

West Jasper School District • Bay Springs, MS	<i>Descriptor Code</i> JID	<i>Approved</i> Dec. 13, 2010
BULLYING POLICY	<i>Rescinds Policy</i>	<i>Revised</i> November 2017

The West Jasper Consolidated School District does not condone and will not tolerate bullying or harassing behavior. 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, including as 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 that:

- (a) Places a student or school employee in actual and 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 objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.

Bullying or harassing behavior which takes place on school property, at any school-sponsored function, or on a school bus is subject to this policy and will not be condoned or tolerated.

The West Jasper Consolidated School District will make every reasonable effort to ensure that no student or school employee is subjected 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. The District encourages anyone who has witnessed or has reliable information that a student or school employee has been subjected to any act of bullying or harassing behavior to report the incident to the appropriate school official.

The School Board directs the superintendent or designee to design and implement procedures for reporting, investigating, and addressing bullying and harassing behaviors. The procedures should be appropriately placed in District personnel policy handbooks, school handbooks that include discipline policies and procedures, and any other policy or procedure that deals with student or employee behavior. The discipline policies and procedures must recognize 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. Ref: Senate Bill 2015; Miss. Code Ann. § 37-7-301 {e}

COMPLAINTS OF BULLYING OR HARASSING BEHAVIOR

Students and employees in the School District are protected from bullying or harassing behavior by other students or employees. It is the intent of the Board and the administration to maintain an environment free from bullying and harassing behavior. This complaint procedure provides a process for filing, processing and resolving complaints of such conduct. Adherence to these procedures is mandatory. The failure of any person to follow these procedures will constitute a waiver of the right to pursue a complaint at any level, including review by the Board.

PROCEDURES FOR PROCESSING A COMPLAINT

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 should report such conduct to a teacher, principal, counselor or other school official. All reports of bullying will be investigated, even if there is not a written report. The report shall be made promptly, preferably within 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 School Board Chairman.

The complaint shall be investigated promptly. Parents/Legal Guardians will be notified of the nature of any complaint involving their student/child. 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/Legal Guardians 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 within ten (10) working days.

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/Legal Guardians 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.

No person shall bully any other person while on school property or at school activities. Bullying is defined as: any willful attempt or threat to inflict injury on another person, when accompanied by an apparent present ability to do so; or any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm. School property includes, but is not limited to, (a) the land and improvements which constitute the school; (b) any other property or building including school bus stops, wherever located, where any school function or activity is conducted; (c) any bus or other vehicle used in connection with school functions and activities including, but not limited to, school buses, buses leased by the West Jasper School District, and privately-owned vehicles used for transportation to and from school activities.

Refer to Student Handbook regarding the penalties for violation of this policy.

False accusations will be subject to the same punishment. MS Code §37-11-18; §37-11-29 (6); §43-21-605 (4); §37-9-71 See also Policy EB Policy ECA, Policy ECAE, Policy JBA, Policy JICKA, and Policy JBAB.