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Bullying & Harassment Prevention, Intervention & Documentation Guide

The information offered in this guide is intended to help school personnel understand Florida & Volusia County School's policies, definitions, prevention strategies and intervention protocols regarding bullying and harassment. The focus is on the establishment of a proactive, responsible school community where bullying and harassment cease to exist.

6/7/2021

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Create life-long learners prepared for an ever-changing global society.

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Volusia County Schools will ignite a passion for learning in all students to be productive citizens.

VOLUSIA
COUNTY SCHOOLS

Bullying and Harassment

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Volusia County Schools

District-Wide Bullying and Harassment Prevention Framework

A. Introduction and Purpose

It is the policy of the Volusia County School District that all of its students and school employees have an educational setting that is safe, secure, and free from bullying, harassment, or discrimination of any kind. Conduct that constitutes bullying and/or harassment, as defined herein, is prohibited. Issues regarding sexual harassment and harassment based upon race, color, sex, religion, national origin, marital status, age, political beliefs, sexual orientation, or disability shall be dealt with under School Board Policy 509, Prohibition of Harassment.

The purpose of this procedural manual is to provide school personnel and other interested parties with the current Anti-Bullying and Harassment policy as well as the related procedural guidelines and best practices.

B. Policy Definitions According to School Board Policy 525

1. Bullying

Bullying is defined as systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. The term "bullying" shall include "cyber-bullying." It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student, adult or group that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to:

- teasing
- social exclusion
- threat
- intimidation
- stalking
- physical violence
- theft
- **rumors, or the spreading of falsehoods**
- sexual, religious, and racial harassment
- public or private humiliation
- destruction of property

2. Harassment

Harassment involves any threatening, insulting, or dehumanizing act or gesture; use of data or electronic communication; or written, verbal, or physical conduct directed against a student or school employee which places a student or school board employee in reasonable fear of harm to his or her person or damage to his or her property; has the effect of substantially interfering with an individual's educational performance, opportunities, or benefits; or has the effect of substantially disrupting the orderly operation of a school or activity.

1. Bullying and Harassment

Bullying and harassment also encompasses:

a) Retaliation against a student, group or school employee by another student, group or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

b) Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:

- Incitement or coercion;
- Accessing or knowingly and willingly causing or providing access to data or electronic communication through a computer, computer system, computer network, or electronic devices within the scope of the district school system. For the purposes of this policy, within the scope of the district school system means, regardless of ownership, any computer, computer system, computer network, or electronic devices that is physically located on school property or at a school-related or school-sponsored program or activity;
- Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

2. Cyberstalking

Cyberstalking, as defined in s. 784.048(1)(d), F.S., 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 a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

3. Cyberbullying

Cyberbullying is defined as bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writings, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photo optical system, including, but not limited to, electronic mail, Internetcommunications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

C. General Behavioral Expectations According to School Board Policy 525

The Volusia County School District expects students to conduct themselves as appropriate for 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.

The school district believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of students, staff, and community members. Since students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.

Bullying or harassment of student or school employee is prohibited:

- During any school district program or activity;
- During any school-related or school-sponsored program or activity;
- On school-sponsored transportation;
- Through the use of data or electronic communication that is accessed through a district owned or operated computer, computer system, computer network, or other electronic device. The physical location or time access of a computer-related incident cannot be raised as a defense to a disciplinary action initiated under this policy. The application of this policy shall be consistent with the standards that exist under the Constitution of the United States of America; or
- Through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, **if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school.** This paragraph does not require a school to staff or monitor any non-school-related activity, function, or program. Pursuant to section 1006.147, Florida Statutes, nothing in this policy shall be interpreted or relied upon, or establish an expectation that, the school district will staff or monitor any non-school-related activity, function, or program.

Student rights shall be explained as outlined in Policy 525 and in the Code of Student Conduct and Discipline: Respect for Persons and Property. All students must be familiar with and understand the following sections of the Code of Student Conduct and Discipline.

D. Students' Rights and Responsibilities

1. Respect for Persons and Property

- Students have the right to use school property in a manner approved by the school center.
- Students have the responsibility to respect the rights of others and not to interfere with their learning.
- Students have the right to use their personal property in a manner approved by the school.
- Students have the responsibility to respect and adhere to the rules and regulations of the school system.
- Students have the right to privacy consistent with applicable laws.
- Students have the responsibility to report evidence of an illegal act or violation of the code.
- Students have the right to be respected and accepted as individuals.

- Students have the responsibility to exhibit respect for themselves and others by dressing appropriately and in accordance with the adopted dress code, recognizing the role that appropriate dress and respect for self and others has on orderly learning environment.

2. Knowledge and Observation of Rules and Conduct

Students have the right and are expected to know the rules and regulations regarding their conduct. They also have the opportunity for input in the development of these rules and regulations. Students have the responsibility to follow the rules and regulations of the school center.

Students have the right to be assured of a school environment, which does not jeopardize their safety, health or welfare. Students have the responsibility to follow the rules and regulations of the school center so as not to jeopardize the safety, health and welfare of others.

3. Respect for Authority

Students shall abide by the standards of conduct established in the Policy Guide and Code of Student Conduct and Discipline set out in School Board Policy Number 208, this policy, and by rules established by the school administrators and classroom teachers, which rules shall be consistent with the Policy Guide and Code of Student Conduct and Discipline, this policy and applicable law. Students who do not conduct themselves in accordance with such policies and rules are subject to discipline in accordance with the Policy Guide and Code of Student Conduct and Discipline.

4. Student Recognition

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 school's recognition plan or school rules.

5. Sanctions and Due Process

Proper prevention and intervention steps shall be taken based on the level of severity of the infraction as outlined in the Policy Guide and Code of Student Conduct and Discipline and School Board Policy 525.

E. Consequences

1. Student Consequences

The consequence for a student who commits an act of bullying or harassment or who is found to have wrongfully and intentionally accused another of an act of bullying or harassment shall be consistent with the responses set out in School Board Policy 208, Code of Student Conduct and Discipline, for "Level III – Major I Offenses," which include the following:

- Assignment to an alternative education program
- Civil Citation Program
- Community service in lieu of suspension (Not appropriate for all Level III Offenses -consult with the District Office)
- Expulsion recommendation from school or bus

- In-school suspension
- Concern of Harm to self or others referral
- Problem Solving Team
- Restitution
- Saturday school
- Student Services referral
- Suspension from school or bus
- Threat Assessment

2. Employee Consequences

Consequences and appropriate interventions for a school/district employee(s) or third-party contracted employees found to have committed an act of bullying or harassment or to have wrongfully and intentionally accused another of an act of bullying or harassment will be instituted in accordance with District policies, procedures, and agreements (Policy 418, Standards of Conduct, Procedures of the Office of Professional Standards, and school rules and procedures applicable to the employee, and the relevant collective bargaining agreement). Additionally, acts of bullying or harassment by certified educators may, as determined by the Principles of Professional Conduct of the Education Profession in Florida, result in a sanction against an educator's state issued certificate (Rule 6B-1.006 F.A.C.).

