

**Policy JCBF-P: Reporting of Unlawful or Violent Acts - - Procedures**

**Status:** DRAFT

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**REPORTING OF UNLAWFUL OR VIOLENT ACTS -- PROCEDURES**

The reports of unlawful or violent acts shall be made in accordance with the following procedures:

**A. ACTION BY DISTRICT PERSONNEL**

When any school employee, principal or the superintendent has knowledge that an unlawful or violent act has or may have occurred on school property or at a school-related event:

1. IMMEDIATELY UPON RECEIVING INFORMATION OF SUCH ACT, the following oral reports shall immediately be made:
  - a. The employee shall notify his principal.
  - b. The principal shall notify the superintendent or his designee.
2. ORAL NOTICE TO LAW ENFORCEMENT
  - o IF AN EMERGENCY ("911-LIFE THREATENING") SITUATION EXISTS AND THE PRINCIPAL IS NOT IMMEDIATELY AVAILABLE, the employee is authorized to immediately contact the appropriate law enforcement official and, as soon as possible thereafter, to notify the principal or other school administrator
  - a. IF THE PRINCIPAL HAS A REASONABLE BELIEF THAT AN UNLAWFUL OR VIOLENT ACT HAS BEEN COMMITTED, the principal shall also orally notify law enforcement officials immediately following receipt of the employee's report.
3. AS SOON AS POSSIBLE, and in no event more than 24 hours of the oral report, the following written reports shall be made:
  - o An employee making the oral report shall complete and submit to the principal a written report on a form provided by the superintendent for such purposes
  - a. If the principal has a reasonable belief that an unlawful or violent act has been committed, he shall complete and submit to the appropriate local law enforcement agency and to the superintendent a written report on a form provided by the State Board of Education for such purposes.
  - b. If a crime was committed by a student, the superintendent shall complete and submit to the youth court and the appropriate local law enforcement agency an affidavit in a form prescribed for such purposes. If expulsion resulted from a student's unlawful activity or violent act, the affidavit shall contain such notice.
  - c. If the offense involved possession of a firearm in violation of the Policy JCBH - Gun-Free Schools, the superintendent shall also submit the written report to the appropriate division of the State Department of Education. PLEASE NOTE: In accordance with the provisions of MS Code ' 37-11-29, ALL crimes committed on campus must be reported to MDE. The vehicle for reporting is the MSIS system. The code also carries a penalty for failure to report.
4. Copies of all written reports and notices shall be retained by the principal and the superintendent.

**B. SEXUAL MISCONDUCT**

When there is an allegation against an employee of sexual misconduct with a student:

1. A student, parent, employee or other person with actual knowledge of sexual harassment or allegations of

sexual harassment shall report to the principal, Title IX Coordinator or the superintendent all allegations against the employee.

2. Immediately upon receipt of such allegation(s), the principal or Title IX Coordinator shall notify the superintendent. PLEASE NOTE: It is recommended that law enforcement be immediately notified because sexual activity between staff and student is a felony. Also, an administrative investigation may not reveal misconduct but a criminal investigation may. In most cases the law enforcement agency will defer the investigation to the school district, particularly if a School Resource Officer (SRO) is the investigator.
3. Such allegations shall be processed in accordance with the Title IX Grievance Procedure in Policies JAA and GBR, and employee and student handbooks.
4. Upon conclusion of the Title IX grievance process, the Title IX Coordinator shall complete and submit a written report to the superintendent.
5. Nothing in this policy or any other policy impedes or precludes a student, the student's parents, a school employee or school officials from directly reporting to law enforcement officials any behavior that constitutes a violation of criminal law or any other applicable laws.
6. Copies of all written reports shall be retained by the superintendent.

LEGAL REF.: MS CODE Sections 37-11-29; 37-9-14(2)(w) and (x); 43-21-605(4)

CROSS REF.: JCBE – Unlawful or Violent Acts

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