Anti-Bullying Policy 5.9

Procedural Manual 2010-11

(*Addressing Florida Statute 1006.147)

7/21/2010

TABLE OF CONTENTS

INTRODUCTION 3
DEFINITIONS 4
EXPECTATIONS 9
STAKEHOLDER RESPONSIBILITIES 11
TRAINING 14
DISCIPLINARY SANCTIONS (CONSEQUENCES) 16
REPORTING AN ACT OF BULLYING 16
BULLYING COMPLAINTS AND RESOLUTION 18
INVESTIGATION REQUIREMENTS 21
REFERRAL FOR INTERVENTION 24
INCIDENT REPORTING REQUIREMENTS 24
REFERRAL FOR EXTERNAL INVESTIGATION 25
APPEALS 26
CONFIDENTIALITY 27
RETALIATION PROHIBITED 27
ADDITIONAL REFERRAL 27
CONSTITUTIONAL SAFEGUARD 27
PRECLUSION 27
SEVERABILITY 27
Appendices 29-37

The purpose of this procedural manual is to provide school personnel and other interested parties with the current Anti-Bullying policy as well as the related procedural guidelines and best practices. The information in black type is the policy. The information in **red** is related procedural information that is intended to assist in clarifying and implementing the policy. The policy cannot be changed without School Board approval. The procedural information will be updated periodically by the **Division of Educational Programs and Student Support**. Suggestions and questions are welcomed and should be sent to the following Coordinator:

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Policy 5.9: Anti-Bullying Policy
PROCEDURAL MANUAL

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, IS COMMITTED TO PROTECTING ITS STUDENTS, EMPLOYEES, AND APPLICANTS FOR ADMISSION FROM BULLYING, HARASSMENT, OR DISCRIMINATION FOR ANY REASON AND OF ANY TYPE. THE SCHOOL BOARD BELIEVES THAT ALL STUDENTS AND EMPLOYEES ARE ENTITLED TO A SAFE, EQUITABLE, AND HARASSMENT-FREE SCHOOL EXPERIENCE. BULLYING, HARASSMENT, OR DISCRIMINATION WILL NOT BE TOLERATED AND SHALL BE JUST CAUSE FOR DISCIPLINARY ACTION. THIS POLICY SHALL BE INTERPRETED AND APPLIED CONSISTENTLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS AND THE BOARD'S COLLECTIVE-BARGAINING AGREEMENTS. CONDUCT THAT CONSTITUTES BULLYING, HARASSMENT OR DISCRIMINATION, AS DEFINED HEREIN, IS PROHIBITED. POLICY 4001.1, *NONDISCRIMINATION STATEMENT POLICY*, ADDRESSES REQUIREMENTS FOR DISCRIMINATION AGAINST DEFINED FEDERAL, STATE, AND LOCAL PROTECTED CATEGORIES OF PERSONS.

IT IS ESSENTIAL THAT A BASIC UNIVERSAL PREVENTION CURRICULUM BE IN PLACE SO THAT EVERY SCHOOL WILL RECEIVE A FOUNDATION OF PREVENTION UPON WHICH TO BUILD A CULTURE OF HEALTH, WELLNESS, SAFETY, RESPECT AND EXCELLENCE.

THE STANDARDS OF THIS POLICY CONSTITUTE A SPECIFIC, FOCUSED, COORDINATED, INTEGRATED, CULTURALLY SENSITIVE SYSTEM OF SUPPORTS FOR ALL STUDENTS, STAFF, FAMILIES, AND COMMUNITY AGENCIES THAT WILL IMPROVE RELATIONS WITHIN EACH SCHOOL. IT IS DESIGNED TO ENSURE THAT EVERY SCHOOL HAS STAFF THAT HAVE BEEN TRAINED AND ARE SUPPORTED IN THEIR SCHOOL'S EFFORTS TO PROVIDE AWARENESS, INTERVENTION TRAINING, AND INSTRUCTIONAL STRATEGIES ON PREVENTION, INCLUDING VIOLENCE PREVENTION, TO EACH STAFF, PARENT, AND STUDENT IN THE DISTRICT AND TO DIRECT FOLLOW UP WHEN INCIDENTS ARE REPORTED AND/OR OCCUR.

Throughout this guide the terms **"target**" and "**victim**" are used to describe those who are victims of bullying. The term "victim" can be problematic for those at risk for internalizing the victimization and seeing themselves as weak and ineffectual, so the term is often avoided.

In the spirit of separating the person from the behavior, care should be taken to avoid such labels; instead, refer to "bullies" as "perpetrators of bullying" or "aggressors," and "victims" or "targets" as "people who have been bullied." This language is particularly important when addressing complex cyberbullying behaviors; given that the speed of the messaging and the invisibility of the aggressor can make it difficult to determine the message's originator. It is most constructive to identify and focus on the behaviors of the participants, while avoiding viewing the bully, bystander, and target as having fixed personality traits.

Note: "Complainant" refers to the person who alleges the complaint, not the target of the aggression, although sometimes the target will be the complainant.

I. Definitions

A. "***Bullying***" means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as: unwanted purposeful written, verbal, nonverbal, or physical behavior, including but not limited to any threatening, insulting, or dehumanizing gesture, by an adult or student, that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation, is carried out repeatedly and is often characterized by an imbalance of power.
Bullying may involve, but is not limited to:

1. unwanted teasing
2. threatening
3. intimidating
4. stalking
5. cyberstalking
6. cyberbullying
7. physical violence
8. theft
9. sexual, religious, or racial harassment
10. public humiliation
11. destruction of school or personal property
12. social exclusion, including incitement and/or coercion
13. rumor or spreading of falsehoods

Clarifying Information:

Bullying is a purposeful action that is intended to injure, involves physical (hitting, pushing, shoving, kicking, etc.) and/or mental components (e.g. verbal

humiliation, hurtful, threatening behaviors, gossip, exclusion), and ALWAYS involves an imbalance of power.

An easy way to remember the components that comprise bullying is through the use of the acronym RIP. It is Repeated, there is an **I**mbalance of Power, and conduct is **P**urposeful. All three components (R.I.P.) must be present for bullying to meet the criteria set forth in this policy:

R: "Carried out repeatedly" – this means simply that the targeting has occurred more than once.

Note: Sometimes a single incident can have precisely the same impact as persistent behavior over time, for it can be experienced as part of a continuous pattern and can be extremely threatening and intimidating.

I: "Imbalance of power"- Occurs when one student, adult* and/or group is more powerful than the other. For instance, when one student, adult and/or group is older, larger, or perceived to be smarter, and/or more popular than the other, there is an imbalance of power: the playing field is not level; one student, adult and/or group unfairly takes advantage of this imbalance of power. The student or adult feels victimized and defenseless.

P: Bullying is a "Purposeful" action- The goal and/or the intent are deliberate - all refer to a wish which one meant to carry out.

* Adult is defined as any employee of the school district, volunteer, visitor, contractor, or other third party.

Clarifying Questions:

1. **Is teasing bullying?**
   Teasing, done in mutual fun, where all individuals are involved and feel capable of responding, is not bullying. However, teasing that is done in a mean and hurtful way, that involves a power imbalance whereby one individual feels powerless to respond or to stop what is happening, is bullying. It is possible that one person's intended good-natured joking is perceived as bullying by the other person. It also happens that what starts out as good-natured joking can get out of hand and become bullying.

2. **Is bullying the same as conflict?**
   Bullying is NOT the same thing as conflict. Conflict involves antagonism among two or more people. Any two people can have a conflict in which they feel equally powerful. Bullying only occurs where there is an imbalance of power, it is repeated and it is purposeful.

3. **What does "Potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation mean"?**

   Bullying is likely to create an environment that causes a person or group of people to feel:

   - different, alone, unimportant and/or unvalued
   - physically and/or mentally hurt or distressed
   - unsafe and/or frightened to go to school
   - unable to do well and achieve
   - unable to see a positive future for self

   All of these can contribute to an environment where it is difficult, if not impossible, for learning and/or teaching to occur. Keep in mind, these dynamics and resulting distress apply to off campus events as well - such as cyberbullying or aggressive behaviors occurring to and from school.

