



UNITED INDEPENDENT SCHOOL DISTRICT INFORMATIONAL ITEM

TOPIC: Bullying: New Law & UISD Initiatives

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APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: June 20, 2012

As per House Bill 1942, “the Board of Trustees of each school district shall adopt a policy, including any necessary procedures, concerning bullying.” Attached is a “Draft” form of the UISD Bullying Intervention Procedures Manual to be implemented for the 2012-2013 school year.



DRAFT

United Independent School District

BULLYING INTERVENTION PROCEDURES MANUAL

Guide to addressing bullying, cyber-bullying and harassment

February 2012

Table of Contents	Page
Purpose	3
Overview of Policy	3
Definitions	4
Reporting Procedures	5
School District Protocol	6
• Bullying/Harassment Protocol for Teachers and Staff	6
• Bullying/Harassment Protocol for Administrators and Counselors	6
FERPA'S Requirements	7
Working with the Victim	8
Working with the Alleged Perpetrator	8
• Working with an Alleged Perpetrator with a Disability	9
Retaliation	9
Training and Education	9
UISD Forms	10
• No Bullying/Stay Away Contract (Elementary)	11
• No Bullying/Stay Away Contract	12
• School-Based Safety Plan	13
• Notice of Parent and Student Rights	15
• Student Complaint Form Instructions	17
• Student Incident/Complaint Form	18
• Bullying Referral Process Flowchart	19
• Bullying/Harassment Protocol for Teachers and Staff	20
• Bullying/Harassment Protocol for Administrators and Counselors	21
• Bullying/Harassment Follow-Up Documentation (Victim)	22
• Bullying/Harassment Follow-Up Documentation (Perpetrator)	23
• Investigation Interview Notes Packet	24
• Investigation Questionnaire (Main Complainant)	25
• Investigation Interview Notes Witness Interview	28
• Investigation Interview Notes Accused	30
• Fact Finding/Conclusion	32
Code of Student Conduct Sections Relative to Bullying	34



UNITED INDEPENDENT SCHOOL DISTRICT BULLYING INTERVENTION PROCEDURES MANUAL

PURPOSE

United Independent School District (UISD) is committed to providing a safe and nurturing environment for all students and employees, free from bullying, harassment, intimidation, or violence. Bullying, like other violent or disruptive behavior, is conduct that hinders a student's ability to learn and a teacher's ability to educate students in a safe environment. UISD may not be able to monitor the activities of students at all times and eliminate all incidents of bullying among students, particularly when students are not under the direct supervision of school personnel. Yet, if the extent of the incident interferes with the educational environment of the school and the rights and welfare of the student(s) and is within the control of the district then it is the intent of UISD to prevent bullying and to take action to investigate, respond, remediate, and discipline those acts of bullying which have not been successfully prevented. The purpose of this manual is to guide the school district in its goal of preventing and responding to acts of bullying, harassment, intimidation, violence and other similar disruptive behavior.

OVERVIEW OF POLICY

- A. An act of harassment or bullying, by either an individual student or a group of students, is expressly prohibited on school district property, at school related functions, or in vehicles operated by the District. This policy applies not only to students who directly engage in an act of harassment or bullying but also to students who, by their indirect behavior, disregards or supports another student's act of bullying. In addition, this policy also applies to any student whose behavior at any time or in place constitutes bullying that interferes with or obstructs the mission of UISD or the safety or welfare of the student, other students, or employees.
- B. No teacher, administrator, or other employee of UISD shall permit, ignore, or tolerate bullying.
- C. A teacher, administrator, or other employee of UISD must report bullying if they "reasonably should have known" that bullying has been occurring.
- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who participates in an act of bullying, false reporting of bullying or permits, overlooks, or tolerates bullying shall be subject to discipline for that act in accordance with UISD policies and procedures. The following factors may be taken into account:
 - 1. The developmental and maturity levels of the parties involved;
 - 2. The levels of harm, surrounding circumstances, and nature of the behavior;
 - 3. Past incidences or past or continuing patterns of behavior;
 - 4. The relationship between the parties involved; and
 - 5. The context in which the alleged incidents occurred.