3. Visitor and Volunteer Consequences

Consequences and appropriate interventions for a visitor or school volunteer found to have committed an act of bullying and/or harassment or to have wrongfully and intentionally accused another of an act of bullying and/or harassment will be instituted in accordance with School Board Policy 418 Standards of Conduct, which provides that the individual engaging in such inappropriate behavior may be directed by the principal/designee to leave the school, other school district facility, or school activity. In addition, if determined to be appropriate by the principal, a trespass warning may be issued in accordance with state law.

F. Bullying Acronym, Types, and Effects

1. Acronym

Bullying components can be defined in the acronym **RIP**:

- **Repeated** – occurs more than once
- **Imbalance of Power**– when a student, adult, or group is older, larger, or perceived to be smarter, **dominant**, and/or more popular than the other and unfairly takes advantage of the unlevel playingfield
- **Purposeful** – deliberate goal or intent

2. Types of Bullying

a) Hazing

According to the definition in the Code of Student Conduct and Discipline, hazing refers to any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes, including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a district school. Hazing includes, but is not limited to, pressuring, forcing or coercing the student into violating state or federal law consuming any food, liquor, drug, or other substance, or any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective. Disciplinary action for hazing may not be based solely on an anonymous report.

Hazing is a form of abuse and victimization. Hazing at the high school level is particularly troubling because the developmental stages of adolescence create a situation in which many students are more vulnerable to peer pressure due to the tremendous need for belonging, making friends, and finding approval in one's peer group. School staff, particularly athletic directors and coaches, must include hazing in their prevention and education of bullying and in any written student/parent agreements.

b) Cyberbullying

Cyberbullying is defined as bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writings, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Volusia County Schools only has jurisdiction over cyberbullying incidents that take place during the school day, at school-sponsored programs, on school-sponsored transportation, or through the use of data or computer software that is accessed through a district owned or operated computer, computer system, computer network, or other electronic communication device.

3. Warning Signs

There are many warning signs that could indicate that someone is involved in bullying, either by bullying others or by being bullied. However, these warning signs may indicate other issues or problems, as well. If you are a parent or educator, learn more about talking to someone about bullying.

a) Being Bullied

- Comes home with damaged or missing clothing or other's belongings
- Reports losing items such as books, electronics, clothing, or jewelry
- Has unexplained injuries
- Complains frequently of headaches, stomachaches, or feeling sick

- Has trouble sleeping or has frequent bad dreams
- Has changes in eating habits
- Hurts themselves
- Is very hungry after school from not eating their lunch
- Runs away from home
- Loses interest in visiting or talking with friends
- Is afraid of going to school or other activities with peers
- Loses interest in school work or begins to do poorly in school
- Appears sad, moody, angry, anxious or depressed when they come home
- Talks about suicide
- Feels helpless
- Often feels like they are not good enough
- Blames themselves for their problems
- Suddenly has fewer friends
- Avoids certain places
- Acts differently than usual

b) Bullying Others

- Becomes violent with others
- Gets into physical or verbal fights with others
- Gets sent to the principal's office or has detention a lot
- Has extra money or new belongings that cannot be explained
- Is quick to blame others
- Will not accept responsibility for their actions
- Has friends who bully others
- Needs to win or be the best at everything

4. Risk Factors

There is no one single cause of bullying. Rather, individual, family, peer, school, and community factors can place someone at risk for being bullied or for bullying others. Even if a child has one or more of the risk factors, it does not mean that they will bully or become bullied.

a) Who is At Risk for Being Bullied?

Generally, children, teens and young adults who are bullied:

- Do not get along well with others
- Are less popular than others
- Have few to no friends

- Do not conform to gender norms
- Have low self-esteem
- Are depressed or anxious

b) Who is At Risk for Bullying Others?

Some people who are at risk for bullying others are well-connected to their peers, have social power, and at least one of the following:

- Are overly concerned about their popularity
- Like to dominate or be in charge of others

Others at risk for bullying others are more isolated from their peers and may have any of the following:

- Are depressed or anxious
- Have low self-esteem
- Are less involved in school
- Are easily pressured by peers
- Do not identify with the emotions or feelings of others

Other risk factors for bullying others include the following:

- Being aggressive
- Have less parent involvement
- Think badly of others
- Are impulsive
- Are hot-headed and easily frustrated
- Have difficulty following rules
- View violence in a positive way

c) What Does Not Increase Risk?

- *Location.* There are no differences in rates of bullying for urban, suburban, or rural communities. Bullying happens everywhere.
- *School Size.* The overall percentage of students being bullied does not vary based on school size, although bullying does happen more often in larger schools.
- *Gender.* Boys and girls are just as likely to be involved in bullying. Forms of bullying may vary by gender; for instance, some research has found that girls are more likely to bully others socially.

5. Effects of Bullying

Bullying has serious and lasting effects. While these effects may also be caused by other factors, research has found bullying has significant effects for those who are bullied, those who bully others, and those who witness bullying.

a) People Who are Bullied:

- Have higher risk of depression and anxiety that may persist into adulthood:
  - Increased feelings of sadness and loneliness
  - Changes in sleep and eating patterns
- Lose interest in activities
- Have increased thoughts about suicide that may persist into adulthood
- Are more likely to have health complaints
- Have decreased academic achievement (GPA and standardized test scores) and school participation
- Are more likely to miss, skip, or drop out of school
- Are more likely to retaliate through extremely violent measures

b) People Who Exhibit Bullying Behaviors:

- Have a higher risk of abusing alcohol and drugs in adolescence and as adults
- Are more likely to get into fights, vandalize property, and drop out of school
- Are more likely to engage in early sexual activity
- Are more likely to have criminal convictions and traffic citations as adults
- Are more likely to be abusive toward their romantic partners, spouses or children as adults

c) People Who Witness Bullying:

- Have increased use of tobacco, alcohol or other drugs
- Have increased mental health problems, including depression and anxiety
- Are more likely to miss or skip school

G. Bullying and Harassment of Students with Disabilities

According to information from *Disability-Based Bullying and Harassment in the Schools* (2012), laws prohibiting bullying and harassment of students with disabilities are stated differently but are significant in their intent. The laws enforced by the Office of Civil Rights (OCR) do not utilize the term "bullying" and instead prohibit unlawful harassment. Although the possible bases for actions constituting "bullying" are much broader than the bases constituting harassment under the federal laws enforced by OCR, because the alleged complaint of "bullying" actions taken against a student because of disability, the distinction between "bullying" and harassment is immaterial.

OCR has defined Disability Harassment under Section 504 and Title II as intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of program benefits, services, or opportunities in the district's program.

1. Research Studies

- Studies have shown that students with a disability, whether it is visible or non-visible, are subject to increased bullying that is often directed at the disability.

- These students are also at more risk for bullying directed at factors other than their disability.
- Disabled students themselves are more likely to perpetuate bullying behavior in response to being bullied.

