi Department of Health*
- *Mississippi Department of Human Services - Juvenile Services Department*
- *Community/Family Public or private community-based mental health services*
- *Faith-based services*
- *Law enforcement agencies*

The procedures for reporting bullying shall also be posted on the district website.

Legal Reference: MS Code of 1972 37-11-67 and 37-11-69