4. **What does Adult Bullying look like?**

   Any incident identified as such must meet the definition as set forth in this policy (see page 4). Examples of Adult Bullying include:

   - Intimidating behaviors: shouting, ordering, belittling
   - Abusive language
   - Ridiculing: making fun of someone
   - Nasty or hurtful teasing or jokes
   - Fear about speaking up about conditions or behaviors
   - Humiliation-causing shame in front of others
   - Insults-slandering character or efforts
   - Sexual remarks
   - Interference with personal belongings

5. **Is hazing considered bullying?**

   Forms of initiation that rely on humiliation and other types of abuse—referred to as hazing—are a form of bullying. School staff, particularly athletic directors and coaches, must include hazing in their discussions of bullying and in any written student/parent agreements.

B. "***Harassment***" means any threatening, insulting, or dehumanizing gesture, use of technology, computer software, or written, verbal or physical conduct directed against a student or school employee that:

1. places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;

2. has the effect of substantially interfering with a student's educational performance, or employee's work performance, or either's opportunities, or benefits;
3. has the effect of substantially negatively impacting a student's or employee's emotional or mental well-being; or
4. has the effect of substantially disrupting the orderly operation of a school and/or school district work environment.

C. "***Cyberstalking***", as defined in Florida State Statute 784.048(d), means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

D. ***"Cyberbullying"*** is defined as the willful and repeated harassment and intimidation of a person through the use of digital technologies, including, but not limited to, email, blogs, texting on cell phones, social websites (e.g., MySpace, Facebook, Twitter, etc.), chat rooms, "sexting", instant messaging, or video voyeurism.
*Note: Per F.S. 810.145, voyeurism, which may be utilized in cyberbullying, in and of itself, is a criminal offense.

Cyberbullying is a growing concern worldwide. It will occur in our schools and we must be vigilant. All students, staff, parents, and stakeholders must be made aware of this. Activities that will assist in this awareness-raising initiative, include, but are not limited to:

- Including cyberbullying (and "sexting" where age appropriate) in general discussions with students, staff, and parents about bullying prevention and/or Internet safety
- Saving all emails and electronic communications of harassment
- Educating bystanders about how to intervene with cyberbullying on social networking sites, cell phones, emails and all forms of electronic communication
- Educating parents about how to block certain email addresses from instant messaging and chat and how to report complaints to the internet service provider
- Changing email addresses if harassment continues
- Directing parents to contact the local police, if threats are violent or sexual in nature

Note: For reporting procedures regarding cyberbullying, see Section VI. – "Reporting an act of bullying"; for investigation procedures and protocol, see Section VIII – "Investigation Requirements for reported acts of bullying under this policy," and Appendices D and E.

E. "***Bullying***", ***"Cyberbullying",*** and/or "***Harassment***" also encompass:

1. retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying, harassment, or discrimination.
2. retaliation also includes reporting a baseless act of bullying, harassment, or discrimination that is not made in good faith.
3. perpetuation of conduct listed in the definition of bullying, harassment, and/or discrimination by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:

    a) incitement or coercion;
    b) accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or
    c) acting in a manner that has an effect substantially similar to the effect of bullying, harassment, or discrimination.

F. "***Bullying***," "***Cyberbullying*"**, "***Harassment***," and "***Discrimination***" (hereinafter referred to as bullying, as defined in Section A, for the purpose of this Policy) also encompass, but are not limited to, unwanted harm towards a student or employee in regard to their real or perceived: sex, race, color, religion, national origin, age, disability (physical, mental, or educational), marital status, socio-economic background, ancestry, ethnicity, gender, gender identity or expression, linguistic preference, political beliefs, sexual orientation, or social/family background or being viewed as different in its education programs or admissions to education programs and therefore prohibits bullying of any student or employee by any Board member, District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored events, on school buses, and at training facilities or training programs sponsored by the District. For Federal requirements when these acts are against Federally identified protected categories, refer to Policy 4001.1.

In addition to prohibiting bullying by and towards school employees and students, the School Board will not tolerate bullying by school volunteers, consultants, independent contractors or subcontractors (or their employees), or any third party in the school (or outside of the school at school-sponsored events), on school buses, or at training facilities sponsored by the School District as indicated in policy above.

Any alleged bullying by volunteers, visitors, or contractors and investigation of complaints against a school volunteer, campus visitor, contractor/consultant, or other third party should be reported immediately to the school principal and/or appropriate area/district administrator, using the same formal written complaint process as would be used to report bullying by a school district employee.

The complaint must be filed as soon as possible, at least within ninety (90) school days of the alleged incident (i.e., within 90 days of the last act of alleged bullying).

Failure on the part of the complainant to initiate and/or follow up on the complaint within this period may result in the complaint being deemed abandoned.

Reporting Procedure for bullying by volunteers, visitors, or contractors and investigation of complaints against a school volunteer, campus visitor, contractor/consultant, or other third party (see Section VI (A-F).

When the principal/designee receives a complaint of sexual harassment or discrimination by a school volunteer, campus visitor, contractor/consultant, or other third party, it should be noted on the specified data system (e.g., TERMs) and a referral and notification to the EEO Department completed when the person being bullied is in a protected category listed in Policy 4001.1.

Note: Appropriate data system refers to existing mechanisms for reporting prevention/intervention measures including, but not limited to TERMs, Discipline Management System (DMS), etc.

If the EEO District's investigation substantiates a complaint of sexual harassment or discrimination by a school volunteer, visitor, consultant/independent contractor, vendor or other third party, appropriate responses may include, but are not limited to, revoking the volunteer's status, asking the visitor to refrain from returning to the campus, requesting a contractor to remove an employee from a project at a school site and discipline the employee, or debarring a vendor. The District's response will be designed to eliminate the bullying and prevent its reoccurrence.

If the person being bullied is not in a protected category as listed in Policy 4001.1, the same actions may be considered pending discussion with the area office.

G. ***"Accused"*** is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored events, on school buses, and at training facilities or training programs sponsored by the District who is reported to have committed an act of bullying, whether formally or informally, verbally or in writing, of bullying.

H. "***Complainant***" is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person who formally or informally makes a report of bullying, orally or in writing.

I. ***"Victim"*** is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school sponsored events, on school buses and at training facilities or training programs sponsored by the District, who is reported to have been the target of an act of bullying during any educational program or activity conducted by SBBC.

II. Expectations: The Broward County School District expects students and employees to conduct themselves in keeping with their levels of development, maturity, and demonstrated

capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

School/area district administrators must discuss with staff the type of behaviors expected from each student and each employee using the module's (Teacher Video and Student Video with accompanying Power Point presentation) provided by the Office of Prevention Programs no later than October 1st of each school year.

School administrators and personnel must annually outline student responsibilities through the policy module (Student Video and Power Point presentation) and the Code of Student Conduct, including the requirements for students to:

- Conform to reasonable standards of socially acceptable behavior
- Respecting the person, property, and rights of others
- Obey constituted authority
- Respond to those who hold that authority

Examples of programs that support these expectations include the utilization of Foundations (Sprick), CHAMPs, and the district's Character Education programs for outlining school-wide and classroom guidelines, rules and expectations for appropriate student behavior. For professional development in these areas, contact the Student Support Service's Office of Prevention Programs, 754-321-2568.

A. The School District prohibits the bullying of any student or school employee:

1. during any educational program or activity conducted by SBBC;
2. during any school-related or school-sponsored program or activity or on a SBBC school bus;
3. through the use of any electronic device or data while on school grounds or on a SBBC school bus, computer software that is accessed through a computer, computer system, or computer network of the SBBC. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated under this section.
4. through threats using the above to be carried out on school grounds. This includes threats made outside of school hours, which are intended to be carried out during any school-related or school-sponsored program or activity, or on a SBBC school bus.
5. while the District does not assume any liability for incidences that occur at a bus stop or en route to and from school, a student or witness may file a complaint following the same procedures for bullying against a student and the school will investigate and/or provide assistance and intervention as the principal/designee deems appropriate, which may include the use of the School Resource Officer. The principal/designee shall use all District Reporting Systems to log all reports and interventions. However, if a student's ability to receive an education or a school's ability to provide an education is significantly impaired, as determined

by the school district administration, disciplinary sanctions may be issued, see Section V. A. 1.a of this policy.

6. though an incident of alleged of bullying (cyberbullying or other) may occur off campus and may not entail threats of acts to occur during school hours, if a student's ability to receive an education or a school's ability to provide an education is significantly impaired, as determined by the school district administration, disciplinary sanctions may be issued.,

B. All administrators, faculty, and staff, in collaboration with parents, students, and community members, will incorporate systemic methods for student and staff recognition through positive reinforcement for good conduct, self discipline, good citizenship, and academic success, as seen in the required school plan to address positive school culture and behavior (aka Discipline Plan).