- G. UISD will act to investigate all complaints of bullying and will discipline or take appropriate action against any student, teacher, administrator, or other employee of UISD who is found to have violated this policy.
- H. UISD will collaborate with the District's Title II, VI and IX coordinators when the alleged bullying/harassment triggers responsibilities under one or more of the federal antidiscrimination laws enforced by the Office of Civil Rights.

DEFINITIONS

For purposes of this policy, the definitions included in this section apply (FFI Local).

Bullying- "Bullying" occurs when a student or group of students engages 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. 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, or pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

Conduct described constitutes "bullying" if (HB 1942):

- 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

Bullying includes, but is not limited to, hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, and ostracism.

Cyber-bullying- is defined as abusive behavior including, but not limited to, tormenting, threatening, taunting, stalking, intimidating, harassing, humiliating, and/or coercing by one or more individuals against other students or employees using Internet websites (i.e., My Space, personal Web sites, etc.) and/or any other communication technologies (i.e., e-mail, mobile phones, text messaging, instant messaging, etc.) which materially and substantially disrupts the educational process and/or endangers the general health, safety and welfare of District students and/or employees regardless of where the communication originates or which contains the elements of "online harassment" or "use of computer for unauthorized purpose" regardless of where the communication originates.

Although the District respects a student's right to freedom of expression under the First Amendment, a student maybe disciplined for conduct constituting Cyber-Bullying as defined in the Student Code of Conduct.

Harassment- means threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student's physical or emotional health or safety.

Harassing behaviors directed toward another student which are motivated by race, color, religion, national origin, gender or disability give rise to civil rights implications. Bullying incidents which are determined to also be harassment based on a protected class status will be handled in accordance with District policies regarding discrimination.

REPORTING PROCEDURES

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

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, counselor, principal, or other District employee. A report may be made orally or in writing. The District shall encourage the reporting party or complainant to use the Complaint Form (pg. 18) available from the principal or counselor. Counselors and administrators should offer students assistance in filling out the form. Complaint forms should be kept in a secure location in the campus administrative office. Forms should be kept for two years beyond graduation.

A teacher, school administrator, staff member, or other District employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person, who receives a report of, observes or has other knowledge or belief of conduct that may constitute bullying shall inform the principal immediately.

Confidentiality: 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.

SCHOOL DISTRICT PROTOCOL

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

The District must take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of bullying, consistent with applicable law. The campus principal or designee shall promptly begin the investigation by interviewing student witnesses and teachers and obtaining written statements when possible. It is critical that the person conducting the investigation and issuing the decision create and maintain clear and complete documentation throughout the process.

Bullying/Harassment Protocol for Teachers and Staff:


Staff members responding to an incident of bullying or harassment between students occurring anywhere on campus or at a school sponsored event shall follow the steps below:

1. Fulfill the state's mandatory reporting laws regarding suspected abuse or neglect of a child if applicable.
2. Separate the victim from the alleged perpetrator.
3. Speak separately with the victim and the alleged perpetrator.
4. Ask alleged victim (student) and/or parent to fill out Student Incident/Complaint Report (in packet).
5. Review the form with parent and alleged victim (student). Ask for clarification or additional information if necessary.
6. Inform the parent that you will be turning in form to an administrator and the administrator will conduct an investigation.
7. Inform the parent that an administrator will contact them once the investigation is complete.
8. Turn in packet along with the checklist to an administrator
9. Monitor the victim's safety and increase supervision of the alleged perpetrator as needed. If the bullying and or harassment continues, you will need to write a discipline referral (work with administrator).

Please refer to Protocol Form on page 20.

