

The Picayune 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 that (a) places a student or school employee in actual and reasonable fear of harm to his/her person or damage to his/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, at any school-sponsored function, or on a school bus, 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 teacher of such class as a whole.

The Picayune 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 Picayune School 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 Picayune School District encourages anyone who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior to report the incident to the appropriate school official.

Conduct is considered bullying if that conduct interferes with a student's education or substantially disrupts the operation of a school.

The Picayune School District Board of Trustees directs the Superintendent or his/her designee to design and implement procedures for reporting, investigating, and addressing bullying and harassing behaviors. The procedures will address such behavior, that:

- (a) Prohibit the bullying of a student;
- (b) Prohibit retaliation against any person, including a victim, a witness, or another person, who in good faith provides information concerning an incident of bullying;
- (c) Establish a procedure for providing notice of an incident of bullying to a parent or guardian of the victim and a parent or guardian of the bully within a reasonable amount of time after the incident;
- (d) Establish the actions a student should take to obtain assistance and intervention in response to bullying;
- (e) Set out the available counseling options for a student who is a victim of or a witness to bullying or who engages in bullying;

- (f) Establish procedures for reporting an incident of bullying, investigating a reported incident of bullying and determining whether the reported incident of bullying occurred;
- (g) Prohibit the imposition of a disciplinary measure on a student who, after an investigation, is found to be a victim of bullying, on the basis of that student's use of reasonable self-defense in response to the bullying; and
- (h) Require that discipline for bullying of a student with disabilities comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 USCS Section 1400 et seq.).

The procedures should be appropriately placed in Picayune School 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/herself from an attack by another student who has evidenced menacing or threatening behavior through bullying or harassing.

The procedure for reporting bullying must be posted on the district's Internet website.

Furthermore, the Picayune School District defines "reasonable action" as promptly reporting the behavior to a teacher, principal, counselor, or other school employee when subjected to bullying or harassing behavior.

LEGAL REFERENCE: Senate Bill 2015; MS Code as Amended, §37-7-301(e)
House Bill No. 263, Regular Session 2017

Board Approved (Revised) June 13, 2017