

Your Selected Documents

District: Itawamba County School District

Section: J - Students

Policy Code: JDDA - Bullying

BULLYING AND STUDENT THREATS

1. The Board desires to reasonably and prudently protect against a substantial interference of (1) the orderly operation of the schools within the District, (2) the right to an education, and (3) a secure and safe environment.
2. Bullying, in its many forms, has become a growing problem among youth and can have a devastating effect on students. The District will not tolerate any gestures, comments, threats or actions which cause or threaten to cause bodily harm or personal degradation and, therefore, prohibits such behavior.
3. The Board recognizes the fundamental right of every student to take reasonable actions necessary to defend himself/herself from an attack by another student who has evidenced menacing or threatening behavior through bullying or harassing. Self-defense conduct should only be taken after the student has reported any such menacing or threatening behavior, bullying or harassing to the principal or other school official.
4. The Board recognizes that a threat by a student to harm self, others or property creates a risk of injury or death to District employees, students, and visitors, and further creates a risk of damage to property of the District, employees, students, and visitors. Further, the Board recognizes the need to respond appropriately to crisis situations where students display signs of mental health difficulties or behaviors that may have a negative impact on themselves, other students, and/or District personnel.
5. The Board authorizes the superintendent to create procedures to carry out this policy.

LEGAL REF: MCA §§ 37-11-20; 37-11-21; 37-11-23; 97-1-6; 97-29-45; 97-29-63; 97- 45-15; 97-45-17;SB 2015 (2010)

ADMINISTRATIVE PROCEDURE

1. Definitions

a. "Bullying" includes any written, electronic or verbal communications, or any physical act or any threatening communication (including 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) that:

- i. 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
- ii. creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities or benefits.

? "Cyber bullying," the use of cell phones, computers, or other electronic devices to participate in actions or behavior defined as bullying, is included in the definition of bullying.

b. "Crisis" is defined as any occasion when a student's behavior is non-life threatening but exhibits extreme emotional disturbance or behavioral distress, considering harm to self and/or others, disoriented or out of touch with reality, has a compromised ability to function, or is otherwise agitated and unable to be calmed.

c. "Emergency" is a life-threatening situation in which a student is imminently threatening harm to self and/or others, severely disoriented or out of touch with reality, has a severe inability to function, or is otherwise distraught and out of control.

d. "Hostile environment" is created when 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.

e. "Retaliation" includes, but is not limited to any form of intimidation, reprisal or harassment made to a person who reports a violation of this policy, or assists or participates in the investigation relating to such a report.

2. Procedures for Crisis or Emergency Situations . In all emergency situations where a student is imminently threatening harm to self and/or others or is in need of immediate medical attention, notify the building administrator or designee and call 911 immediately.

a. In all crisis or emergency situations, while these procedures are carried out, a designee should notify the student's parent/guardian ("parent") immediately and explain the situation and notify the Assistant Superintendent and the Director of Special Education if the student has an I.E.P.

3. Consequences of Making a Threat .

Students who threaten to harm another person or threaten to damage or destroy property will be subject to discipline in accordance with this policy and procedure.

a. The building administrator will contact the school counselor who will do a risk assessment to determine if further evaluation is needed. A parent conference is required to inform the parent of JDDA consequences.

b. Students who threaten to harm self, others, or threaten to damage or destroy property may be required to be evaluated by a licensed mental health professional (i.e. Licensed Professional Counselor, Psychiatric Nurse Practitioner, Psychiatrist, or Psychologist) at the expense of the parent or guardian. Students who are receiving services under the Individuals with Disabilities Education Act (IDEA) will be evaluated at District expense.

The mental health professional will provide signed documentation acknowledging that the student is no longer a threat to themselves and/or others and that either continued attendance or readmission to the District is appropriate. The statement by the mental health professional must also include recommendations for a behavior plan and other pertinent educational recommendations. For special education students, the I.E.P. committee must convene to determine the best course of action.

c. Discipline for bullying of a student with disabilities will comply with applicable law, including the Individuals with Disabilities Education Act.

4. Off-Campus Behavior .

Students are subject to discipline for off-campus behavior that violates this policy if such conduct: . Results in a disruption to the educational environment of the school or a detriment to the best interest and welfare of the students and/or the staff as a whole, or i. Interferes with another person's right to an education or a to a secure and safe school environment.

5. Reporting Any District employee or volunteer who observes or becomes aware of conduct that violates this policy shall promptly report it to the principal, or an appropriate District official.

a. Any student who believes she/he has been harassed, intimidated, threatened or bullied by another student should promptly report such behavior to the principal or building administrator.

b. All District employees receiving such complaints shall make a detailed written report of the facts alleged, including date and time of complaint, date and specific nature of the misconduct, name(s) of (1) complainant; (2) all persons alleged to have violated this policy; (3) all witnesses or persons with relevant knowledge, etc.

6. Investigation All complaints alleging violation of this policy will be investigated promptly.

Parents/guardians will be notified of the nature of any complaint involving their student.

7. Consequences Any student that is found to have violated this policy shall be subject to discipline including, but not limited to, warning, remedial training, education or counseling, suspension, exclusion, reassignment or transfer.

References:

37-11-67 - Bullying or harassing behavior in public schools prohibited

37-11-69 - Anti-bullying personnel and discipline policies and code of student conduct

37-7-301 - General powers and duties.

Adopted Date: 7/6/2010

Approved/Revised Date: 8/1/2022

District: Itawamba County School District

Section: J - Students

Policy Code: JDDA-P - Bullying Procedures

PROCEDURES STUDENT BULLYING

Students and employees in the Itawamba County School District are protected from bullying or harassing behavior by other students or employees. It is the intent of the Itawamba County Board of Education 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.

I. DEFINITIONS

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 (a) 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 (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 will not be condoned or tolerated when it takes place on school property (including a school bus), at any school-sponsored function or when it takes place off school property when such conduct, in the determination of the school superintendent or principal, renders the offending person's presence in the classroom a disruption to the educational environment of the school or a detriment to the best interest and welfare of the pupils and/or teacher of such class as a whole.

II. PROCEDURES FOR PROCESSING A COMPLAINT

Any student, school employee or volunteer who feels he or 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) days after the alleged act or acts occurred. The school official shall complete a "Bullying or 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 a 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.

If the victim is not satisfied with the decision of the District official, he or 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 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.

BULLYING OR HARASSING BEHAVIOR COMPLAINT FORM

NAME OF PERSON REPORTING
MISCONDUCT

DATE OF REPORT

NAME OF VICTIM

NAME OF PERSON TAKING REPORT

NAME OF WITNESS TO MISCONDUCT

NAME OF WITNESS TO MISCONDUCT

NAME OF WITNESS TO MISCONDUCT

NAME OF WITNESS TO MISCONDUCT

DESCRIBE THE SPECIFIC NATURE OF THE MISCONDUCT, INCLUDING DATE(S)

ANY OTHER INFORMATION THAT WOULD ASSIST IN THE INVESTIGATION

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

Last Review Date: _____
Review History:[1/1/1900][1/1/1901]

Adopted Date: 7/6/2010
Approved/Revised Date: 7/5/2022

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