2. Determining Disability Allegations

To make a determination regarding the student's disability allegation, OCR considers the following:

- Whether a student was harassed based upon disability;
- Whether the harassing conduct was sufficiently severe, persistent, or pervasive to create a hostile environment, or limit the student's ability to participate in or benefit from the district's educational program;
- Whether the district has actual or constructive notice of the harassment; and
- Whether the district failed to take prompt and/or effective action to end the harassment, prevent it from recurring, and, as appropriate, remedy the effects of the harassment on the student.

3. Responding to incidents of misconduct

OCR noted that when responding to incidents of misconduct, school should keep in mind the following:

- The label used to describe an incident (e.g., bullying, hazing, teasing) does not determine how a school is obligated to respond. Rather, the nature of the conduct itself must be assessed for civil rights implications.
- When the behavior implicates the civil rights laws, school administrators should look beyond simply disciplining the perpetrators, as it is often insufficient even though likely a necessary step. The unique effects of discriminatory harassment may demand a different response than would other types of bullying.

4. Prevention and Elimination

If the behavior is determined to be harassment based upon a student's disability, the school must take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment and its effects, and prevent the harassment from recurring. A school is responsible for addressing harassment incidents about which it is knows or reasonably should have known (can apply in absence of any written compliant).

OCR offers several suggestions to both prevent and eliminate harassment:

- Creating a campus environment that is aware of disability concerns and sensitive to disability harassment; weaving these issues into the curriculum or programs outside the classroom.
- Encouraging parents, students, employees, and community members to discuss disability harassment and to report it when they become aware of it.
- Widely publicizing anti-harassment statements and procedures for handling discrimination complaints, because this information makes students and employees aware of what constitutes

harassment, that such conduct is prohibited, that the institution will not tolerate such behavior, and that effective action, including disciplinary action, where appropriate, will be taken.

- Providing appropriate, up-to-date, and timely training for staff and students to recognize and handle potential harassment.
- Counseling both person(s) who have been harmed by harassment and person(s) who have been responsible for the harassment of others.
- Implementing monitoring programs to follow up on resolved issues of disability harassment.
- Regularly assessing and, as appropriate, modifying existing disability harassment policies and procedures for addressing the issue, to ensure effectiveness.

Other suggestions include:

- Enhanced monitoring or supervision of the student to watch for future concerns
- Re-explaining the reporting process to the student and the staff and encouraging the student and staff to promptly report future incidents
- Disability-related behavior or peer problems should be addressed through the IEP process to determine whether conduct was related to disability. The IEP team or 504 committee should be discussing behavioral interventions or strategies that consider positive behavior supports and interventions (e.g. coping skills, self-advocacy, etc.)
- Help the student to identify a "safety plan" when appropriate

The U.S. Department of Educations' Office of Special Education and Rehabilitative Services (OSERS) suggests the following evidence-based practices:

- Teach appropriate behaviors and how to respond
- Provide active adult supervision
- Train and provide ongoing support for staff and students
- Develop and implement clear policies to address bullying
- Monitor and track bullying behaviors
- Notify parents when bullying occurs
- Address ongoing concerns
- Sustain bullying prevention efforts over time

5. Denial of FAPE

- States and school districts have a responsibility under Section 504, Title II, and IDEA, which is enforced by OSERS, to ensure that a free and appropriate education (FAPE) is made available to eligible students with disabilities. Disability harassment may result in a denial of FAPE under these statutes.

- Parents may initiate administrative due process procedures to address a denial of FAPE. Individual and organizations also may file complaints with OCR, alleging a denial of FAPE that results from disability harassment.

6. **Placement**
   - In selecting a student's least restrictive environment, the placement team must consider any potential harmful effect on the student or on the quality of services the student needs. However, the existence of a safety concern alone will not make a district's proposed placement inappropriate.
   - IDEA does not require a district to provide the best placement, but merely one that is appropriate.

7. **Reevaluation**
   - Incidents of bullying or harassment, or even negative attention from classmates, might indicate the need for a reevaluation or reassessment to determine whether the student requires additional services and supports.
   - Example: Whenever the evaluation of the IEP team indicates that the child has a disability that affects social skills development or that the child is vulnerable to bullying, harassment or teasing because of the child's disability, the IEP shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing.

Excerpts taken from Disability-Based Bullying and Harassment in the Schools: Legal Requirements for Identifying, Investigating and Responding (2012).

H. Verification of Compliance with Reporting Procedures required by Florida Statute 1006.147

Verification of Compliance with Reporting Procedures is required by Florida Statute 1006.147 and the Office of Civil Rights. The Jeffrey Johnston Stand Up for All Students Act (Florida Statute 1006.147), also referred to as the law Prohibiting Bullying and Harassment, states that the distribution of Safe Schools Appropriation funds is contingent upon district compliance with all reporting procedures contained in the law. Inclusion of these nine (9) reporting procedures is a prerequisite for policy certification by the Florida Department of Education. The Volusia County School District Policy 525 and this procedural manual have addressed all nine reporting requirements.

Nine Reporting Requirements for Bullying (s. 1006.147, F.S.)

1. A procedure for reporting an act of bullying or harassment (non-anonymously).
2. A procedure for reporting an act of bullying or harassment (anonymously).
3. A procedure for the prompt investigation of a report of bullying or harassment and the persons responsible for the investigation.
4. A process to investigate whether a reported act of bullying or harassment is within the scope of the district school system and, if not, the process for referral of such an act to the appropriate jurisdiction.
5. A procedure for providing immediate notification to the parents of a victim of bullying or harassment of an act of bullying or harassment.

6. A procedure for providing immediate notification to the parents of a perpetrator of bullying or harassment of an act of bullying or harassment.
7. A procedure for including incidents of bullying or harassment in the school's report of data concerning school safety and discipline required under s.1006.09(6). The report must include each incident of bullying or harassment and the resulting consequences, including discipline and referrals.
8. A procedure for including in a separate section each reported incident of bullying and harassment that does not meet criteria of a prohibited act under this section with recommendations regarding such incidents. The Department of Education shall aggregate information contained in the reports.
9. A procedure for regularly reporting to a victim's parents the action taken to protect the victim.

The Office of Civil Rights has requested that school-level bullying and harassment data be collected based on race, sex, and disability. Districts will be able to provide this data through the School Report of Data Concerning School Safety and Discipline.

I. Prevention Guidelines/Recommendations

The prevention of bullying in our schools is critical in establishing an environment where our students feel safe and schools are able to focus on the business of learning. Effective bully prevention includes school-wide, classroom-level, and individual elements, as well as addresses the multiple factors which contribute to allowing the behavior to exist.

Student Services professionals should collaborate with other district departments, 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 work to create a climate within each school and within the district that fosters the safety and respect of children and the belief that the purpose of adults is to protect and help them. Additionally, students and staff are given the skills, training, and tools needed to create the foundation for preventing, identifying, and intervening when issues of bullying arise.