Adults should use positive, consistent, and firm guidance that both models and teaches the sought-after behaviors. Through consistent modeling, an example of these behaviors is provided in daily interactions with students and helps to create a climate of safety and respect.

C. Student rights shall be explained as outlined in this policy and in the Student Code of Conduct: Respect for Persons and Property.

All students must be familiar with and understand the following section of the Code of Student Conduct:

RESPECT FOR PERSONS AND PROPERTY

Character education is woven into the policies and procedures of Broward County Public Schools. Responsibility, Citizenship, Kindness, Respect, Honesty, Self-Control, Tolerance, and Cooperation are the foundation of this **Code of Student Conduct**.

Rights	**Responsibilities**
Students have the right to be treated with respect and honesty. Students have the right to privacy. Students have the right to a safe and orderly school.	Students have the responsibility to demonstrate the character education traits. Students have the responsibility to treat others with respect and honesty. Students have the responsibility to respect the rights of others. Students have the right to a safe and orderly school. Students have the responsibility to treat school property and the property of others with respect and to act in a way that does not

	interfere with the rights of others and is not harmful to the health and safety of others.

RULE - It is important for students to know their rights and responsibilities, which include obeying teachers and all other school employees, obeying each individual rule as defined by the school, and obeying bus drivers. Students are expected to honor their responsibilities and behave in ways that respect the rights of all.

D. Proper prevention and intervention steps shall be taken based on the level of severity of infraction as outlined in the Student Code of Conduct, the Discipline Matrix, and this Policy.

It is important, and required, that all incidents / reports of alleged bullying are handled in much the same manner that other disciplinary issues are addressed:

a. any inappropriate conduct must be dealt with and recorded as all other acts of misconduct outlined in the Student Code of Conduct and Discipline Matrix
b. the incident should be recorded both for the alleged victim and for the "accused"
c. the recording of these incidents is the description of the behavior; "bullying" is not a sufficient description as this can not be determined through one incident
d. by recording all incidents, one begins to establish the existence of an act being "carried out repeatedly."

III. Stakeholder Responsibilities

A. Student Support Services' Office of Prevention: Student Support Services professionals, in collaboration with other District departments, will collaborate with school based staff members, families, and community stakeholders to utilize this Policy and associated procedures to promote academic success, enhance resiliency, build developmental assets, and promote protective factors within each school by ensuring that each and every staff member and student is trained on violence prevention. These trainings will work to create a climate within each school and within the District that fosters the safety and respect of children and the belief that adults are there to protect and help them. Additionally, students and staff (including, but not limited to, school based employees, administrators, area/district personnel, counseling staff, bus drivers) will be given the skills, training, and tools needed to create the foundation for preventing, identifying, investigating, and intervening when issues of bullying arise.

B. Schools: By August 2011, each school principal shall designate a Prevention Liaison who shall serve on existing teams that address acts of violence and school safety, e.g., threat assessment teams, SAFE Teams, and act as the Student Support Service's Office of Prevention contact. At minimum, this team should include staff members from administration, guidance, and instruction. These designees are the key school based personnel who will receive prevention training and assist in the dissemination of

prevention methods, intervention, and curriculum, for bullying and other issues that impact the school culture and welfare of students and staff.

Who has to have a Prevention Liaison?

Prevention Liaisons are being identified by school principals participating in the Safe Schools/Healthy Students (SS/HS) Grant Initiative. Prevention Liaisons have a specific role and will provide specific deliverables relative to the SS/HS Grant.

For **all other schools not participating in SSHS**, the principal must identify a Prevention Designee until the SS/HS Grant is delivered in that particular school, at which time the Designee will become a Liaison.

All Prevention Designees or Liaisons must participate in prevention training and assist the school principal in the dissemination of prevention methods, intervention, and curriculum, for bullying and other issues that impact the school culture and welfare of students and staff. The four focused strands of prevention are Substance Abuse Prevention, Violence Prevention, Health and Wellness, and Prevention Curriculum Infusion.

Important Note: the Prevention Liaison is NOT the Investigative Designee. The Investigative Designee is the person within the school who receives all the bullying complaints and conducts all the investigations. It is highly recommended the Investigative Designee is an administrator.

C. **Community Resources:** Student Support Services professionals, in collaboration with other District departments, will train a wide range of community stakeholders, profit, non-profit, School Resource Officers, and faith based agencies to provide the dissemination and support of violence prevention curriculums to students, their families and school staff. This collaboration will make effective use of available school district and community resources while ensuring seamless service delivery in which each and every school and student receives an equitable foundation of violence prevention.

D. **Evidence-Based Interventions and Curriculum:** Student Support Services' Office of Prevention staff members will serve as the coordinators and trainers of prevention for all designated school staff and outside agencies/community partners. Those trained in Prevention (e.g., Prevention Liaisons, Office of Prevention staff and Community Partners) will then collaborate as "violence prevention partners" to implement the evidence-based interventions and proven programs within each of their schools. Training will focus on prevention and evidence-based programs.

Both traditional research about bullying and the experiential wisdom of actual schools are combined here to highlight practical classroom and school-wide strategies for administrators and teachers to:

- Nurture pro-social skills in children—including conflict resolution, appreciation for diversity, communication, cooperation, and assertiveness
- Utilize Broward County Public Schools' Character Education program and put the culture of caring into action through service learning and other moral action models
- Intervene in acts of harassment and bullying with strategies for working with targets and strategies for working with individuals exhibiting bullying behaviors
- Work effectively with both families of targets and families of individuals exhibiting bullying behaviors
- Involve families and school personnel in supporting a culture of respect
- Develop appropriate consequences for individuals exhibiting bullying behaviors and complicit bystanders
- Teach students bystander intervention techniques along with positive schoolwide culture where peer ownership and responsibility are emphasized
- Widen the circle of caring and involvement to include your larger community

Changing a school's culture is systemic in nature. Rather than trying to "fix" individual students, best practices in bullying prevention span the school community, involve all adults and students in the building, and reach beyond the school setting into the wider community. Exemplar programs include Foundations (Sprick), CHAMPs (Sprick), and the Olweus Bullying Prevention Program.

Evidence based research shows that the best bullying prevention efforts are comprehensive in nature and address changing the culture of a school. Schools where bullying is less likely to happen and, when it does, more likely to be reported and corrected, are schools that promote caring, compassion, and a sense of responsibility among all students and adults.

E. Parent Participation and Partnership: Student Support Services professionals, in collaboration with other District departments, will provide opportunities and encourage parents to participate in prevention efforts with their children in meaningful and relevant ways that address the academic, social, and health needs of their children. The District will offer parents and parent associations' trainings on violence prevention as well as knowledge of and/or opportunity to participate in any violence prevention initiatives currently taking place in their school via the District school website, Broward Education Communication Network (BECON), open houses, and parent/school newsletters. Training will provide resources and support for parents by linking them with internal supports as well as referral to community-based resources as needed.

Administrators and Teachers must involve parents in their anti-bullying efforts in a variety of ways. The parent module (Parent Video and Power Point presentation) provided to schools should be used with school parent groups, whenever possible. Other options include:

- Letter to parents

- PTA/SAC/DAC etc. meetings
- Kick-off assembly
- School newsletters
- Parent Volunteers
- Safety Summits
- Including parents in reinforcement program

F. Evaluation of Service Effectiveness: Evaluations to determine the effectiveness and efficiency of the services being provided will be conducted at least every three years and shall include data-based outcomes.

G. Accountability: The Superintendent, other district administrators, the Area Superintendents and their staffs, as well as school principals, share accountability for implementation of these student support services consistent with the standards of this policy. These administrators will take steps to assure that student support services are fully integrated with their instructional components at each school and are pursued with equal effort in policy and practice.

IV. Training for students, parents, teachers, area/district staff, school administrators, student support staff, counseling staff, bus drivers, School Resource Officers/Deputies, contractors and school volunteers on identifying, preventing, and responding to bullying will be conducted.

A. At the beginning of each school year, the school principal/designee and or appropriate area/district administrator shall provide awareness of this policy, as well as the process for reporting incidents, investigation and appeal, to students, school staff, parents, or other persons responsible for the welfare of a pupil through appropriate references in the Student Code of Conduct, Employee Handbooks, the school website, and/or through other reasonable means.

As outlined in this Policy, the Student Support Services' Office of Prevention, in collaboration with other Departments, shall provide educational and informational programs to be implemented by the principal/designee/area/district administrators as a comprehensive educational prevention program, including such elements as violence prevention, bullying, discrimination, sexual and other forms of discriminatory harassment prohibited by this policy including the workplace. All District staff, including, but not limited to, administrators, counseling staff, School Resource Officers/Deputies and bus operators must be provided access to this information. The Office of Prevention will provide student, parent, and staff modules for district wide use.