Bullying/Harassment Protocol for Administrators and Counselors:

1. Fulfill the state's mandatory reporting laws regarding suspected abuse or neglect of a child if applicable.
2. Receive/review student incident/complaint form. *This will be completed by the administrator.*
3. Set up conference with alleged victim (student) and parent to review form and get additional information/clarification. *This will be completed by the administrator.*
4. Conduct investigation (use UISD Investigation Interview Notes in packet). Speak to the victim and the alleged perpetrator separately. Speak to any witnesses if applicable. *This will be completed by the administrator.*

5. Set up conference with alleged perpetrator (student) and parent and at conclusion of conference **if (a)** bullying was determined than provide appropriate discipline consequences and have alleged perpetrator (student) and parent sign No Bullying/Stay Away Contract (use form provided). **If (b)** investigation was non-conclusive than have alleged perpetrator (student) and parent sign No Bullying/Stay Away Contract. If parent/student refuse to sign the No Bullying/Stay Away Contract make sure to document. *This will be completed by administrator.*
6. Provide alleged perpetrator (student) a minimum of two counseling sessions. *This will be completed by the counselor.*
7. Conduct three follow up counseling sessions with alleged victim (student) and student witnesses (if any) to ensure bullying/harassment has stopped and document (use form provided). *This will be completed by the counselor.*
8. If bullying/harassment continues, initiate a discipline referral and follow consequences as stated in the Student Code of Conduct. *This will be initiated by the administrator.*
9. Notify office of superintendent or designee for serious offenses of bullying, sexual harassment or discrimination. Report to UISD police if necessary. Name of officer:


Please refer to Protocol Form on page 21.

The investigation should be completed within ten District business days from the date of the report; however, the campus principal or designee shall take additional time if necessary to complete a thorough investigation.

The campus principal or designee shall prepare a written report of the investigation, including a determination of whether bullying occurred.

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the District's Student Code of Conduct. [For information on student transfers due to bullying, see FDB local.]

Upon completion of the investigation, the District will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, or remediation. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior.

FERPA'S REQUIREMENTS

The school district is not authorized to disclose to a victim private educational or personal data regarding an alleged perpetrator who is a student or employee of the District. School officials will notify the parent(s) or guardian(s) of students involved in a bullying incident and the remedial action taken, to the extent permitted by law, based on a confirmed report. When conducting investigations, creating documentation, and responding to media requests, school administrators must be mindful of the Family Educational Rights and Privacy Act (FERPA).

WORKING WITH THE VICTIM

1. Conference with the victim. Give the parent/guardian and or the victim The Notice of Parent and Student Rights (pg. 15).
2. Identify immediate actions that can be taken to increase the victim's safety and ability to participate in school without fear or intimidation.
3. Inform the student and parent/guardian of school and community resources as needed, including their right to file charges or seek legal protection.
4. Encourage the student to report further incidents.
5. Inform the victim and parent of his or her right to request a Stay-Away Agreement. If the student and or parent declines, this should be documented
6. For situations also involving sexual harassment, inform the victim of his or her right to file a complaint alleging sexual harassment directly with the Title IX Coordinator. A complaint may also be filed with the Office of Civil Rights.
7. Monitor the victim's safety as needed. Assist the victim with safety planning for the school day and for after school hours.
8. Inform the victim's parent/guardian that a safety plan has been developed, as well as the details of the safety plan unless this action would endanger the victim.
9. Conduct three follow up counseling sessions with alleged victim (student) and student witnesses (if any) to ensure bullying/harassment has stopped and document (use form provided). *This will be completed by counselor. See form page 22.*

WORKING WITH THE ALLEGED PERPETRATOR

Every reasonable effort should be taken to protect the due process rights of the alleged perpetrator.

1. Conference with the alleged perpetrator and parent/guardian. Give the parent/guardian and the perpetrator the Notice of Parent and Student Rights (pg. 15).
2. Allow the alleged perpetrator an opportunity to respond either in writing or verbally to the allegations.
3. Emphasize expectations for positive behavior.
4. Identify and implement disciplinary and other actions and consequences that will be taken to prevent further incidents.
5. Inform the alleged perpetrator and parent/guardian of help and support available at school or in the community as needed.
6. Address the seriousness of retaliation against the victim for reporting the incident or cooperating with the investigation.
7. Increase supervision of the alleged perpetrator as needed.
8. Document the meeting and action plans on a complaint form.
9. Provide alleged perpetrator (student) with a minimum of two counseling sessions. *This will be completed by the counselor. See form page 23.*

WORKING WITH AN ALLEGED PERPETRATOR WITH A DISABILITY

When the alleged perpetrator is a student with a disability, the District must ensure discipline complies with federal law, including the individuals with Disabilities Education Act.