The recommendations in the prevention, intervention, and investigation guidelines outlined in this manual are a collection of best practices from several of the most recognized programs in use throughout the country. In addition, the policies of dozens of school districts and prevention manuals including Broward, Manatee, St. Johns, and Miami-Dade, etc., as well as recommendations from well-known bully prevention organizations, were evaluated for inclusion in this framework. The result has been a development of a multi-tiered prevention model and intervention guidelines for all school and district staff.

1. Student and Staff Surveys

The first step any school should take is to understand the scope and magnitude of bullying on their campus. Since the behavior is largely concealed, research indicates that the most effective way to understand the levels of bullying is by conducting anonymous school climate surveys.

Staff members are also surveyed in order to gage their perceptions of bullying and what's being done about it. Once a school site has surveyed a population large enough to provide a good sample, they are able to analyze the data and use it to develop next steps. Each school ~~should create their own school-based Behavioral Leadership Team or Bullying Prevention Committee~~ **will maintain a school-based MTSS team** to discuss and analyzethe results of the survey and how each element of the framework should be implemented.

2. Stakeholder/Student/Staff Training

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

At the beginning of each school year, the school principal/designee 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 student. Awareness should be facilitated by appropriate references in the Code of Student Conduct and Discipline, employee handbooks, the district/school website, or through other reasonable means.

Informing faculty and staff of exactly what to look for, where to look for it, and how to properly intervene is crucial for the success of any bully prevention and intervention policy. Once data from the surveys has been collected and analyzed, it is imperative to disseminate this information to them. Staff training also leads to consistent identification and reporting of a problem as well as application of any classroom-level consequences and proactive interventions. If your staff and faculty are not on the same page, any steps taken as a school are doomed to fail.

3. School-wide Curriculum and Policies

The norms, actions, beliefs, and values among our students are diverse and without a concerted effort by our schools, this range will include many anti-social behaviors. All of our schools are required to implement universal character education programs to establish a climate of caring and respect per the district's Character to the Core initiative and Florida Statute 1003.42. School-wide prevention programs that deal with the pillars of character can also function as the basis for addressing bullying or any other behavioral issues with your student population. Examples are Character Education, Second Step Violence Prevention Curriculum, Why Try Program, Student Success Skills, ~~Behavior Leadership Team~~ **PBIS** Training, Skills Streaming, and a number of other behavioral programs. School discipline policies should focus on desired student outcomes rather than punishments for breaking rules. However, there must be consistent and fair consequences when students do not meet behavioral expectations.

4. Classroom-Level Prevention

Classroom teachers play a central role in the way that bullying policies and programs are presented and delivered to students. Curricula should include definitions of bullying, identification of the levels of bullying and harassment, discussions of how bullying affects everyone, ways students can help others, where and how to report bullying, and assertiveness training. Depending on the age or grade level, teachers may provide students with opportunities to problem solve and strategize specific ways bullying can be addressed in school. Any bully prevention curriculum should also emphasize to students the difference between tattling and bully reporting. Many of the school-wide prevention programs may be implemented at the classroom level.

5. Student Empowerment

In order for any change in climate to be exacted, students must be able to feel that they can make a difference. Not only should all students be taught what to do in response to bullying (as both bystanders and potential victims), but schools should seek to establish programs which actively recruit those with the most social clout to assist in reporting and intervening in social situations.

6. **Awareness**

Administrators should post student expectations related to bullying in common areas and teachers should also have them prominently displayed in each classroom. Additionally, students may have an opportunity to custom design posters to be displayed throughout common areas and classrooms. Additional awareness campaigns can be conducted through contests or public service announcements (PSAs) on your morning news.

7. **Parent Involvement**

Parent awareness and involvement is perhaps the key element in long-term change in attitude, behavior, and ultimately the climate of students in school. Parents should be provided with opportunities and encouraged to participate in prevention efforts with their children in meaningful and relevant ways that address the academic, social, and health needs of children. These opportunities may be posted on the schools' website, discussed during open house meetings, discussed at School Advisory Committee (SAC) meetings, and written in parent/school newsletters, etc.

Parents should also be made aware of the survey results for your school through School Advisory Committee meetings or newsletters and their input for the formation of any local programs should be welcome. Parents and guardians are made aware of any bullying situations which may involve their child through phone calls, conferences, or the Parent Notification form. Parents of both students who bully and students who are victims should be offered strategies to be employed at home.

8. **Administrative Tools**

The District Bullying Task Force committee has developed several forms to aid in the identification, record keeping, and parental notification of bullying incidents. It is recommended that schools utilize these forms for consistency in reporting throughout the district. All forms are ~~downloadable from the Forms Management link on Volusia County Schools website~~ **accessible on FOCUS within the SSS tab.**

9. **Preventing Cyberbullying**

- Educate students on how to be smart online and texting (always think before posting or saying things and set privacy settings on your accounts)
- Address cyberbullying and "sexting" (when age-appropriate) with students, staff, and parents when educating about bullying prevention and/or internet safety
- Educate parents on how to help their child(ren) be smart online or while texting (communicate about online activities, be aware of sites that they visit, and develop and enforce rules regarding telephone and computer usage)
- Closely monitor students' usage of the computers at school

J. Intervention Guidelines

In order to effectively curb or eliminate bullying from any school campus, it is imperative that every adult knows how to properly intervene with both bullies and victims in a variety of capacities. Whether it is on-the-spot interventions, conducting interviews, administering consequences, or dealing with the potential impact on victims, we all have a role to play. The following guidelines have been established to assist administration, staff, faculty, and School Resource Officers.

1. When Staff Witnesses a Bullying Situation

As an adult, we have an obligation to intervene and halt any behavior which may negatively impact the students in our schools. If staff witnesses a situation which would constitute bullying (as outlined in the district definition), there are strategies that should and should not be employed in order to effectively handle the problem.

a) *Immediately stop the bullying.* Stand between the student or students who bullied and those who were bullied, preferably blocking eye contact between them. Don't send any students away – especially bystanders. Don't immediately ask about or discuss the reason for the bullying or try to sort out the facts.

b) *Refer to the bullying behavior and to the relevant school rules against bullying.* Use a matter-of-fact tone of voice to state what behaviors you saw/heard. Let students know that bullying is unacceptable and against school rules (e.g., "Calling someone names is bullying and is against our school rules," or "That was bullying. I won't allow students to push or hurt each other that way").

c) *Support the bullied child in a way that allows him or her to regain self-control, to "save face," and to feel supported and safe from retaliation.* Make it a point to see the child later in private or refer them to the school counselor if he or she is upset, but don't ask what happened at the time of the incident and never ask what happened in front of the bully. It can be very uncomfortable to be questioned in front of other students. Let his or her teachers know what happened so that they may provide additional support and protection. Increase supervision to assure that the bullying is not repeated and does not escalate.

d) *Include bystanders in the conversation and give them guidance about how they might appropriately intervene or get help next time*. Don't put bystanders on the spot to explain publicly what they observed. Use that calm, supportive tone of voice to let them know that you noticed their allowance of the behavior or that you are pleased with the way they tried to help - even if they weren't successful. If they did not act, or if they responded in aggressive ways, encourage them to take a more active or pro-social role next time.

e) If appropriate, impose immediate consequences for students who bully others. If any immediate consequences are applied, they should be logical and connected to the offense. As a first step, staff or faculty might take away social opportunities (e.g., recess, lunch in the cafeteria) or modify the seating arrangements in a classroom setting. Let students who bully know that staff will be watching them and their friends closely to be sure that there is no retaliation. Report the specifics of the situation (who, what, when, and where) to the individual who normally handles disciplinary or specifically bully-related behaviors for the school.

f) *Not all bullying situations will require formal consequences.* For example, if a student who staff has never observed bullying others starts to tease another student, staff should immediately intervene and remind the student of the rules, but a warning may be all that is necessary. If a second incident warrants an office referral, make sure to include all prior observed behaviors related to the offense.