In addition to providing skills for identifying and investigating bullying issues, training will provide awareness and intervention skills to assist school/area/district staff, School Resource Officers /Deputies and school/Employee Assistance Program counselors who work with students and employees.

V. Disciplinary sanctions (consequences) and due processes for a person who commits an act of bullying under this policy.

A. Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances, followed by the determination of disciplinary sanctions appropriate to the perpetrator's position within the District.

1. Consequences and appropriate interventions for students who commit acts of bullying may range from positive behavioral interventions up to, but not limited to suspension, as outlined in the Student Code of Conduct, the Discipline Matrix, and this Policy.
   a. All steps necessary to protect the victim from further violations of this policy will be taken, and may include, but are not limited to, assignment of the perpetrator to a different school from that were the offense occurred. Only the Superintendent/designee may make such a reassignment. In such cases of reassignment, transportation will be provided by the District.
2. Consequences and appropriate interventions for a school/district employee found to have committed an act of bullying will be instituted in accordance with District policies, procedures, and agreements (Policy 4.9, Employee Disciplinary Guidelines, Part I, Section b and Policy 2410, Workplace Violence, Rules) and the Education Professionals' Contract Agreement, Broward Teachers Union (BTU). Additionally, egregious acts of bullying by certified educators may result in a sanction against an educator's state issued certificate (Rule 6B-1.006 F.A.C.).
3. Consequences and appropriate intervention for a visitor, volunteer, or parent/guardian found to have committed an act of bullying shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.
4. These same actions will apply to persons, whether they are students, school employees, parents/guardians, or visitors/volunteers/independent contractors, who are found to have made wrongful and intentional accusations of another as a means of bullying.

VI. Reporting an act of bullying

Note: The highest level of confidentiality possible must be upheld regarding the submission of a complaint or a report of bullying and/or harassment, and the investigative procedures that follow. How one responds to an alleged bullying incident is important (see Appendix G for appropriate responses).

A. At each school, the principal/designee is responsible for receiving oral or written complaints alleging violations of this policy, as with all infractions from the Student Code of Conduct.
B. Students may report complaints of bullying to any school district employee, faculty or staff. All District employees, faculty and staff are required and must report, in

writing, any allegations of bullying or violations of this Policy involving students to the principal/designee or appropriate area/district administrator. Failure to report will result in action(s) or discipline, consistent with the collective bargaining agreement provisions, up to and including termination of employment (SBBC Policy 2410, section 1). Any District faculty or staff who suspects adult-on-adult bullying is strongly encouraged to report any concerns.

C. Any other members of the school community who have credible information that an act of bullying has taken place may file a report of bullying, whether a victim or witness.

D. Any student (and/or the parent on that complainant's behalf if the complainant is a minor) who believes he/she is a victim of bullying (or any individual, including any student who has knowledge of any incident(s) involving bullying of students) is strongly encouraged to report the incident(s) in writing to a school official. Complaints should be filed as soon as possible after the alleged incident and noted on the specified data system, but must be filed within ninety (90) school days after the alleged incident (i.e., within 90 school days of the last act of alleged bullying). Failure on the part of the victim to initiate and/or follow up on the complaint within this period may result in the complaint being deemed abandoned. For protected categories covered under Policy 4001.1, a different timeline may apply.

E. The principal of each school in the District shall establish, and prominently publicize to students, staff, volunteers, and parents, how a report of bullying may be filed and what actions may be taken.

F. A school district employee, school volunteer, contractor, student, parent/guardian or other persons who promptly reports in good faith an act of bullying to the appropriate school official, and who makes this report in compliance with the procedures set forth in this District Policy, is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments within the SBBC.

G. Administrators/principal/designee(s) shall document in writing and/or via the specified data system all complaints regarding bullying, as with all infractions of the Code of Student Conduct, to ensure that problems are appropriately addressed in a timely manner, whether the report is made verbally or in writing.

H. Anonymous reports may be made utilizing the Broward County Public Schools Anonymous Bullying Report Form. This reporting form can be found on the School District's website www.browardschools.com (click on Special Investigative Unit; click on report anonymous tips), at each school's front office, or at each school's single point of entry Anonymous Reporting Box, or at each area/district/department site. Anonymous reports may be delivered to the school administration's front office, put in the school's Anonymous Reporting Box, or through the Special Investigative Unit (herein after to be referred to as SIU) via their internet website www.broward.k12.fl.us/siu/tips/ or Emergency/Silence Hurts Tipline at (754) 321-0911. Anyone wishing to file a bullying report can also make a report via email to school911@browardschools.com or via text message by texting 'SBBC' [space], plus the text message to CRIMES (274637). Administrators shall use the specified data

system to log all reports and interventions. Formal disciplinary action may not be based solely on the basis of an anonymous report.

Reporting Procedures for Students and Employees

School officials must instruct students that the student, or parent on behalf of the student, may file a written complaint with the principal/designee.

Area/Department administrators must inform staff that they may file a written complaint with the appropriate area/district administrator.

The principal of each school in the District shall ensure annual training of the school based staff in accordance with this Policy on how to recognize the signs of, intervene with, and file a report of bullying.

Each Area/Department Director shall ensure that their entire staff (including but not limited to non-school based employees, administrators, counseling staff, bus operators, volunteers, etc.) is trained on both bullying reporting and violence prevention.

Official written and oral bullying reports shall be taken utilizing Broward County Public Schools' Bullying Complaint Report Form (see Appendix A) which can be accessed on the school district's website at www.browardschools.com and at each school or department site as well as Office of Prevention website www.browardprevention.org

The principal/designee/area/district/department shall set up at least one accessible anonymous reporting box in the single point of entry that shall be checked daily. Any anonymous reports placed in the box that are not made using the Broward County Public Schools Anonymous Bullying Report Form (see Appendix B) shall be transferred to such form by the principal/designee/area/district/department upon receipt to ensure documentation and follow up. Also available for anonymous reports is the Silence Hurts Tipline. Any individual may also send a text message to the Special Investigative Unit.

Reports should be made as soon as possible but no later than ninety (90) school days after the alleged incident (that is, within 90 school days after the last act of bullying). Failure on the part of the complainant to initiate and/or follow up on the report within this period may result in the complaint being deemed abandoned.

The Bullying Complaint Report Form should be used by an individual reporting an alleged bullying incident. Principals/designees or the appropriate area/district administrator should use the Bullying Complaint Report Form to record an alleged bullying incident, when the reporting party is unable to complete such form.

Reporting Alleged Cases of Cyberbullying – Allegations of student-to-student cyberbullying should be reported directly to the principal/designee. Reports may be made using the Bullying Complaint Report From, the Bullying Anonymous Reporting Form, or through the Special Investigative Unit (herein after to be referred to as SIU) via i9ts internet website www.browar.k12.fl.us/siu or Emergency/Silence Hurts Tipline at (754) 321-0911.

Allegations involving school district employees (actions by or against) should be reported directly to the principal/designee and/or appropriate area/district administrator.

VII. Bullying Complaints and Resolution

A. The investigation of a reported act of bullying of a student, school-based employee, or other persons providing service to the school is deemed to be a school-related activity (see Appendix F) and begins with a report of such an act.

B. The principal/designee and/or Investigative Designee shall document all complaints in writing and/or through the appropriate data system to ensure that problems are addressed in a timely manner. This process is to be followed with all anonymous complaints as well. Although this Policy encourages students to use the formal written complaint process, school officials "should investigate all complaints and reports of harassment, whether or not the complaint is in writing," as stated by the Office for Civil Rights in *Protecting Students from Harassment and Hate Crime: A Guide for Schools, Part II* (1999).

Failure by the principal/designee or appropriate area/district office to respond to a complaint within two (2) work days (i.e., notify parties and begin the investigation), will automatically allow the complainant to re-file the complaint with the Area Director or Deputy Superintendent.

C. If the complaint is about the principal or an area/district's staff member's direct supervisor, then the Area Superintendent/Designee or appropriate district administrator shall be asked to address the complaint.

D. The trained Investigative Designee(s) will make the determination if a reported act of bullying or harassment falls within the scope of the District.

1. If it is within the scope of the District, move to Procedures for Investigating Bullying and/or Harassment as outlined below.
2. If it is outside the scope of the District, and determined an alleged criminal act, refer to appropriate law enforcement, provide any applicable interventions, and document according to Policy.
3. If it is outside the scope of the District, and determined not a criminal act, inform parents/guardians of all students involved, provide appropriate interventions and document according to Policy.

