

Bullying/Harassment

(Cross Ref: *Policy JDDA, HB 263*)

The Neshoba County School District will make every reasonable effort to ensure that no student or school employee is subject to bullying or harassing behavior by other school employees or students. Likewise, the District will make every reasonable effort to ensure that no person engages in any act of reprisal or retaliation against a victim, witness or a person with reliable information about an act of bullying or harassing behavior.

- (1) 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 an actual or perceived differentiating characteristic that takes place on school property, at any school-sponsored function, or on a school bus, and that:
 - a) Places a student or school employee in actual or reasonable fear of harm to his or her person or damage to his or her property; or
 - b) Creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities or benefits. A "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.
- (2) No student or school employee shall be subjected to bullying or harassing behavior by school employees or students.
- (3) No person shall engage in any act of reprisal or retaliation against a victim, witness or a person with reliable information about an act of bullying or harassing behavior.
- (4) A school employee or student who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior shall report the incident to the appropriate school official.
- (5) Conduct described in section (1) is considered bullying or harassing behavior if that conduct interferes with a student's education or substantially disrupts the operation of a school.

The Neshoba County School District recognizes the fundamental right of every student to take "reasonable actions" as may be necessary to defend himself or herself from an attack by another student who has evidenced menacing or threatening behavior through bullying or harassing. Furthermore, the Neshoba County School District defines "reasonable action" as promptly reporting the behavior to a teacher, principal, counselor, or other school official in authority when subjected to bullying or harassing behavior.

Procedures for Reporting Bullying/Harassing Behavior

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. 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 names of the victim of the misconduct, the names of any witnesses 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. Parents 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 a timely manner 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 put in 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.

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 in a timely manner.

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 a timely manner, 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 in a timely manner following the victim’s appearance before the Board.