- Know the dynamics of the students supervised and realize in advance who the potential bullies and victims could be.
- Know where the "hot spots" are in the classroom or school and do not allow students to be unsupervised in these places.
- Remember, a large percentage of bullying takes place right in the classroom, so be vigilant in observations.

2. When Bullying is Reported to Staff

Take all reports seriously, whether it is the victim or a witness to the action. All reports of bullying must be investigated. If a victim is coming to a staff member, he or she is placing trust in the staff member to take action and handle the situation with effectiveness and due discretion. It is also important to know the warning signs of victimization as many children are either too scared or embarrassed to report this behavior to an adult.

a) *Take the time to listen and ask the right questions.* When a child comes to staff and says that another student pushed their pencil off their desk, first thought might be (while we may not articulate it), "Why are you bothering me with this? So he pushed your pencil, pick it up, stop whining and being such a tattle-tale." Rather, ask "Has he done this before?" If the answer is yes, find out the frequency of the behavior as well as any other types of incidents which may have occurred. The point is, an individual incident can seem petty and insignificant unless it is put into context. By asking the right questions and taking the time to listen, staff can often uncover a pattern of bullying behavior.

b) *Do not blame the victim.* When a child finally works up the courage to report bullying, it isn't appropriate to criticize them for causing it or not handling the situation correctly. For example, don't ask, "Well, what did you do to bring it on?" Rather, praise the student for their courage to discuss bullying incidents with an adult. Explain how helpful they are being by providing this important information, not only for themselves, but also for the rest of the students and staff.

c) *Get the specifics of what happened.* Make sure you get all information relative to what took place. Record the information on the ~~**Incident Concern Evaluation Bullying and/or Harassment**~~ **Bullying and Harassment Reporting** form or write the information on a blank piece of paper and give it to the administrator on campus who handles bullying.

d) *Reassure the victim and offer advice.* Let the student know that staff will handle the situation and report it to those who can best help. Assure the student that the bully will not know who reported the incident. In the meantime, it is perfectly fine to offer advice to the victim. The best advice is to tell students not to act upset or angry in front of the bully and to keep the lines of communication open with an adult at all times. Do not tell a victim to fight back (this could have harmful consequences once a student has already been victimized), and if advising them to avoid the bully, understand they most likely do this already at all costs.

e) *Look for signs of a more serious impact on the victim.* Most bullying that is reported will not have a deep-rooted psychological or emotional impact. However, if staff notices that a student seems withdrawn, chronically depressed, or is exhibiting any other signs of trauma, then it is imperative to connect that student with the right help (administrator, school counselor, school social worker, behavior specialist, or school psychologist).

f) *When bullying is reported by a parent,* make sure they are first connected with the proper administrator or School Resource Officer. All reports should be taken seriously and every concern the parent has related to their child and any bullying behavior should be thoroughly examined. Just as with any report, ensure a timely investigation and report back to the parent as soon as the facts have been gathered.

3. Reporting an Act of Bullying

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 follows.

Staff response to an alleged bullying incident is important for the preservation of our students' safety.

Per VCS Policy 525, Submission of Complaints:

(1) Any student, parent/guardian of a student, employee, visitor, or volunteer or stakeholder who believes he or she (or the child/student) has been the victim of bullying and/or harassment in violation of this policy is expected to immediately report the alleged acts to an appropriate school district official designated herein. In accordance with the law, a person shall be permitted to anonymously report such allegations, but no disciplinary action may be based solely upon an anonymous report.

(2) Section 1006.147(6), F.S. states: "A school employee, school volunteer, student or parent who promptly reports, in good faith, an act of bullying and/or harassment to the appropriate school official designated in the school district's policy and who makes this report in compliance with the procedures set forth in this policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident."

(3) Students who believe they have been subject to bullying and/or harassment in violation of this policy shall report the allegation to the teacher, building principal or designee. Teachers who have observed or been told of bullying and/or harassment among students shall take the appropriate corrective action, and shall make the necessary referrals to the school administration as warranted by the situation. Employees who believe they have been subject to bullying and/or harassment in violation of this policy shall report the allegation to their supervisor or Professional Standards. Visitors or volunteers who believe they have been subject to bullying and/or harassment in violation of this policy shall report the allegation to the administrator supervising the facility or program in which the visitor or volunteer is involved. The administrator receiving the complaint shall (in consultation with the Office of Professional Standards if the allegation is against an adult, or the Area Superintendent if the allegation is against a student) determine whether he or she has authority over the individual against whom the allegation has been made. If the administrator does not have such authority, then he or she shall forward the allegation to the appropriate administrator. If it is determined that the investigation is outside of the jurisdiction of the district, then the administrator shall, (in consultation with the Office of Professional Standards if the allegation is against an adult, or the Director of Student Assignments if the allegation is against a student) determine whether there is an appropriate jurisdiction to which the matter can be referred. Such consultation shall also include a determination of whether local law enforcement should be notified of the allegation.

4. Applying Interventions for Acts of Bullying

Appropriate and effective consequences can be applied at both the classroom and administrative levels to curb bullying behaviors. If applying on-the-spot interventions at the "classroom level," follow the guidelines established previously and make sure they are logical as well as related to the offense. Interventions resulting from office referrals, reports, or other more serious infractions should specifically target the underlying motivation or reward for the bully and seek to assist the victim in any way necessary.

a) *Understand the motives for the bully's behavior.* While bullying can be acquired through poor modeling at home or in peer group situations, it normally will be done to satisfy a desire or need on the part of the bully. Some of these motives include:

- Attention, recognition, prestige, or acceptance in a peer group. (Creating a climate that does not tolerate bullying removes the social power of bullies.)