E. Informal Resolution - where the administrator, along with the alleged victim and the accused/student, may agree to informally resolve the complaint. Documented interviews of the victim, alleged perpetrator, and witnesses are conducted privately separately, and are confidential. Each individual (victim, alleged perpetrator and witnesses) will be interviewed separately, and at no time will the alleged perpetrator and victim be interviewed together. Each party's agreement to Informal Resolution must be in writing. The incident and the resolution must be documented on the appropriate data system.

1. If a mutual resolution has not been achieved, a formal written appeal must be filed within five (5) work days after the informal meeting and submitted to the principal or appropriate area/district supervisor.

An informal resolution **applies only to a situation that occurs between students** and follows these steps:

1. The principal/designee should first consult the complainant and the accused separately within two (2) work days of receiving the complaint.
2. If at these meeting it is determined that each party desires to resolve the issue Informally, then this process is initiated and the principal must revise this request in writing from each party.
3. The parties shall never be asked to work out the problem directly, but the Investigative Designee will facilitate the process.
4. The Principal/designee should access the appropriate specified data system to determine if there have been any prior complaints or actions on behalf of the complainant and/or the accused.
5. The principal/designee must document, in writing, any complaint, even if made informally; and the complainant must be requested to sign the document to verify its accuracy and noted in the specified data system.
6. If either party refuses to participate in an informal meeting to resolve the issue, the administrator/designee shall immediately begin the formal process and has 10 days from this point to complete it.
7. If the principal/designee, the complainant, and the accused/student (and/or their parents) agree that a satisfactory resolution has been achieved informally, the principal/designee shall note the outcome on the Complaint Form and enter the action in the specified data system. (Note: Appropriate data system refers to existing mechanisms for reporting prevention/intervention measures including, but not limited to TERMs, Discipline Management System (DMS), etc.)
8. However the resolution, all interviews and interventions that take place and the corresponding dates must be documented in writing, and noted in the school's specified data system for all parties. (Note: Appropriate data system refers to existing mechanisms for reporting prevention/intervention/ measures including, but not limited to, TERMS.).

F. Formal Resolution - the alleged victim/complainant/student/employee or parent(s), on behalf of the student, may file a written complaint with the principal/designee or appropriate area/district administrator by utilizing the Broward County Public Schools Bullying Complaint Report Form. Said form is available on the School District's website www.browardschools.com, at each school's front office, or area/district/department site.

The principal/designee may assist the student in completing the form, or may complete the form for the student or for the parent who is acting on behalf of the student.

Any specific information regarding the alleged bullying, the alleged offender, witnesses, and other relevant information will be detailed and in all instances, the complainant (student or employee), or parent on behalf of a minor, shall review the form to ensure its accuracy and sign and date the complaint.

1. According to the level of infraction, parents will be promptly notified of any actions being taken to protect the victim via written notice, telephone or personal conference; the frequency of notification will depend on the seriousness of the bullying incident.

Notification Procedures

1. Within two (2) school days of receipt of a complaint, the principal/designee shall notify the accused/student and parent/guardian of the allegations. It is strongly suggested that the complaint be addressed immediately. Notification to the parent/guardian must be made by telephone, letter, or personal conference with all due diligence and it is recommended it be in writing to help ensure/document timeline adherence. If a message is left on an answering machine, voice mail, or with a person, a call-back should be requested so that receipt of the message can be confirmed. If the call was made to the home during the day, a subsequent call should be made during evening hours if there is no response from the person called. Both of these attempts should be documented in writing as part of the process. If there is still no return call from the parent being notified, it may be necessary to have the School Social Worker make a home visit to provide the notification information and determine any other factors impacting the alleged incident.
2. If an Anonymous Report is made, the administrator/designee shall, within two (2) school days of receiving the report, and in accordance with federal and state privacy laws, contact the parties and notify the parent of any minor student who is the alleged subject of bullying and the accused once an investigation of the incident has been initiated. Notification must be made by telephone, letter, or personal conference.
3. The same procedures and timeline outlined above are to be followed when addressing staff allegations.

G. The resolution, all interviews and interventions that take place and the corresponding dates shall be documented in writing and/or noted in the district specified data system.

VIII. Investigation requirements for reported acts of bullying under this policy (see Appendices D and E)

A. The procedures for investigating school-based bullying must include the principal/designee and/or the Investigative Designee, in the case of student-to-student bullying. The principal, Investigative Designee and Prevention Liaison shall be trained in investigative procedures and interventions as outlined in this Policy. For incidents at the area/district level, or for school-based adult-on-adult bullying, the appropriate administrator will be responsible for the investigation as outlined in this policy and will run concurrently and in addition, to all agreed upon procedures for staff discipline

B. The investigator may not be the accused or the alleged victim.

C. The principal/designee or appropriate area/district administrator shall begin a thorough investigation with the alleged victim and accused within two (2) school days of receiving a notification of complaint. (The Florida Department of Education requires that school administrators/designees provide immediate notification to the parents of both the victim and the alleged perpetrator of an act of bullying or harassment).

1. Ensure that the complaint is put in writing using the Bullying Complaint Form;
2. Talk with the complainant within 2 days unless the complaint is anonymous;
3. Give the complainant (or parent, if the complainant is a minor) an opportunity to describe the incident, present witnesses and other evidence of the bullying, and put his/her response in writing;
4. Talk with the accused/student (or parent if the accused/student is a minor)/employee within 2 days;
5. Give the accused/student (or the parent if the accused/student is a minor)/employee, an opportunity to describe the incident, present witnesses and other evidence, and put his/her response in writing;

NOTE: all parties are to be interviewed separately and the target and accused are never to be interviewed together unless both parties have previously agreed in writing to an Informal process.

6. Talk with the target/student (or parent if the target/student is a minor)/employee within 2 days;
7. Give the target/student (or the parent if the target/student is a minor)/employee, an opportunity to describe the incident, present witnesses and other evidence, and put his/her response in writing;
8. Talk with any person who saw the bullying, may have knowledge of the bullying, or who may have related information; and
9. In speaking with any witnesses or others who may have relevant information, the principal/designee or appropriate area/district administrator shall utilize the Broward County Public School's Bullying Witness Statement Form. Said form is

available on the School District's website www.browardschools.com and at each school or area/district department site.

The principal/designee or appropriate area/district administrator may request that the accused/student (or the parent on behalf of the accused/student if a minor) or employee prepare a written response to the complaint; or the principal/designee or appropriate area/district administrator may prepare a written statement of the accused/student's oral response to the complaint based on their meeting and obtain the signature of the accused/student (and/or the parent, if the accused/student is a minor)/employee after his/her review of the statement.

The principal/designee or appropriate area/district administrator should dictate, transcribe, and then review these notes with the complainant and accused/student after the interviews to verify the facts and ensure accuracy, and then obtain signatures. See Appendix G - "Responding to Bullying."

D. During the investigation, the principal/designee or appropriate area/district administrator may take any action necessary to protect the complainant, alleged victim, other students or employees consistent with the requirements of applicable regulations and statutes.

1. Documented interviews of the alleged victim, alleged perpetrator, and witnesses are conducted privately, separately, and are confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim to be interviewed together.

   Any action necessary: the principal/designee or appropriate area/district administrator may offer to move the targeted student or the accused until such time as the investigation is completed only if deemed necessary to protect the target or if the parent of either student requests that their child be moved.

   Any legal order: when a court has issued a restraining order, principals/designees and/or appropriate area/district administrator must comply.
2. At no time during the investigation will the name of the complainant be revealed by the investigator.
3. In general, student complainants and/or alleged victims will continue attendance at the same school and pursue their studies as directed while the investigation is conducted and the complaint is pending resolution. Any legal order of a court will prevail.
4. When necessary to carry out the investigation or for other good reasons, and consistent with federal and state privacy laws, the principal/designee or appropriate area/district administrator also may discuss the complaint with any school district employee, the parent of the alleged victim, the parent of the

complainant or accused, if one or both is a minor (or has given consent or is an adult who has been determined to be incompetent or unable to give informed consent due to disability), and/or child protective agencies responsible for investigating child abuse.

5. During the investigation where an employee is the accused, the principal/designee or the appropriate area/district administrator may recommend to the Associate Superintendent of Human Resources/designee, any action necessary to protect the complainant, the alleged victim, or other students or employees, consistent with the requirements of applicable statutes, State Board of Education Rules, School Board Policies, and collective bargaining agreements.

