

# Cleburne ISD Bullying Protocol

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## Cleburne ISD Anti-Bullying Policy and Investigation Procedures

Cleburne ISD Policy prohibits the bullying of a student. Policy also prohibits retaliation against any person, including a victim, a witness, or another person, who in good faith provides information concerning an incident of bullying.

### **BULLYING: DEFINITION**

"Bullying" means engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the District and that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considered bullying if it:

1. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
2. Interferes with a student's education or substantially disrupts the operation of a school.

CISD Policy [FFI(Legal)]

### **EXAMPLES OF BULLYING**

Physical: hitting, punching, pushing, scratching, tripping, assault, demands for money, confinement, hazing if it exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and interferes with a student's education or substantially disrupts the operation of a school.

Verbal: name calling, teasing, putdowns, sarcasm, threats, taunting, hazing if it exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and interferes with a student's education or substantially disrupts the operation of a school.

Textual (including by electronic devices "Cyberbullying") passing notes, writing on desks, SMS, MMS, email, chat rooms, website, social networks if it exploits an imbalance of power between the student perpetrator and the student victim through

written or verbal expression or physical conduct; and interferes with a student's education or substantially disrupts the operation of a school.

Social: ignoring, excluding, mimicking, ostracism, spreading rumors, psychological defaming, dirty looks, intimidation, extortion, theft of valued possessions or destruction of property if it exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and interferes with a student's education or substantially disrupts the operation of a school.

## **STUDENT REPORTING PROCEDURES**

Any student who believes that he or she is being bullied or believes that another student is being bullied should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

## **TEACHERS, COUNSELORS AND SCHOOL STAFF WHO RECEIVE A REPORT OF BULLYING FROM A STUDENT**

Listen to the student's report, without judgment, and let the student know that you report what you have heard to an administrator. Immediately contact a school administrator or counselor that you have received a report of bullying. Do not try to investigate the situation yourself. Complete a written statement for the administrator with your name and the date before the end of the day.

## **OBSERVE POTENTIALLY BULLYING BEHAVIORS**

When adults respond quickly and consistently to bullying behavior they send the message that it is not acceptable. Research shows this can stop bullying behavior over time. There are simple steps adults can take to stop bullying on the spot and keep kids safe.

Do:

- Intervene immediately. Get another adult to help if possible.
- Separate the kids involved.
- Make sure everyone is safe.
- Send or call for medical assistance if required.
- Stay calm. Reassure the kids involved, including bystanders.
- Model respectful behavior when you intervene.
- Record as much detailed information that you observed as possible including a list of those present. Ask an adult responder to record names and information for you if you are managing students.
- Immediately contact a school administrator or counselor
- Complete a written statement for the administrator with your name and the date within 24 hours

Avoid these common mistakes:

- Don't ignore it.
- Don't think students can work it out without adult help.
- Don't immediately try to sort out the facts.
- Don't ask bystanders to say publicly what they saw.
- Don't question the students involved in front of others.
- Don't talk to the students involved together, only separately.
- Don't make the students involved apologize or patch up relations on the spot.

### **CAMPUS ADMINISTRATORS: INVESTIGATION OF THE REPORT**

- Upon receipt or notice of a report, determine if the behaviors constitute further investigation of bullying as defined by policy
- If further investigation is required, promptly take interim action to prohibit potential bullying during the course of an investigation. This may consist of:
  - Increased supervision as needed for alleged victim and alleged perpetrator
  - Stay away agreement (FORM) between parties involved.

The investigation shall proceed:

Complete interviews and incident documentation form in the following order:

- with the alleged victim,
- witnesses or bystanders,
- person accused of the bullying behavior
- Analyze other information or documents related to the allegations.
- Offer counseling services to students. Counseling must be offered as a mandate of HB 1942.

### **NOTIFICATION**

- Assistant Principals shall notify the Campus Principal once the investigation has commenced.
- Notify parents/guardians of the alleged perpetrator and alleged victim within 24 hours of the report.
- Consult with your SRO and the campus Title IX coordinator if evidence in the investigation shows possible criminal harassment or offenses.

### **CONCLUDING THE INVESTIGATION**

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigating administrator shall take additional time if necessary to complete a thorough investigation. The investigating administrator shall prepare a written report of the investigation. The report shall include a determination of whether or not bullying occurred.

The report shall be filed with the Campus Principal's office at the conclusion of the investigation. Parents of the victim and perpetrator are to be contacted upon completion of the investigation. Investigating administrator will notify the victim, the bully and their parents about available counseling services.

## **FOLLOW UP ACTION**

PROHIBITED CONDUCT: If the results of an investigation indicate that prohibited conduct occurred, the Administrator shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.

The District may transfer the student who engaged in bullying to another classroom at the campus to which the victim was assigned at the time the bullying occurred, or a campus other than that campus--after consulting with the parent of the student who engaged in bullying.

IMPROPER CONDUCT: If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.

NOTE: Texas Law HB 1942 "prohibits the imposition of a disciplinary measure on a student who is a victim of bullying on the basis of that student's use of reasonable self-defense in response to the bullying," and "requires that discipline for bullying of a student with disabilities comply with Federal law including section 504 and IDEA (2004)."

APPEAL: A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL) beginning at the appropriate level. A student shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

COUNSELING OPTIONS: The student who is a victim, the student who engaged in bullying behavior and any student witness to bullying behavior shall be informed of all counseling options available to them at the school. Document that the students have been offered counseling options.

MONITOR: Monitor and follow up with the students within 15 school days after the incident to secure that no additional acts of bullying or retaliation have occurred. Additional follow up may be necessary considering the circumstances of the situation. Attach the follow up documentation to the file in the Campus Principal's office.

