



# UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

**TOPIC:** First and Final Reading of Board Policy FFI (Local)

**SUBMITTED BY:** Juan Cruz

**OF:** Attorney

**APPROVED FOR TRANSMITTAL TO SCHOOL BOARD:** \_\_\_\_\_

**DATE ASSIGNED FOR BOARD CONSIDERATION:** July 17, 2019

**RECOMMENDATION:** The District is recommending the UISD Board Approve the First and Final Reading of Board Policy FFI (Local)

**RATIONALE:**

**BUDGETARY INFORMATION:**

**POLICY REFERENCE & COMPLIANCE:**

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**Note:** This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyberbullying.

For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

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**Bullying Prohibited**

The District prohibits bullying, including cyberbullying, as defined by state law. (See FFI (Legal)). Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

**Examples**

Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

**Retaliation**

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

**Examples**

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

**False Claim**

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

**Timely Reporting**

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

**Reporting Procedures**

**Student Report**

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

<b>Report Format</b>	A report may be made orally or in writing. <u>Employees and students shall be provided a District form to reduce any oral report to writing. If the student refuses to reduce his/her oral report to writing on the District form provided,</u> <del>the</del> principal or designee shall reduce <del>any the</del> oral reports to writing <u>on the District form.</u>
<u>Initial Assessment</u>	<u>Upon receipt or notice of a report of bullying, the principal or designee shall determine whether the allegations, if proven, would constitute bullying as defined by state law. If so, the principal or designee shall immediately undertake an investigation as dictated by this policy. If the principal or designee determines that the allegations, if proven, would not constitute bullying as defined by state law, the investigation shall be concluded with no further action required by the campus administration; however, if the alleged conduct is a violation of the District Student Code of Conduct, appropriate disciplinary action shall be taken against the perpetrator as dictated by the District's Student Code of Conduct.</u>
<b>Notice of Report</b>	When an allegation of bullying is reported <u>and after the initial assessment determines that bullying may have occurred,</u> the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.
<b>Prohibited Conduct</b>	The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
<b>Investigation of Report</b>	The principal or designee shall conduct an <del>appropriate-</del> investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
<b>Concluding the Investigation</b>	Absent extenuating circumstances, the investigation should be completed within <del>ten District business days</del> <u>a reasonable time</u> from the date of the initial report alleging bullying; <del>however, the principal or designee shall take additional time if necessary to complete a thorough investigation.</del>  The principal or designee shall prepare <del>a final, written report</del> <u>written documentation pertaining to</u> of the investigation. The <del>report</del> <u>written documentation</u> shall include <del>a determination of</del> <u>evidence as to</u>

	<p>whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the <u>report-written documentation</u> shall be sent to the Superintendent or designee.</p>
<b>Notice to Parents</b>	<p>If an incident of bullying is confirmed <u>after investigation</u>, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.</p>
<b>District Action</b>	<p>If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.</p>
<b>Bullying</b>	
<i>Discipline</i>	<p>A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.</p>
	<p>The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.</p>
<i>Corrective Action</i>	<p>Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.</p>
<i>Transfers</i>	<p>The principal or designee shall refer to FDB for transfer provisions.</p>
<i>Counseling</i>	<p>The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.</p>
<b>Improper Conduct</b>	<p>If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.</p>
<b>Confidentiality</b>	<p>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.</p>
<b>Appeal</b>	<p>A student <u>or parent</u> who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.</p>
<b>Records Retention</b>	<p>Retention of records shall be in accordance with CPC(LOCAL).</p>
<b>Access to Policy and Procedures</b>	<p>This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the</p>

District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

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**Employee Report**

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STUDENT WELFARE  
FREEDOM FROM BULLYING

FFI  
(LOCAL)

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