E. Within ten (10) school days of the notification as to the filing of the complaint, there shall be a written decision by the Principal/Designee or appropriate area/district administrator regarding the completion and determination of the investigation. The principal/designee shall make a decision about the validity of the allegations in the complaint and about any corrective action, if applicable, consistent with the Discipline Matrix.

1. As mentioned above, it is important that all incidents / reports of alleged bullying are handled in much the same manner that other disciplinary issues are addressed.
2. Any inappropriate conduct must be dealt with and recorded as are all other acts of misconduct as outlined in the Student Code of Conduct and Discipline Matrix.
3. The principal/designee shall maintain a written finding that describes the complaint, the investigation, the findings, the decision, and reasons for the decision.
4. If the principal/designee verifies that bullying occurred, this written finding will be kept on the school/area/district site for review upon request as is the case with all other disciplinary situations. The written finding shall describe the preventative/intervention actions or punitive actions (depending on the severity of the bullying action) taken to end the bullying pursuant to the Discipline Matrix; address the effects of the bullying on the victim; and what steps will be taken to prevent retaliation or further bullying.

F. The Principal/Designee or appropriate area/district administrator will inform all relevant parties in writing of the decision and the right to appeal. A copy of the decision will be sent to the originating school and be noted in all relevant data tracking systems including, but not limited to the SESIR and the Statewide Report on School Safety and Discipline Data system.

If a complaint has been filed with, and/or investigated by the EEO Department due to it also being categorized as discriminatory toward a "protected category", the EEO will notify the principal/designee and/or appropriate area/district administrator of its findings and vice versa.

All investigations, decisions, interventions, and actions of discipline shall be recorded on the automated school data collection systems. (Note: Appropriate data system refers to existing mechanisms for reporting prevention/intervention/disciplinary measures including, but not limited to TERMs, Discipline Management System (DMS), etc.)

G. If the accused is an employee, discipline may be taken, consistent with any applicable collective bargaining agreement provisions, to resolve a complaint of bullying (Policy 4.9, Employee Disciplinary Guidelines). The supervisor/designee (e.g., principal/designee for school-based employees) of the employee shall discuss the determination and any recommended corrective action with the Area Director, for school-based actions, or the appropriate area/district supervisor, for area/district actions, and the Associate Superintendent of Human Resources.

H. No retaliation of any kind is permitted in connection with an individual's having made a bullying complaint and if it occurs, it shall be deemed an additional act of bullying as stated herein this Policy.

IX. Referral for Intervention

A. Referral of a student to the collaborative problem-solving team (or equivalent school-based team with a problem solving focus) for consideration of appropriate services is made through the school problem-solving process by school personnel or parent to the principal/designee. Parent notification is required. When such a report of formal discipline or formal complaint is made, the principal/designee shall refer the student(s) to the collaborative problem-solving team for determination of need for counseling support and interventions.

B. Referral of school or area/district personnel to the Employee Assistance Program (EAP) for consideration of appropriate services will be made by the administrator.

C. School-based intervention and assistance will be determined by the collaborative problem-solving team and may include, but is not limited to:

1. counseling and support to address the needs of the victims of bullying.
2. counseling interventions to address the behavior of the students who bully (e.g., empathy training, anger management).
3. intervention which includes assistance and support provided to parents.
   analysis and evaluation of school culture with resulting recommendations for interventions aimed at increasing peer ownership and support.

School-based interventions may also include, but are not limited to, the following - positive school culture efforts, The Support Group Method, The Power of One, Conflict Resolution, Peer Counseling, Foundations, and CHAMPs Classroom Management, etc.

Schools should monitor referrals for all infractions of the Code of Student Conduct, including reports of bullying. If the data shows an increase or is above the district average

or expectation, more attention must be given to a school-wide approach to improving the school culture.

D. Self referral for informal consultation: District staff, students or parents may request informal consultation with school staff (e.g., school social worker, school counselor, school psychologist, Prevention Liaison, EAP, etc.) to determine the severity of concern and appropriate steps to address the concern of bullying (the involved students' parents may be included) orally or in writing to the principal/designee.

E. Any investigations and interventions shall be recorded on the District specified data system.

X. Incident reporting requirements

A. The procedure for including incidents of bullying in the school's report of safety and discipline data is required under F.S. 1006.09(6). The report must include each incident of bullying and the resulting consequences, including discipline, interventions and referrals. In a separate section, the report must include each reported incident of bullying or harassment that does not meet the criteria of a prohibited act under this policy, with recommendations regarding said incident.

B. The School District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying/harassment in its codes.

C. Discipline, referral data, investigations, interventions, and actions of discipline shall be recorded on the specified data system, as with other infractions from the Code of Student Conduct.

If the bullying/harassment results in any of the following SESIR incidents, the incident may not be coded as bullying/harassment. The incident will be coded appropriately using the related element code identified as **bullying-related**. Those incidents are:

1. arson (ARS)
2. battery (BAT)
3. breaking and entering (BRK)
4. disruption on campus (DOC)
5. major fighting (FIT)
6. homicide (HOM)
7. kidnapping (KID)
8. larceny/theft (STL)
9. robbery (ROB)
10. sexual battery (SXB)
11. sexual harassment (SXH)
12. sexual offenses (SXO)
13. threat/intimidation (TRE)
14. vandalism (VAN)

15. weapons possession (WPO)

XI. Process for referral for external investigation

A principal will assign an Investigative Designee that is trained in investigation and intervention procedures to receive all complaints and conduct all investigations. The Investigative Designee will determine as to whether an act of bullying is within the scope of the School District. If not, they may refer to outside agencies after consulting first with the Special Investigative Unit and/or School Resource Officer.

The trained designee will provide a report on results of the investigation with recommendations for the principal to assist in making the determination if the reported act of bullying falls within the scope of the District. Ensure complete documentation.

A. If the act is outside the scope of the District, and determined a criminal act, referral to appropriate law enforcement shall be made immediately, the parent will be notified, and the referral documented by the principal/designee in the specified data system.

B. While the District does not assume any liability for incidences that must be referred for external investigation, it encourages the provision of assistance and intervention as the principal/designee deems appropriate, including the use of the School Resource Officer and other personnel. The principal/designee shall use District Reporting Systems to log all reports and interventions.

XII. Appeals process

A. Appeal procedure for bullying by a student will follow the steps outlined in the Code of Student Conduct – "Right to Appeal Unfair Penalties."

GRIEVANCE PROCEDURES for DISCRIMINATION and/or HARASSMENT OFFENSES, including SECTION 504 DISCRIMINATION REPORTING DISCRIMINATION and/or HARASSMENT OFFENSES

If any *student feels that he or she has been discriminated against or harassed, he or she may contact the Director of Equal Educational Opportunities, 600 Southeast Third Avenue, Fort Lauderdale, Florida 33301, 754-321-2150. Complaints relating to discrimination may also be addressed to the Office for Civil Rights, P.O. Box 2048, Atlanta, GA 30301, or the state or federal Office for Civil Rights.

For more information regarding GRIEVANCE PROCEDURES for DISCRIMINATION and/or HARASSMENT OFFENSES, including SECTION 504 DISCRIMINATION REPORTING DISCRIMINATION and/or HARASSMENT OFFENSES, see http://www.broward.k12.fl.us/eeo/.

B. Appeal procedure for an accused/employee:

1. If the accused/employee wishes to appeal the action taken in resolution of the complaint, such appeal shall be filed either in accordance with SBBC Board Policy 4015 or pursuant to the relevant collective bargaining agreement.
2. For those employees not in a bargaining unit, the appeal shall be filed in accordance with SBBC Policy 4015. In reaching a decision about the complaint, the following should be taken into account:

    a) SBBC Policy 4.9, Employee Disciplinary Guidelines; and
    b) Case law, state and federal laws and regulations, and the Board's Policies prohibiting bullying and discrimination, including Policy 4001.1.

If the complainant is not satisfied with the District's response to an alleged act of bullying by a **school volunteer, campus visitor, contractor/consultant, or other third party:**

- He/she (or the parent(s) of a minor complainant) may appeal according to the procedures used to appeal a decision regarding alleged bullying by an employee as detailed previously in this Policy.

Other Means of Resolution: If the any party is not satisfied with the District's final response under this section, he/she may utilize other means for resolution as provided by law, including seeking recourse through the Office of Civil Rights (OCR) as detailed previously in this Procedural Manual.

