

§ 37-11-69. [Effective 7/1/2017] [Personnel and discipline policies and code of student conduct to include prohibition against bullying or harassing behavior].

## **Mississippi Statutes**

### **Title 37. EDUCATION**

#### **Chapter 11. GENERAL PROVISIONS PERTAINING TO EDUCATION**

*Current through 4-19-2017*

#### **§ 37-11-69. [Effective 7/1/2017] [Personnel and discipline policies and code of student conduct to include prohibition against bullying or harassing behavior]**

- (1) Each local school district shall include in its personnel policies, discipline policies and code of student conduct a prohibition against bullying or harassing behavior and adopt procedures for reporting, investigating and addressing 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.).
- (2) The policies 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.

- (3) The procedure for reporting bullying established under subsection (1) of this section must be posted on the district's Internet website.

**Cite as Miss. Code § 37-11-69**

**Source:** Laws, 2010, ch. 508, §2, eff. 7/1/2010.

**History.** Amended by Laws, 2017, ch. TBD, HB 263, §2, eff. 7/1/2017.

**Note:** *This section is set out twice. See also § 37-11-69 , effective until 7/1/2017.*