



INVESTIGATING AND RESPONDING TO BULLYING COMPLAINTS

1. Receive allegation. Ask for the reporting party to put it in writing, but do not require it.
2. Consider whether there is an obligation to notify law enforcement or child protection.
3. Take immediate action and conduct a timely investigation. Timelines for investigation and resolution are provided under Board Policy AC and AC-R for allegations of bullying or harassment on the basis of disability, race, creed, color, sex (which includes marital status), sexual orientation, gender identity/expression, national origin, religion, ancestry, immigration status, the need for special education services, or physical characteristics, whether such characteristic(s) is actual or perceived. All other allegations of bullying must be investigated immediately and concluded within a reasonable period of time.
4. Document each and every meeting, phone call, message, and other relevant action with clear and objective notes. Essential steps include:
 - Meet with alleged victim(s) individually. Ask:
 - for a detailed account of what happened
 - for names of witnesses
 - if anyone else has been subjected to misconduct by the alleged bully
 - what outcome the victim would like to see
 - if the victim is in fear of the aggressor or apprehensive about attending school/class/activity.
 - Determine whether remedies* (see below) should be in place during the investigation to protect against further actions or allegations.
 - Meet with alleged bully(s) individually. Inform of the allegations, to the extent appropriate. Ask:
 - for a detailed account of what happened
 - for names of witnesses
 - a response to the allegations (if appropriate)
 - what outcome the student would like to see
 - if the student is in fear or apprehensive about attending school/class/activity
 - explain that retaliation will not be tolerated

- Investigate information received from alleged victim(s) and alleged bully(s), including interviewing all relevant witnesses.
 - Check for signs of change in academic performance, attendance or behavior of alleged victim(s) and alleged bully(s).
 - Collect other documentary evidence (ex. health room reports, police reports, printouts of cyberbullying)
5. Communicate with parents/guardians of all students involved.
6. Determine whether bullying occurred.

As set forth in Board Policy JDHB,

Bullying: Any written text or image, or verbal expression, or physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause any physical, mental, or emotional harm to any student.

Cyberbullying: Bullying involving the use of communication technologies such as computers, cell phones, and other electronic devices to support deliberate and hostile behavior intended to do harm to others. Examples of cyberbullying can be in the form of text messages, instant messaging, emails, threatening or embarrassing photos or videos, and any use of any social media platform.

7. If an investigation reveals that bullying, including discriminatory harassment as defined in the Board's nondiscrimination policy, has occurred, assure that prompt and effective steps are taken that are reasonably calculated to:
- a. End the harassment
 - b. Eliminate any hostile environment and its effects, and
 - c. Prevent the harassment from recurring.

Examples of "prompt and effective" steps to end harassment or interim remedies for the alleged victim(s) and/or alleged bully(s) may include:

- Separation of schedules, classes, lockers, busses, even schools if necessary
- Offer of counseling and adult support
- "No Contact" agreements, if adequate
- Schedule changes
- Safety plan for victim and/or bully
- Modification of behavior support plan (if IEP)
- Assign a "go to" person for the victim
- Disciplinary action

- Training or other interventions to ensure that all students, their families, and school staff are informed
- Compensatory services to the victim
- Empower aggressors to change
- Restorative justice, that could include an intervention with the entire group attending weekly meetings for several months using counselor/interventionist/mediator. This may only occur with the specific agreement of the alleged victim(s).

See more ideas at:

<https://www.stopbullying.gov/prevention/support-kids-involved>

IMPORTANT: In determining how interim remedies are implemented, school officials must consider the remedies that provide the most access for students to their education and least disruption, while ensuring reasonable steps are taken to end the bullying/harassment. Schools should not default to imposing remedies on alleged victims or alleged bullies, but should make an individualized determination as to the appropriate remedies based on the information available, including the input of impacted students and parents/guardians.

8. Prepare a written report of the investigation and determination of whether bullying occurred. Include:
 - Date complaint received
 - Names of alleged victim and alleged bully (when provided to families only their student's name may be revealed; others should be blacked out or substituted with Student 1, Student 2, etc.)
 - Brief description of complaint/allegations
 - Steps taken in investigation (witnesses interviewed, information reviewed)
 - Summary of investigative findings
 - Reference to applicable policy and code of conduct provisions
 - Determination of whether the investigation substantiated that bullying occurred
 - Determination of whether the conduct is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities or opportunities offered by a school for those allegations of unlawful discrimination or harassment in violation of Board Policy AC (on the basis of disability, race, creed, color, sex (which includes marital status), sexual orientation, gender identity/expression, national origin, religion, ancestry, immigration status, the need for special education services, or physical characteristics).
 - Recommendation and description of action(s) to be taken

9. Share outcome of investigation with parents, but protect confidentiality under FERPA, usually phone call followed by written notice. Notify parent/guardian that they may seek further review of the school's investigation through Board Policy AC if alleging unlawful discrimination or harassment or through Board Policy KE.
10. Create plan for following up with end date; revise plan as necessary. Make sure all involved know how to report subsequent problems.

TIPS:

- Reassure reporters that they have done the right thing by making a report and make sure they know they will be protected from retaliation.
- Things NOT to say:
 - "I'm sure he didn't mean it."
 - "Boys will be boys"; "Girls are just mean to each other at this age."
 - "We can't protect them from everything."
 - "If she just didn't____, then kids wouldn't pick on her."
- When interviewing witnesses:
 - Who, what, when and where
 - Ask open-ended questions
 - Take legible notes
 - Quote exact language
 - Do not add personal commentary
 - Include date and start/stop time of interview
 - Read notes back to witness
 - Ask witness to provide written statement (in addition to interview)