XIII. Confidentiality

A. To the greatest extent possible, all complaints will be treated as confidential and in accordance with SBBC Policy 5100.1, F.S. § 1002.22(3)(d); the Family Educational Rights and Privacy Act ("FERPA"); the Health Insurance Portability and Accountability Act ("HIPAA") and any other applicable law, such as F.S. § 119.07(1); 1012.31(3)(a); or 1012.796(1)(c).

B. Limited disclosure may be necessary to complete a thorough investigation as described above. The District's obligation to investigate and take corrective action may supersede an individual's right to privacy.

C. The complainant's identity shall be protected, but absolute confidentiality cannot be guaranteed.

D. The identity of the victim of the reported act shall be protected to the extent possible.

XIV. Retaliation Prohibited

A. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment in connection with filing a complaint or assisting with an investigation under this Policy.

B. Retaliatory or intimidating conduct against any individual who has made a bullying complaint or any individual who has testified, assisted, or participated, in any manner, in an investigation is specifically prohibited and as detailed in this Policy shall be treated as another incidence of bullying.

XV. Additional Referral

In all cases, the District reserves the right to refer the results of its own investigation to the State Attorney for the Seventeenth Judicial Circuit of Florida for possible criminal charges, whether or not the District takes any other action.

XVI. Constitutional Safeguard

This policy does not imply to prohibit expressive activity protected by the First Amendment of the United State Constitution or Article I, Section 4 of the Florida Constitution.

XVII. Preclusion

This policy should not be interpreted as to prevent a victim or accused from seeking redress under any other available law either civil or criminal.

XVIII. Severability

If a provision of this policy is or becomes illegal, invalid or unenforceable in any jurisdiction, that shall not affect the validity or enforceability in that jurisdiction of any other provision of this policy.

- AUTHORITY: F.S. 1001.41(1), (2) AND (5)
- LAWS IMPLEMENTED: F.S. 1006.147
- POLICY ADOPTED: 7/22/08, 6/15/10

POLICY AMENDED: 4/20/10

Resources:
Transatlantic Schools Anti Bullying Initiative Report

Bowen, J & Jenson, W (2008) Tough Kid Bully Blockers: 15-Minute Lessons for Prevention and Reduction.

Cyberbullying: Is There Anything Schools Can Do? (2008, June)
Retrieved from www.principals.org/s_nasssp/sec.asp/?CID=1140&DID=57465

Bullying Complaint Report Form **Appendix A**

This report **MUST** be completed to file a complaint relating to an incident of alleged bullying (*for the purpose of this form, bullying encompasses bullying, harassment, and discrimination)* and turned in to the school Principal/ designee of the victim's home school or the appropriate area/district office.

Complainant Name (last, first, middle)	Gender	Grade
Victim Name (last, first, middle)	Gender	Grade

Accused Name (last, first, middle)	Gender	Grade
School Site /Department (or site where incident occurred)	Home School/Dept of Victim	
Principal/Administrator	Incident Date / /	

Describe the location where the incident took place:

_____

_____

Describe the incident:

_____

_____

List all witness names and grades (if applicable):

_____

_____

List evidence of bullying (i.e. letters, photos, etc.; attach evidence if possible):

_____

_____

_____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

_____ _____

Signature of complainant Date

_____ _____

Name of person receiving Bullying Complaint Form Date

Thank you. This report will be followed up within 2 school/work days.

If you fear a student is in IMMEDIATE danger, please contact the police immediately!

Be sure to attach any supporting documentation/evidence/investigation.

Action	Agreed to Informal Resolution (Student-Student only)	Formal Resolution	Appeals: Referral to Area Superintendent and/or Appropriate Area/District Administrator
Date			
Outcome			
Signatures			

Bullying Anonymous Reporting Form **Appendix B**

If you have information regarding bullying and would like to report this information anonymously, please fill out the following form to the best of your knowledge. Please note that this form is completely anonymous.
(*For the purpose of this form, bullying encompasses bullying, harassment, and discrimination.)*

Victim Name (last, first, middle)	(Please Specify by circling one) Parent/Visitor/Student/Staff	Gender	Grade

Accused Name (last, first, middle)	(Please Specify by circling one) Parent/Visitor/Student/Staff	Gender	Grade
School/Department (Where incident occurred)	School/Department Telephone (if known) ( ) -		
Principal/Administrator	Today's Date / /		

Where did the incident occur?_____

_____

When did the incident occur? Date: _____ Time: _____

Please describe, in as much detail as possible, what happened._____

_____

_____

_____

Do you know any of the witnesses involved? If so, please provide as much detail as possible about these people._____

_____

List evidence of bullying if any (i.e. letters, photos, etc.; attach evidence if possible)

Thank you, this report will be followed up on within 2 school/work days. If you fear a student/employee is in IMMEDIATE danger, contact their home school/department, the police or the Broward County Public Schools Special Investigative Unit at 754.321.0911 immediately!

For Office Use Only

BROWARD COUNTY PUBLIC SCHOOLS

Date Received:	
Received by:	

Bullying Witness Statement Form Appendix C

This report MUST be completed when there is a witness to an incident of alleged bullying (f*or the purpose of this form, bullying encompasses bullying, harassment, and discrimination.)* One form must be completed for each witness. All witness statements that relate to one incident should be attached to the Bullying Complaint Report Form.

Witness Name (last, first)	(Please Specify by circling one) Parent/Visitor/Student/Staff	Interview Date
Victim Name (last, first)	Accused name (last, first)	
School/Department/Site (where incident occurred)	Incident Date	
Interviewer Name and Title		

Describe the location where the incident took place: _____

_____

Description of incident witnessed: _____

_____

_____

_____

List any other witness names and grades: _____

_____

_____

List evidence of alleged bullying (i.e. letters, photos, etc.; attach evidence if possible):_____

_____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

_____ _____

Signature of witness Date

_____ _____

Name of person receiving Bullying Witness Form Date
Title/School/Department

Steps in the Investigation:

The principal/designee or appropriate area/district administrator is encouraged to ask open-ended questions to enable students/employees to describe what happened in their own words. The principal/designee or appropriate area/district administrator will ensure that each student or employee is accorded a safe and respectful environment in which to meet.

BROWARD COUNTY PUBLIC SCHOOLS

INVESTIGATION STEPS Appendix D

Investigation Protocol (Appendix E)