RETALIATION

The District will discipline or take appropriate action against any student, teacher, administrator, or other employee of the District who retaliates against any person who makes a good faith report of alleged bullying or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists, or participates in a proceeding or hearing relating to such bullying. Retaliation includes, but is not limited to, any form of intimidation, harassment, or intentional disparate treatment.

TRAINING AND EDUCATION

The District will provide information and any applicable training to school district staff regarding this policy on an annual basis. The District or campus must document what the training included, when it occurred, and who attended the training.

The District will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying.

The District shall implement violence prevention and character development education programs to prevent and reduce bullying violations in all grade levels (PK-12). Such programs may offer instruction on character education including, but not limited to, character qualities such as kindness, courage, self-control, forgiveness, respect, honesty, loyalty, diligence, and confidence.

United Independent School District
FORMS



NO BULLYING/STAY AWAY CONTRACT (Elementary)

Student's Name: _____ Grade: _____

Teacher's Name: _____ Date of Contract: _____

According to FFI Local Policy, United Independent School District prohibits bullying. ALL students and teachers must be treated with **respect**. My teacher/counselor/administrator has explained to me that I am not allowed to:

- **Speak to or about anyone in an unkind or hurtful way**
(such as: teasing, name calling, spreading rumors, put downs, or making fun of someone)
- **Hurt another person's body**
(such as: biting, hitting, kicking, pushing, pulling hair and tripping)
- **Pass mean notes around or not include someone in a group**
(such as: telling others not to be his/her friend or not to play with them)
- **Other:** _____

I **PROMISE** not to bully _____

I **PROMISE** to show respect for him/her/them and to all students and teachers.

CONSEQUENCES

I, _____ understand that by signing this contract I agree to stop bullying and I know that if I break this contract the following consequences may occur:

I will be placed in time out for _____ minutes during recess

I will get a referral to the office

Other: _____

Student's Signature

Counselor/Administrator's Signature

Parent's Signature

Date

United Independent School District does not discriminate on the basis of race, religion, color, national origin, sex, or disability in providing education services, activities, and programs including vocational programs, in accordance with title VI of the Civil Rights Act of 1964, as amended. Title IX of the Educational Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, as amended.
Guidance and Counseling Dept.

As of 3/3/11

Adapted from Fasken Elem.



NO BULLYING/STAY AWAY CONTRACT

Texas Education Code 25.0341 defines bullying as engaging in written or verbal expression or physical conduct in which a school district determines meets the following criteria:

- Having the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to the student person or of damage to the student’s property.
- Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

Bullying or harassment can include behaviors such as name calling, teasing, put downs, damaging the property of others, rumor spreading, excluding others, hitting, pushing, shoving, unwanted emails or texts, or making someone feel scared or uncomfortable.

The person signing this agreement agrees to refrain from bullying to another person, agrees to attend a follow-up session to review this agreement, and understands that if the bullying continues there will be consequences for these actions.

I, _____, have been advised by _____ (counselor, administrator, or teacher) to have no verbal or physical interaction with fellow students, which are not welcomed or perceived as intimidating or bullying.

I am aware that although I may have intended it in a friendly or amusing manner, it is the perception of the person receiving the inappropriate conduct that determines whether or not it is intimidation, harassment and/or bullying.

I have been informed that I am not to touch, call names, intimidate, disrespect, bully, cyber-bully, or make _____ (victim) feel uncomfortable or embarrassed in any way. I have been informed that continued unwanted contact could result in charges of harassment and for bullying.

I have also been informed that my primary goal is to prepare myself academically for graduation and that all student behavior should be directed toward being successful to meet this goal.

I am aware that violations of this agreement and acts of retaliation directly or indirectly toward the victim or the victim’s friends or family members will be taken seriously and will result in further disciplinary actions.

