

## Anti-Bullying/Harassment

### **Prohibition**

No student or school employee shall be subjected to bullying or harassing behavior by school employees or students. The Mississippi School for the Arts prohibits bullying or harassing behavior of students or school employees. The Mississippi School for the Arts will make every reasonable effort to ensure that no person or school employee is subjected to bullying or harassing behavior by other students or other school employees.

- (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 any 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 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. For the purposes of this section, 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.

Conduct described in subsection (1) is considered bullying if that conduct interferes with a student's education or substantially disrupts the operation of a school.

\* Bullying or harassing behavior includes cyberbullying. Cyberbullying is bullying or harassing behavior that occurs electronically.

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 materially disrupts classwork or involves substantial disorder or invasion of the rights of others.

No person shall engage in any act of retaliation or reprisal against any person, including a victim, a witness, or another person with reliable information about an act of bullying or harassing behavior and/or who in good faith provides information concerning an incident of bullying.

**Procedures for Reporting, Investigating, and Addressing Bullying or Harassing Behavior**

A student who feels he/she has been a victim of bullying or harassing behavior and/or a student or volunteer who has witnessed or has reliable information that a student, school employee, or volunteer has been subject to any act of bullying or harassing behavior should report the incident to a school employee, who shall immediately report the incident in writing to the Principal and/or Executive Director. Students should report bullying or harassing behavior to a school employee promptly, but no later than five (5) working days after the alleged incident(s) occurred.

Reports should include: the name of the reporting person\*, the specific nature and date of the misconduct, the name(s) of the victim(s) of the misconduct, the name(s) of any witness(es), the name(s) of the alleged bully, and any other information that would assist in the investigation of the report. \*If a student chooses to anonymously report bullying or harassing behavior, the school's ability to take action based solely on an anonymous report may be limited.

A school employee 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 immediately report the incident in writing to the Principal and/or Executive Director. Reports against the Principal shall immediately be made in writing to the Executive Director, and reports against the Executive Director shall immediately be made in writing to the Chief Academic Officer.

The school administration will investigate reported incidents of bullying within five (5) working days of receiving the report.

The school administration will speak with the alleged victim and alleged bully separately. Students may submit evidence for the school administration to review and a list of witnesses for the school administration to speak with. Students should preserve evidence of bullying/cyberbullying and/or harassing behavior.

All teachers, employees, volunteers, and students shall fully cooperate with the investigating and answer truthfully all inquiries relative thereto.

Upon completion of the investigation, the school administration will immediately notify the alleged victim and alleged bully regarding the outcome of the investigation and/or what discipline actions and/or other appropriate actions will be taken, if warranted.

The school administration will provide notice of an incident of bullying and the outcome of the investigation and/or what discipline actions and/or other appropriate actions will be taken, if warranted, within a reasonable amount of time to a parent or guardian of the victim and a parent or guardian of the bully not to exceed five (5) working days after the completion of the investigation.

The Mississippi School of the Arts 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. “Reasonable action” includes, but is not limited to, promptly reporting the bullying or harassing behavior to a school employee and student’s use of reasonable self-defense.

If, after an investigation, a student is found to be a victim of bullying, such student shall not face disciplinary action on the basis of that student's use of reasonable self-defense in response to the bullying.

Discipline for bullying of a student with disabilities shall comply with the applicable requirements under federal law including the Individuals with Disabilities Education Act (20 U.S.C. § 1400 *et seq.*).

Available counseling options for a student who is a victim of bullying or a witness to bullying or a student who engages in bullying include: School Guidance Counseling • Conflict Resolution Training • Anger Management Training • Problem Solving Skills Training (proactive, constructive, relationship-building) • Social Skills Training].

Support and intervention in response to bullying may be provided by the [School] through the assistance of the any of the following agencies: Mississippi Department of Education • Mississippi Department of Health • Mississippi Department of Human Services - Juvenile Services Department • Community/Family Public or private community-based mental health services • Faith-based services • Law enforcement agencies • guidance counselor’s office at MSA.

The procedure for reporting bullying will also be posted on the school’s website.

False accusations or reports of bullying are prohibited and may warrant discipline action.

Any perceived criminal conduct will be immediately reported to law enforcement.

Source: *Miss. Code Ann. §§ 37-11-67 and 37-11-69 (Amended 7/2017)*