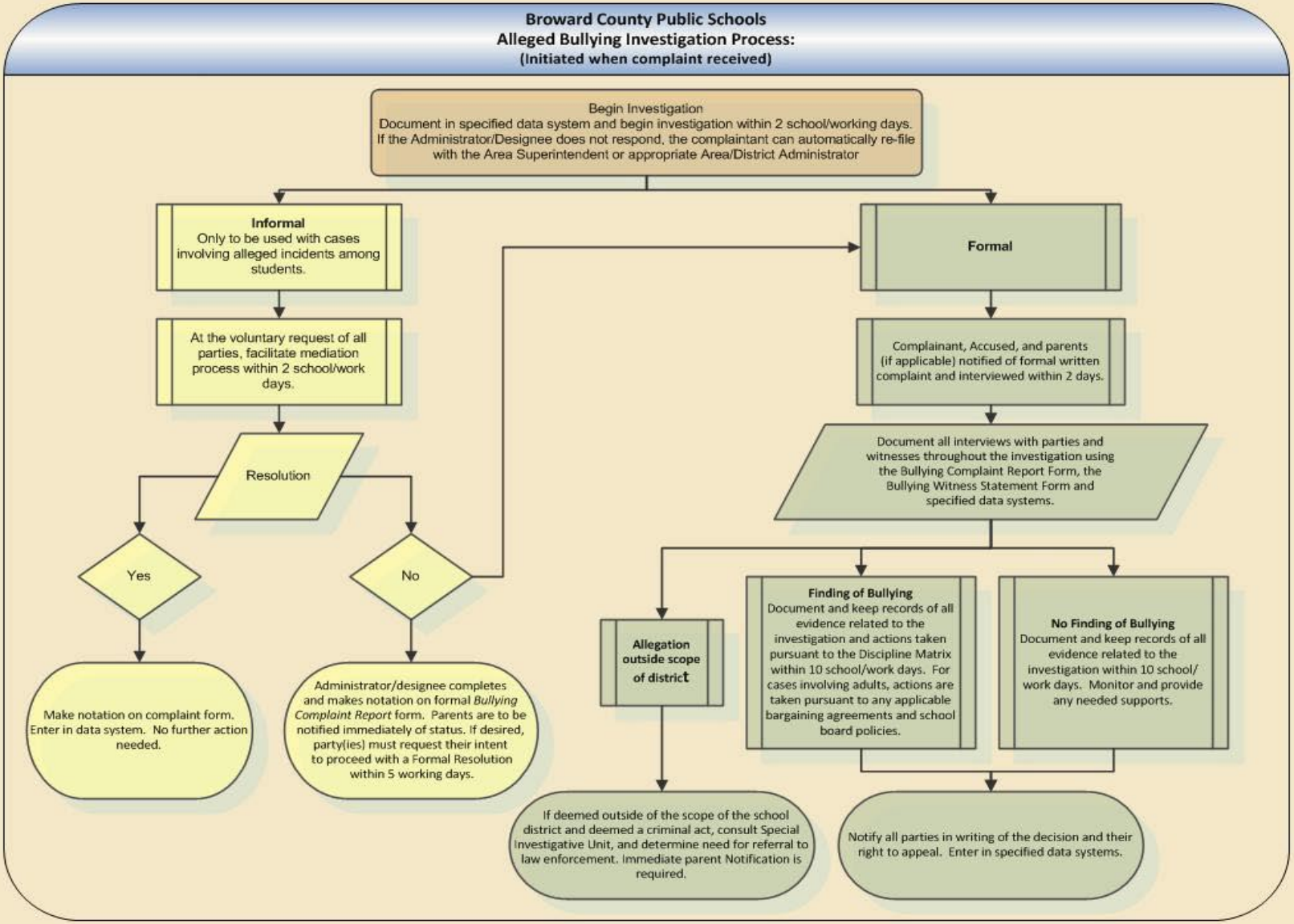
Steps in the Investigation	Date	Initials
1. Receive and/or complete the Broward County Public Schools Bullying Complaint or Bullying Anonymous Reporting Form. Document reports and interventions in writing and on the specific data systems Comments:		
2. Interview the complainant within (2) school days (If a student, assure students that his or her name will be kept confidential). Comments:		
3. Interview the suspected victim within two (2) school days. Comments:		
4. For situations involving students, contact the suspected victim's parent(s)/guardian(s) within two (2) school days. Comments:		
5. Interview the accused within two (2) school days, and have accused prepare a written response to the complaint and record receipt. Comments:		
6. For situations involving students, contact the accused/student's parent(s)/guardian(s) within (2) school days. Comments:		
7. Interview any person who witnessed the bullying incident, has knowledge of the bullying incident, or who may have related information. Complete and have this person or persons sign the Broward County Public Schools Bullying Witness Statement. Comments:		
Witness #1 Name:_____ Comments:		
Witness #2 Name:_____ Comments:		
Witness #3 Name:_____ Comments:		
8. Document the findings of the investigation, interventions, and any corrective action consistent with the Discipline Matrix, specified Data System, any employee collective bargaining agreements or School Board Policies within 10 days of initiating the investigation. Comments:		
9. Notify all parties in writing of the final decision within ten (10) days along with their right to appeal to the Area Superintendent/designee or Executive Leadership Team member within five (5) school days. Maintain all documentation on file. Comments:		

Each individual (complainant, target, alleged perpetrator, and witness) will be interviewed separately, and at no time will the alleged perpetrator and target be interviewed together.

In reaching a decision about the complaint, the principal/designee or appropriate area/district administrator shall take into account:

- The nature of the behavior (type);
- Statements made by the persons involved;
- The details and consistency of each person's account;
- Evidence of how the complainant reacted to the incident;
- How often the conduct occurred (frequency and duration);
- Whether there were past incidents or past continuing patterns of behavior;
- The relationship between the parties involved (e.g. supervisor and employee);
- The characteristics of the parties involved (Is the allegation related to a protected category under the Equal Educational Opportunities Policy?)
- The identity of the perpetrator, including whether the perpetrator was in a position of power over the student allegedly subjected to bullying or harassment;
- The degree of intent to harm on the part of the perpetrator;
- The number of alleged bullies/harassers;
- Where the bullying and/or harassment occurred;
- Whether there have been other incidents in the school or area/district site involving the same or other students or employees;
- Whether the conduct adversely affected the student's education or educational environment or employee's work environment; and
- The context in which the alleged incidents occurred (place and situation)
- Evidence of past instances or reports of bullying by the accused/student (provided that, if evidence of bullying, accusations, or complaints is to be considered, the principal/designee or appropriate area/district administrator must review in their entirety the files regarding those past incidents);
- Evidence of past bullying complaints that were found to be untrue (provided that, if evidence of past accusations or complaints is to be considered, the principal/designee or appropriate area/district administrator must review in their entirety the files regarding those past incidents); and
- Case law, state and federal laws and regulations, and the Board's Policies prohibiting bullying.

Appendix F


Broward County Public Schools
Alleged Bullying Investigation Process:
(Initiated when complaint received)
Begin Investigation
Document in specified data system and begin investigation within 2 school/working days. If the Administrator/Designee does not respond, the complaintant can automatically re-file with the Area Superintendent or appropriate Area/District Administrator
Informal
Only to be used with cases involving alleged incidents among students.
At the voluntary request of all parties, facilitate mediation process within 2 school/work days.
Resolution
Yes
No
Make notation on complaint form. Enter in data system. No further action needed.
Administrator/designee completes and makes notation on formal Bullying Complaint Report form. Parents are to be notified immediately of status. If desired, party(ies) must request their intent to proceed with a Formal Resolution within 5 working days.
Formal
Complainant, Accused, and parents (if applicable) notified of formal written complaint and interviewed within 2 days.
Document all interviews with parties and witnesses throughout the investigation using the Bullying Complaint Report Form, the Bullying Witness Statement Form and specified data systems.
Allegation outside scope of district
If deemed outside of the scope of the school district and deemed a criminal act, consult Special Investigative Unit, and determine need for referral to law enforcement. Immediate parent Notification is required.
Finding of Bullying
Document and keep records of all evidence related to the investigation and actions taken pursuant to the Discipline Matrix within 10 school/work days. For cases involving adults, actions are taken pursuant to any applicable bargaining agreements and school board policies.
No Finding of Bullying
Document and keep records of all evidence related to the investigation within 10 school/ work days. Monitor and provide any needed supports.
Notify all parties in writing of the decision and their right to appeal. Enter in specified data systems.

Responding to Bullying Appendix G

When a person has been targeted, follow the *10 Steps to Safety*:

1. **Validate the individual's right to physical and emotional safety**: "You have a right to feel emotionally and physically safe and we will help you be sure that you can have that."
2. **Share your own experiences with bullying** (either as a target or bystander). It can help the individual not feel so alone; they might be surprised to learn that an adult they respect could have been targeted.
3. **Give assurance that there is nothing wrong with the target:** "You've done nothing to deserve this; it's the individual exhibiting bullying behaviors who is at fault."
4. **Validate feelings**. "That must really hurt. I remember how hard that was when I was…."
5. **Provide protection**. For a student, provide increased adult supervision of the young person throughout his or her day; build a protective peer network around him through cross-age buddy pairing.
6. **If you're the parent, tell the school what's going on**. With the school you can develop an action plan.
7. **Talk to parents of both targets and** individuals exhibiting bullying behaviors: Talking to parents of individuals exhibiting bullying behaviors should be done by the school, not the target's parent{s}. It might escalate the behavior for a parent to go directly to the parent(s) of an individual exhibiting bullying behavior.
8. **Get the target and** individuals exhibiting bullying behaviors **help.** Counseling may be necessary for both parties. Help both parties develop social skills and learn new behaviors. Reassure the target that s/he did nothing to create the problem; explain that there are a few ways you can help him/her to be more effective in the situation and make friends and allies.
9. **Speak to the** individual exhibiting bullying behaviors **in private**. Be firm about what is acceptable and unacceptable behavior.
10. **Intervene immediately**. Waiting to deal with a problem might be interpreted as an adult condoning it. Focus on bystanders and the role that they play in protecting and intervening when safe – build empathy.

What Not To Do!

- Do not tell the person being bullied to: "Toughen up!", Fight back, "Just avoid him/her.", Try to solve the problem themselves
- Do not confront the individual exhibiting bullying behaviors or the target in front of their peers. Research shows this sort of attention might make the problem worse by elevating the individual exhibiting bullying behaviors' prestige and sense of power and diminishing the person being bullied.
- Do not ignore the incident. Inaction will be perceived as condoning it.
- Do not try to mediate the problem between a target and an individual exhibiting bullying behaviors. The power imbalance makes this approach very ineffective and unsafe.