Agreement is valid from _____ to _____
Date Date

Student Signature Date

Parent Signature Date

Name and Title of School Official Date

Parent/Guardian’s Phone Numbers: _____

United Independent School District does not discriminate on the basis of race, religion, color, national origin, sex, or disability in providing education services, activities, and programs including vocational programs, in accordance with title VI of the Civil Rights Act of 1964, as amended. Title IX of the Educational Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, as amended.



UNITED INDEPENDENT SCHOOL DISTRICT SCHOOL-BASED SAFETY PLAN

The intent of this agreement is to increase safety for students who have been the victim of severe or repeated ___bullying, ___sexual harassment, ___dating violence, or ___sexual violence. It is to be administered in a conference with the alleged perpetrator and his or her parent/guardian.

Name of student: _____

Date of most serious incident: _____

Description of behaviors involved in incident:

Date of assessment: _____

Date of parent/guardian notification: _____

In order to protect the rights and safety of all members of our school community, you are required to stay away from (name of victim): _____ at all times during the school day and at any school-sponsored event. This means that you may not approach, talk to, sit by, or have any contact with (name of victim): _____ at school or on school property, school buses, and school stops.

In addition, the following actions are effective immediately:

Arrival/Departure

Time: _____ Entrance: _____

Bus/Parking: _____

Lunch: _____

Extracurricular Activities: _____

Current Schedule

New Schedule

Other disciplinary actions: _____

Violations of this agreement and facts of retaliation directly or indirectly toward the victim or the victim's friends or family members will be taken seriously and will result in further disciplinary actions. Your compliance will be monitored by (name and staff title): _____

Agreement is valid from _____ to _____
Date Date

This agreement will be reviewed on _____
Date

Signatures:

Student: _____ Date: _____

Parent/Guardian: _____ Date: _____

Administrator: _____ Date: _____

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Adapted from original forms developed by Austin Independent School District



United Independent School District
NOTICE OF PARENT AND STUDENT RIGHTS

The United Independent School District (UISD) is committed to providing a positive learning environment for all students that enhances personal safety and promotes respect, dignity, and equality among students. High standards are expected for both academic achievement and for behavior.

UISD strives to ensure that all of its students and employees are free from all forms of harassment including: bullying, sexual harassment, dating violence, and sexual violence. All charges of bullying, sexual harassment, dating violence, and sexual violence are to be taken very seriously by students, faculty, staff, administration, and parents/guardians. UISD will make every effort to handle and respond to every charge and complaint filed by students and employees in a fair, thorough, and just manner. Every effort will be made to protect the due process rights of all victims and all alleged perpetrators.

Bullying is defined as engaging in written or verbal expression or physical conduct that the Board or its designee determines: 1) 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, or pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

Harassment is defined as conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint or maliciously and substantially harms another student's physical or emotional health or safety.

Sexual harassment is conduct that is severe, pervasive, and objectively offensive in such a manner that it can be said to deprive the victim of access to the educational opportunities or benefits provided by the school. It is a form of harassment that includes touching someone in ways that are not wanted, sexual jokes, pressuring someone to have sex, threats or intimidation from a dating partner, or any other form of harassment of a sexual nature that would make a reasonable person uncomfortable.

Dating violence is defined as the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person in a dating relationship. Dating violence is a pattern of coercive behavior that one partner exerts over the other for the purpose of establishing and maintaining power and control.

Sexual violence is defined as sexual assault, sexual abuse, or sexual stalking of a minor child or teenager, including sexual violence committed by perpetrators who are strangers to the victim and by perpetrators who are known or related by blood or marriage to the victim. This definition includes behavior including but not limited to incest, molestation, child abuse, stranger rape, and non stranger rape.

Students, who believe they have been harassed, bullied, or otherwise victimized by fellow students or UISD employees are encouraged to promptly report such incidents to the campus principal or other campus professional. To the greatest extent possible, complaints shall be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation.

