

Report Bullying

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JDDA-P Bullying Procedures (Summarize See Policy for Full Procedures)

STUDENT COMPLAINTS OF BULLYING OR HARASSING BEHAVIOR

Hattiesburg Public Schools students and employees are protected from bullying or harassing behavior by other students or employees. These complaint procedures provide 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 (Summary)

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 characteristics 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.

II. Procedures for Processing a Complaint

- A. Any student, school employee, or volunteer who feels they have 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 officials. The report shall be made promptly but no later than five (5) calendar days after the alleged act or acts occurred. (H.B. 263-D)
- B. The school official shall complete a 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. (H.B. 263-F)
- C. Parents will be notified of the nature of any complaint involving their student. The principal (or school designee) will arrange such meetings as necessary with all concerned parties within five (5) working days after the school's initial receipt of the complaint. The parties will be able to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The school 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. (H.B. 263-C)
- D. If the victim is not satisfied with the decision of the school 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 or (their designee) will arrange such meetings with the victim and other affected parties as deemed necessary to discuss the appeal. The superintendent or (their designee) 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 or (their designee), a written appeal may be filed with the Board through the Office of the Superintendent. Such appeal shall be filed within ten (10) working days after receipt of the superintendent's decision. The Board shall, within twenty (20) working days, allow the victim and parents to appear before the Board to present reasons for dissatisfaction with the superintendent's decision. 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 based on that student's use of "reasonable self-defense was in response to the bullying." (H.B. 263-G & 2)
- 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 e seq.) (H.B. 263-H)

