

# BIG SPRING INDEPENDENT SCHOOL DISTRICT

## STUDENT-ON-STUDENT ALTERCATION RESPONSE CHART

All charges or reports of a student-on-student altercation (e.g., sexual harassment, harassment, bullying, dating violence, or sexual violence) should be referred to the appropriate district official in accordance with Board Policy FFH(LOCAL). This checklist has been provided to assist the district official in ensuring that necessary steps are taken when incidents have been brought to the principal's attention. To the greatest extent possible, confidentiality should be maintained when investigating reports.

Date	No.	Actions
	1.	Take necessary steps to separate alleged perpetrator and victim.
	2.	Call a school administrator if appropriate. If the altercation is assaultive in nature, see legal and policy guidelines for reporting and discipline, as well as CPS requirements.
	3.	<p>VICTIM: Conference with the victim outside of the presence of the alleged perpetrator. Use every reasonable effort to protect the due process rights of the alleged perpetrator. Contact parent/guardian. The student may be accompanied by a parent/guardian or other representative.</p> <p>a) Provide the parent/guardian and/or student with a "Notice of Parent and Student Rights." Inform the student of his or her right to file a complaint alleging sexual harassment directly with the Title IX coordinator or Office of General Counsel and with the Office for Civil Rights. Obtain signature if possible.</p> <p>b) Assist the student in documenting the incident on a complaint form. If the student or parent/guardian declines to document the incident, note this on the complaint form.</p> <p>c) Identify immediate actions that can be taken to increase the victim's safety and ability to participate in school without being subject to harassment. Refer the student to a school counselor as appropriate.</p> <p>d) Record your observations related to the student conference.</p>
	4.	<p>ALLEGED PERPETRATOR: Conference with the alleged perpetrator out of the presence of the victim. Use every reasonable effort to protect the due process rights of the alleged perpetrator. Contact parent/guardian. The student may be accompanied by a parent/guardian or other representative.</p> <p>a) Allow the student an opportunity to respond in writing to the allegations</p> <p>b) Provide the parent/guardian and/or student with a "Notice of Parent and Student Rights." Obtain signature if possible.</p> <p>c) Refer the student to a school counselor as appropriate.</p> <p>d) Record your observations related to the student conference.</p>
	5.	Further investigate the complaint by interviewing any witnesses separately. Document findings.
	6.	Communicate in a confidential manner with the counselor and principal or designee.

Date	No.	Actions
	7.	<p>Make determinations regarding alleged conduct, ordinarily within 5 (five) days. If extenuating circumstances delay the investigation, inform the victim and parent/guardian. Record determination and actions, as follows (check box):</p> <p style="padding-left: 40px;">Findings indicate that a student-on-student altercation occurred.</p> <p>a) VICTIM: Conference with the victim and parent/guardian. Possible interventions:</p> <ul style="list-style-type: none"> <li>• Identify actions to increase the victim’s safety and ability to participate in school without fear or intimidation.</li> <li>• Inform the student and parent/guardian of support services.</li> <li>• Ensure the victim has access to support when needed (e.g., administrator or counselor gives his/her business card to the student to carry and writes on the back: Please allow NAME to see me when requested.)</li> <li>• Inform the student of his or her right to request a “Stay-Away Agreement.”</li> <li>• Encourage the victim to report further incidences.</li> <li>• Parent/guardian has right to pursue transfer as a victim of bullying. Share form and process as appropriate. Requires verification of harassment/bullying from administration. See FDB (LEGAL).</li> <li>• Document conference and action plans.</li> </ul> <p>b) ALLEGED PERPETRATOR: Conference with the alleged perpetrator and parent/guardian. Possible interventions:</p> <ul style="list-style-type: none"> <li>• Emphasize expectations for positive behavior.</li> <li>• Identify and implement disciplinary consequences and other actions that will be taken to prevent further incidences.</li> <li>• Inform the student and parent of support services.</li> <li>• Ensure the alleged perpetrator has access to support when needed (e.g., administrator or counselor gives his/her business card to the student to carry and writes on the back: Please allow NAME to see me when requested.)</li> <li>• Address the seriousness of retaliation.</li> <li>• If harassment is severe or repeated, a “Stay-Away Agreement” may be issued.</li> <li>• Depending on the nature of the offense, disciplinary action may be warranted or mandated.</li> <li>• Increase supervision of the alleged perpetrator as appropriate.</li> <li>• Behavior contract.</li> </ul> <p>c) REMINDER: If there is a finding that the altercation involved physical or sexual assault or threats, notify the school administrator immediately and follow legal and policy guidelines for reporting and discipline, as well as CPS requirements.</p> <p style="padding-left: 40px;">Unable to determine that inappropriate behavior occurred, but there has been a determination that the situation justifies the communication of warnings, recommendations, and/or information regarding support services.</p> <p style="padding-left: 40px;">There are no findings of inappropriate behavior.</p>
	8.	<p>After determination made:</p> <ul style="list-style-type: none"> <li>• Give notice of the outcome to the parties – follow FERPA guidelines.</li> <li>• Advise the parents and students that they may appeal the decision of the principal or designee regarding the outcome of the investigation into the allegation. Inform the student or parent/guardian that he or she may request a conference with the Superintendent or designee and that a written complaint must be submitted. The appeal notice must be filed in writing, on a form provided by the District. Refer to Board Policy FFH (LOCAL) and FNG (LOCAL).</li> </ul>
	9.	<p>If findings indicate that inappropriate behavior has occurred:</p> <ul style="list-style-type: none"> <li>• Monitor the safety of the victim.</li> <li>• Encourage the victim to immediately communicate any safety concerns that may arise to an administrator or counselor or School Resource Officer.</li> <li>• Document subsequent follow-up actions and complaints in the space provided on the complaint form.</li> </ul>
	10.	<p>Advise Title IX Coordinator by email or memo of all incidents of sexual harassment that occur on your campus. Label correspondence regarding sexual harassment issues “Attorney-Client Privileged Information.” Include (a) the date of the incident, (b) the names of the students involved in the incident, (c) actions taken to address the matter, and (d) whether the matter is closed or remains open. Use form titled “Reports of Allegations of Sexual Harassment (Title IX).”</p>
	11.	<p>Store complaint forms in a separate, confidential file.</p>