A student or parent/guardian who has a complaint alleging bullying, harassment, dating violence, or sexual violence may request a conference with the principal or the principal’s designee. If the student or parent/guardian is not satisfied with the response from the campus staff, they may request a conference with the Superintendent or designee, or UISD’s Title IX Coordinator.

Complaints will be documented and investigated in accordance with UISD policy and guidelines. Any staff member who observes an incident that involves physical or sexual assault or threats will report the incident immediately to the principal. Any staff member who learns of an incident or threat may submit a Complaint Form on behalf of the victim.

Campus Complaint Procedure:

- 1) Students and staff members will complete a Complaint Form available from the counselor or administrator.
- 2) The Complaint Form will be submitted to the principal or designee immediately.
- 3) The principal or designee will investigate complaints by meeting **separately** with each student involved in the situation.
- 4) The principal will conference with the victim and parent/guardian to discuss safety and community resources.
- 5) The principal will conference with the alleged perpetrator and parent/guardian to discuss appropriate behaviors and consequences. With the prior consent of the victim, the principal may issue a School-Based Stay-Away Agreement to the alleged perpetrator during the parent/guardian conference.
- 6) Documentation of all Complaint Forms, follow-up actions and Stay-Away Agreements will be available to the General Counsel at all times.

Please review this information and return this signed page to the school, retaining the first page for your records.

For more information about your rights and responsibilities concerning bullying, harassment, dating violence or sexual violence, please contact UISD’s Title IX Coordinator.

_____	_____	_____
Parent/Guardian Name	Parent/Guardian Signature	Date
_____	_____	_____
Student Name	Student Signature	Date
_____	_____	_____
Administrator Name	Administrator Signature	Date

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Adapted from original forms developed by Austin Independent School District



UNITED INDEPENDENT SCHOOL DISTRICT STUDENT COMPLAINT FORM INSTRUCTIONS

A counselor or administrator who receives a report of bullying, sexual harassment, or dating violence, or sexual violence will address the following issues with the student who was the victim of the reported behaviors in a private meeting before assisting the student in completing the Complaint Form.

Your Right to File a Complaint

The policy of United ISD is that all students and employees be free from bullying, sexual harassment, dating violence and sexual violence. All charges of bullying, sexual harassment, dating violence and sexual violence will be taken very seriously by students, faculty, staff, administration, and parents/guardians. The District will make every reasonable effort to handle and respond to every charge and complaint filed by students and employees in a fair, thorough, and just manner. Every reasonable effort will be made to protect the due process rights of all victims and all alleged perpetrators.

Instructions: Use this form to report bullying, sexual harassment, dating violence, and sexual violence so that school officials may investigate and take appropriate actions to increase your safety.

Complete the form, providing as much detailed information as possible so that the complaint may be properly investigated. It is important that you report the facts as accurately and completely as possible and that you cooperate fully with the persons designated to investigate the complaint.

Where to file: Complaint forms will be available from any counselor or administrator.

Confidentiality: To conduct this investigation in a confidential manner, the school will disclose the contents of your complaint only to those persons who have a need to know of your complaint. In signing the complaint form, you authorize the school to disclose as needed the information you have provided, and may in the future provide, regarding your complaint. Your complaint form will not be show to the alleged perpetrator.

Retaliation prohibited: Retaliation against a person who files a formal complaint is strictly prohibited and is grounds for disciplinary action, including but not limited to detention, suspension, and expulsion.



UNITED INDEPENDENT SCHOOL DISTRICT STUDENT INCIDENT/COMPLAINT FORM

Student's Name: _____ Student's ID: _____

Grade: _____ Date: _____ Time: _____ School: _____

Please answer the following questions about the most serious incident:

List the name of the alleged perpetrator(s): _____

What is the relationship between you and the alleged perpetrator(s)? _____

Describe the incident: _____

When did the incident happen? _____

Where did the incident happen? _____

Were there any witnesses? Yes No

If yes, who? _____

Is this the first incident? Yes No

If no, how many times has it happened before? _____

Other information, including previous incidents or threats: _____

I certify that all statements made in the complaint are true and complete. Any intentional misstatement of fact will subject me to appropriate disciplinary action. I authorize school officials to disclose the information I provide only as necessary in pursuing the investigation.