- Access to an activity or item. Some students use bullying as an excuse to get what they want (e.g., extortion, intimidation).
- Strong needs for power and dominance; bullies seem to enjoy being "in control" and subduing, hurting, or humiliating others.
- A lack of understanding of social, cultural, psychological, or physical differences and norms.

b) *Identify interventions and supports on campus that can provide the victim, bully and bystander with the opportunity to learn and safely practice new skills.* A critical step in initiating a comprehensive system of supports at all levels will be the completion of a Behavioral Resource Map. This map will be vital in facilitating the organization of material and human resources available for student support on campus. Examples of effective programs might include Second Step Violence Prevention curriculum, Why Try program, Social Skills Improvement System (SSIS), Olweus Bullying Prevention Program (OBPP), PBS/PBIS – Positive Behavior Support/Positive Behavioral Intervention and Support, Aggressors, Victims, and Bystanders (AVB), i-Safe, RULER, Sanford Harmony, Character Counts, I Can Problem Solve, Skills Streaming, Responsive Classrooms and web-based programs, among many others.

c) *Monitor the progress of students who have been found to bully.* Watch them closely and let them know they are being watched. Make sure they are aware of future consequences. It may be appropriate to build in rewards for short-term progress or durations of time with no reported bullying.

d) *Assure the victim of their safety and connect them with the school counselor or school intervention team.* Even if it is the first time a student has been bullied, the trained eye of these professionals may be needed to discern any lingering effects of the bullying. The link between victimization and suicide ideation or retaliations, such as school shootings, is profound and it is better to err on the side of caution. Student Services Team members should also be able to help students with tips and advice for dealing with bullies, as well as how to prevent future victimization. It may also be advisable to initiate positive contacts with peers through clubs, student organizations, or creating a buddy system.

e) *When considering moving or separating students,* make sure the student who bullies is always considered for removal first. When dealing with groups of students who bully, if it is not possible to separate all members of a particular group, then try to ascertain who the primary bully is and isolate them from the rest.

f) *Notify all parents or legal guardians of any bullying situations which are reported or referred to administration.* Parents play an important role in eliminating bullying behaviors in a student or helping those who have been victimized. Contact should be made via phone, letter, or personal conference with all due diligence. 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 a parent or legal guardian is "unreachable," parent notification can be made via a letter mailed to the student's home. This can be done utilizing the **Parent Notification <u>of Bullying Incident</u> form.** All attempts should be documented in writing as part of the process. If after diligent attempts to contact the parent or legal guardian and no contacts have been successful, it may be necessary to request the school social worker make a home visit to provide the notification.

g) *When communicating with the parent(s) or guardian of a child who bullied, make it clear that:*

- You have conducted an investigation that included getting their child's account of the incident.

- Witnesses and physical evidence clearly indicate that their child was bullying. Stress that their child violated a school rule, policy, or a law. Let them know of the consequences being applied, as well as what they face for any future transgressions.

Many parents of students who bully others have little idea of what their child has been doing at school. When the situation is clarified for them, a number of parents want to contribute to bringing about positive changes. On the other hand, some bullies' parents try to play down the problems and generally take a defensive stand. They may deny or defend their child's actions no matter what type of evidence is presented. Even if it is not possible to establish any reasonable or positive communication with some parents, a serious attempt to do so must still be made. Offer any parent resources that are available to assist in educating and helping their child with bullying.

h) *When dealing with the parent(s)or guardian of a child who has been bullied:*

- Explain in detail the facts surrounding the incident(s) as well as any relevant information about your school policy.
- Delineate the steps taken to assure their child's safety or prevent future attacks.
- Explain the options which are available to provide assistance to their child (should administration feel may be necessary).
- **Provide the HOPE scholarship notification form.**

Ask about signs at home, which may indicate a deeper issue or the need for further intervention. Get the parents' input before deciding on anything beyond a visit to the counselor. Parents of students who are bullied may also want to meet with the bully's parents to resolve any concerns. Try to gage the situation from both sides to see if a meeting would be appropriate and/or effective. Offer any parent resources that are available to assist in educating and helping their child with bullying.

i) *Avoid interventions that do not work or have unexpected or negative consequences.* Intervening in bullying does not necessarily mean immediately turning to traditional forms of discipline. Discipline should be considered as one part of a holistic approach to addressing bullying. It should be used in conjunction with other educational and restorative strategies. Each intervention should clearly label bullying as unacceptable, build awareness, and help students develop the skills, empathy, and insights they need to find alternatives to bullying. Interventions should also assist to restore positive relationships between the students involved in bullying and improve the school climate. Requests to apologize, self-esteem-building, asking why, pleading, and expressions of frustration are unlikely to help and may make things worse. This type of intervention will not likely produce results and could even be harmful. According to StopBullying.gov, research has shown that the following are strategies that do not work or have unexpected negative consequences.

- **Zero tolerance or "three strikes and you're out" policies**: These policies have the potential to exclude large numbers of students from school, discourage reporting of bullying, and deprive students who bully from the good role models they so need.
- **Conflict resolution and peer mediation:** Bullying is not a conflict between two people of equal power with equal blame for the situation. Also, facing those who have bullied them may further upset students who have been bullied.
- **Group treatment for students who bully**: Group members tend to reinforce bullying behavior in each other.

- **Simple, short-term solutions**: Focusing on bullying in a piecemeal way (e.g., in-service training, school assembly, lessons taught by individual teachers) will do much less to prevent bullying than a school-wide initiative.

5. Stopping Cyberbullying

- Educate on the importance of saving all emails and electronic communications of harassment as evidence to support an alleged incident
- Educate about how to intervene with cyberbullying on social networking sites, cell phones, emails, and all forms of electronic communication
- Educate about how to block telephone numbers and email addresses from instant messaging and chat rooms
- Educate on how to report complaints to the telephone company or internet service provider
- Change email addresses if harassment continues
- Do not respond to cyberbullying
- Work together with others (e.g., students, parents, school staff, law enforcement, community members, etc.) to find solutions
- Direct stakeholders to contact the local police if threats are violent or sexual in nature
- Investigate reports of cyberbullying immediately

K. Investigation

1. Five Steps (per VCS Policy 525)

a) Upon receipt of the bullying/harassment report or complaint, the site principal or administrator, or Director of Professional Standards or Human Resources Equity Office, whichever is applicable, shall immediately undertake or authorize an investigation. The investigation of a reported act of bullying and/or harassment is deemed to be a school-related activity and begins with the report of such an act.

b) The investigation will consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

c) In determining whether alleged conduct constitutes a violation of this policy, the person investigating shall consider the surrounding circumstances, the nature of the behavior, past incidents, past or continuing patterns of behavior, and the context in which the alleged incidents occurred.

d) In the course of the investigation, the site principal or the Director of Professional Standards may determine that reason exists to make a recommendation regarding the protection of the student, employee or others named in the complaint. Such recommendation will be made immediately to the Superintendent.

e) The investigation must be completed as soon as practicable, with cases involving allegations against students being completed within ten (10) days, and cases involving adults taking no more than sixty (60) days. If the allegation is against an employee, the Director of Professional Standards shall, upon completion of the investigation, provide a written report to the Professional Standards Committee, who shall make a recommendation to the Superintendent. If the complaint involves the Superintendent, the report may be filed directly with the School Board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. If the allegation is against a student and is substantiated, the site principal/designee shall take whatever action is appropriate under the Code of Student Conduct and Discipline. If the allegation is determined to be unsubstantiated, it must be recorded as such in the student information system. If the allegation is against a teacher, employee or other school personnel, and is substantiated, the Superintendent and School Board shall take appropriate action in accordance with School Board policy, Florida Statutes and the Administrative Rules of the Florida State Board of Education. Such actions shall be taken in a timely manner. If the allegation is against a visitor or volunteer, and is substantiated, the administrator shall take action in accordance with School Board Policy 418 Standards of Conduct, which provides that the individual engaging in such inappropriate behavior may be directed by the principal/designee to leave the school, other school district facility, or school activity. In addition, if determined to be appropriate by the principal, a trespass warning may be issued in accordance with state law.

f) In the course of the investigation, computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated. A principal or designee will assign an employee that is trained in investigative procedures to initiate an investigation as to whether an act of bullying and/or harassment is within the scope of the district.

The trained designee will provide a report on results of their investigation with recommendations for the principal to make a determination as to whether an act of bullying and/or harassment falls within the scope of the district. If it is within the scope of the district, move to procedures for investigating bullying and/or harassment. If it is outside the scope of the district, and determined a criminal act, refer the incident to appropriate law enforcement. If it is outside the scope of district, and determined not to be a criminal act, inform the parents/guardian of all students involved.

2. Formally Questioning or Interviewing Bullies and Victims

Questioning bullies and victims about what lead to a particular incident is critical in establishing the severity of the behavior, patterns which may have developed, or any underlying causes. There are protocols established which can help discern this information when they are followed or hinder your efforts if ignored. It is perfectly fine to informally question both the bully and victim if applying classroom-level interventions or prior to office referral, just make sure it is done separately and any information gathered should be forwarded to the individual responsible for school-wide bullying-related intervention. All bullying incidents need to be formally recorded on the **Bullying and Harassment Reporting Form**, ~~or other comparable data collection tool.~~ **within the SSS tab in FOCUS.**

a) *Make sure to differentiate bullying from other forms of peer conflict.* It is important to separate bullying from other forms of conflict if appropriate and effective interventions are to be applied. There are several factors which will distinguish bullying to include:

- A real or perceived power difference – This is most noticeable in size or age advantage, but factors such as social skills, status, or ideology can also contribute.

- The intent to purposefully harm – Whether it is physical (hitting or shoving), emotional (making threats or using intimidation), social (rumor spreading or concerted exclusion), or some combination, the object of the bully is to harm the target.

- Students who bully feel their victim deserves the treatment or are indifferent – They will take little or no responsibility for their actions and may even blame the victim.

Most often, bullying will also consist of repeated or pervasive behaviors. All incidents which are repetitive in nature are to be reported as School Environmental Safety Incident Reporting (SESIR)bully violations or as bully-related if affiliated with a more serious infraction.

b) *Always question the bully and victim separately.* Rarely an honest response is given from the victim if they are forced to detail their view of events in front of their tormentor, especially if the bullying is physical in nature. In severe cases, it can be very humiliating or even traumatic to a victim if they have to recount a chain of events or facts related to the situation while in the presence of the bully.

c) *Emphasize the confidential nature of the discussion and be clear about who will and will notbe given this information.* Try to get additional facts about the incident(s) from other adults or students, so the bullied student doesn't feel that he or she could be easily identified as the sole source of information if it is part of a report or referral. Protect this student in conversations with the student(s) who bully. Explain that the information obtained may have come from a number of sources, including other adults.

d) *If possible, first interview the victim and/ or any non-involved witnesses.* Any information not provided in the initial report of bullying is likely to be gathered from those who have a stake in the truth. Gaining as much of this information in advance of speaking with a student accused of bullying can also help uncover problems which should be addressed with them.

e) *When dealing with groups of students who bully, interview each student separately in quick succession,* so there is little chance they can formulate a common strategy. It is appropriate to bring them together later to discuss potential consequences should the behavior continue, and let them know they are being watched.

f) *Reassure the victim that steps will be taken to ensure their protection from future attacks.* While it may or may not be found appropriate to discuss possible consequences that can be applied as a result of the investigation, assure the victim that steps will be taken to prevent this situation from happening again. Those who are bullied may feel powerless, scared, and helpless, so ask the victim what he or she needs to feel safe and provide this student with a voice. Follow through and grant their requests, when possible.

g) *Re-state the rules and the expectations of behaviors with students accused of bullying.* Allow an accused student to explain things from their perspective, but keep in mind that most bullies will deny any wrong-doing (like most offenders) or feel their victims caused the behavior. Determine whether the problem is a function of a skill or knowledge deficit by asking them what expectations your school has for bullying-related behavior and if their actions violated this standard. Also ask the student if they have been a victim of bullying. These "bully-victims" will usually require special interventions designed around anger management skill development,

which other bullies may not need. Contact a school-based Student Services team member (school counselor, school psychologist, or school social worker) on the availability of such services, as needed.

Make sure that an investigation has been conducted in a timely manner before contacting the parents of students involved, unless an emergency situation otherwise warrants.

3. Investigative Checklist

a) Review school board policies, regulations, and state statutes with respect to bullying and harassment. Also review cumulative and discipline records.

b) Interview the complainant. It is recommended that the complainant be interviewed first. Document the following:

- The identity and number of individuals who participated in the bullying/harassment behavior
- Where and when the alleged incident(s) occurred
- Description of the incident(s)
- Student's interpretation of possible reasons / alleged motives
- The identity and number of individuals who participated in the bullying/harassment behavior
- Context in which the alleged incident(s) occurred
- How often the conduct occurred
- Past incident(s) or past continuing patterns of behavior
- The relationship between the parties involved
- Any witnesses

c) Separately interview the accused. Document the following:

- Age, grade, gender
- Description of the incident(s)
- Where the alleged incident(s) occurred
- Context in which the alleged incident(s) occurred
- How often the conduct occurred
- Past incident(s)
- The relationship between the parties involved
- Any witnesses

d) Interview any person who witnessed the bullying incident, has knowledge of the bullying incident, or who may have related information. Complete and have the witness(es) sign the Volusia County School District **Bullying and Harassment Witness Statement** form.

e) Notify parents or legal guardians as soon as possible after the investigation of the incident has

been initiated. Document date, time, and method in which contacted.

f) Document the findings of the investigation to determine if the incident falls within the scope of the district policy.
   - If the incident does not fall within the scope of the district policy and it has been determined a criminal act, refer to appropriate law enforcement immediately, notify parent or legal guardian, and document the referral. Keep all paperwork for reporting purposes.
   - If the incident does not fall within the scope of the district policy, and determined not a criminal act, inform parents or legal guardians of all students involved. Keep all paperwork for reporting purposes.
   - If the incident is within the scope of the district's Code of Student Conduct and Discipline, go to the next step.

g) Document action taken and consequence(s) received as outlined in the Code of Student Conduct and Discipline. Contact parents or legal guardians, documenting method of contact, regarding the decisions on consequences and appropriate remedial actions that will be taken.

h) Document and notify the parents or legal guardians of the victim, explaining any actions that are being taken to protect their child.

i) Document the determination for a referral of counseling for the victim, the perpetrator, and/or the parents or legal guardians if it was deemed appropriate. The school intervention team should be consulted for appropriate interventions. A student's IEP or 504 plan must be considered when determining appropriate interventions for students with disabilities.
   - If a referral for counseling is deemed appropriate, document the contact to the parents or legal guardians, regarding counseling recommendations.
   - Document the details of the counseling if provided. (A referral may be made to Student Services for determination of counseling, assistance, and interventions. Counseling may be provided by school or district personnel).

j) Use the relevant incident code (Bullying – BY and Harassment – HA) AND related element code entitled "Bullying-Related" code when reporting the incident to SESIR.

k) Final written report must be completed by the principal or administrative designee.
   - If found to be bullying/harassment, place in student's discipline folder.
   - If unsubstantiated, place in the file your school has for unsubstantiated paperwork.

L. Suspension and Appeal Process

Procedures for suspensions and appeals of students who commit a Level 3 offense will follow the steps outlined in the Code of Student Conduct and Discipline Policy 208.

Procedures for suspension of students enrolled in exceptional student education programs may be found in Policy 303, Special Programs and Procedures for Exceptional Students.

Questions and Answers

1. **Can a single incident be considered an act of bullying?**

   Sometimes a single incident can have precisely the same impact as persistent behavior over time because it can still inflict physical hurt or psychological distress. Most incidents of bullying are either persistent (happening frequently and relentlessly) or pervasive (happening everywhere) in the school environment (McGrath, 2011). The Code of Student Conduct and Discipline for Volusia County Schools indicates that by definition bullying is repeated, however a single incident may be coded as harassment if it has the effect of substantially interfering with an individual's educational performance, opportunities, or benefits; or has the effect of substantially disrupting the orderly operation of a school or activity.

2. **Is teasing the same as 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 considered bullying. It is possible that a person's intended, good-natured joking is perceived as bullying by the recipient. Sometimes, what begins as good-natured joking can get out of hand and become bullying.

3. **Is bullying the same as conflict?**

   Bullying is NOT the same thing as conflict. Conflict involves a disagreement between two or more people of opposing positions. Bullying only occurs where there is an imbalance of power, it is repeated, and it is purposeful.

4. **Who should complete the Bullying/Harassment forms?**

   The Bullying Investigation forms should be completed by an administrator. School counselors may assist with intervention but should not be responsible for completing the paperwork or investigation process.

5. **When should a school complete the Bullying/Harassment forms?**

   All reports should be taken seriously and investigated. In order to complete a thorough investigation, the Bullying and Harassment Reporting forms must be completed.

6. **What forms are used?**

   There are two sets of forms that have been provided by the school district. The following forms are considered MANDATORY and should be completed in the SSS Platform of FOCUS by an administrator and/or the complainant:

   (1) Bullying and/or Harassment Reporting Forms

   (2) Witness Statement

   (3) Bullying and/or Harassment Investigation

The Anonymous Reporting form must be used within our schools. Under the current Florida Statute, a complainant may anonymously report bullying and harassment. The Bullying or Harassment Anonymous Reporting Form given by the district may be modified to fit the individual school's needs.

7. **When should a school notify a parent?**

   Notify all parents or legal guardians of any bullying situations which are reported or referred to administration. Contact should be made via phone. However, if a parent or guardian is "unreachable," parent notification can be made via a letter mailed home.

8. **What are the Discipline Codes for Bullying and Harassment?**

   Bullying – BY (01 for unsubstantiated bullying)

   Harassment – HA (02 for unsubstantiated harassment)

9. **Where should the forms be housed?**

   The Bullying Investigation Forms can be found in the SSS Platform of FOCUS under the Social Emotional Wellness Tab.

10. **What is a recommended location for the Anonymous Reporting Forms?**

    Each school will determine the appropriate location(s) to house the Anonymous Reporting Forms. High traffic student locations are the best suggestion, such as the media center, main office, student services office, school counseling office, etc.

Quick Reference Guide for Administrators

Step 1 – Reporting

A student or his/her parent/guardian who believes the student has been subject to conduct that is in violation of the Volusia County School District's Bullying and Harassment Policy 525 or the Prohibition of Harassment Policy 509 are encouraged to immediately report the incident to the school's principal or to any other member of the school staff, including teachers, school counselors, school resource deputy/officer (SRD/O), coaches and/or administrators. A school employee who witnesses, suspects or is notified that a student has been subject to conduct that is in violation of these policies shall immediately report the incident to the principal and/or administration. The complainant or reporting employee is to use the Bullying and/or Harassment Reporting Form for documenting the report (VCS 2011-014 or 2011-013). The law also specifies that each school must have provision for anonymous reporting (VCS 2011-011). The principal or principal designee must ensure that Policy 525 is fully implemented.

Step 2 – Investigation

Upon receiving a complaint of bullying or harassment, the school's principal and/or assistant principal(s) shall investigate the complaint in a timely manner. The complaint shall NOT be investigated by a teacher or school counselor. The investigation, conducted by an administrator, may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation. The investigator shall attempt to secure statements from all participants and witnesses to the complaint. The obligation to conduct this investigation shall not be negated by the fact that a criminal or other investigation of the incident is pending or has been concluded. Five school days (with the exception of extenuating circumstances) shall be the time limit between completion of the Volusia County Bullying and/or Harassment Reporting Form and the completion of the investigative procedural steps.

Below are a list of mandatory and resource forms that can be used to ensure that a thorough investigation has been completed.

Mandatory Forms

1. Bullying and/or Harassment Reporting Form
2. Witness Statement
3. Bullying/Harassment Investigation
4. HOPE Scholarship Notification Form

After a thorough investigation, the report will be determined to be either unsubstantiated or substantiated. Appropriate action will be taken and interventions used if warranted. Documentation of all communications, interventions and consequences should be kept and uploaded to the event in FOCUS.

Step 3 – Violation Consequences

A student who violates either of these policies shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct and Discipline. If the allegations are confirmed, the principal and/or assistant principal(s) shall:

1. Inform the student(s) found to have violated these policies AND his/her parents/guardians of the results of the investigation, including the actions of the student and the consequences for his/her actions.
2. Review the definition of bullying and harassment and the district's policies with the student(s) and his/her parents/guardians.

3. Administer the consequences for the behavior relative to the number of offenses and the severity of the behavior.
4. Inform the School Counselor ~~or school intervention~~ **and** **MTSS** team of the bullying and/or harassment situation in order that he/she may assist the student who bullied or harassed in building appropriate social skills andanger management skills.

Step 4 – Victim Assistance

Upon completion of the investigation, the school's principal and/or assistant principal(s) shall contact the victim **AND** his/her parents/guardians to discuss the results of the investigation. Do not share the consequences administered to the student who bullied or harassed. Student privacy rights must be protected under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). In addition, the School Counselor or school intervention team should be informed of the bullying situation in order to provide assistance to the victim in identifying techniques for dealing with students who bully or harass.

Step 5 – Completing Paperwork

The final written report must be completed by the principal or administrative designee.

- Substantiated – file report in student's discipline folder.
- Unsubstantiated – file report in the school's unsubstantiated bullying/harassment file.

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