Signatures:

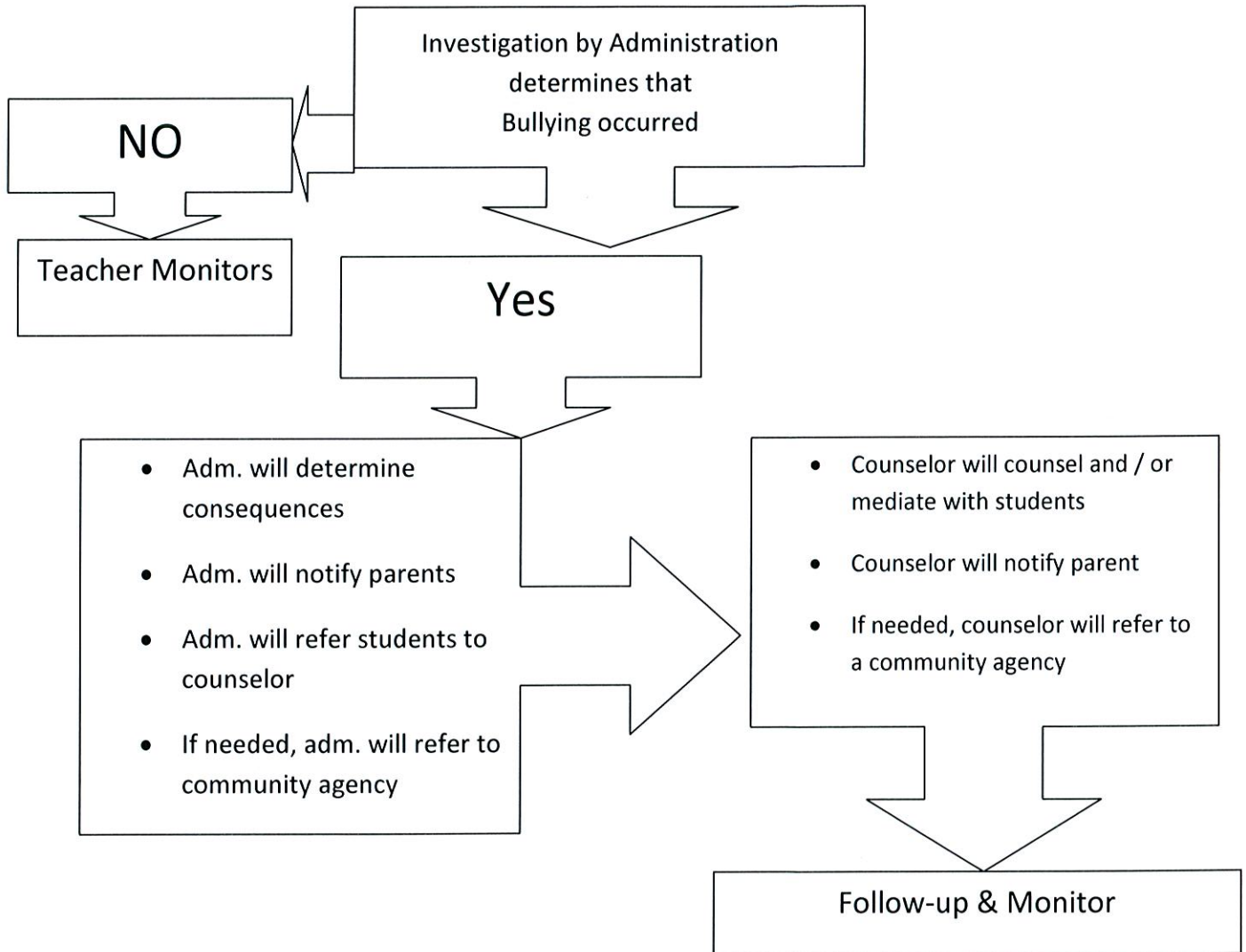
Student: _____ Date: _____

Parent: _____ Date: _____

School Official receiving complaint: _____ Date: _____

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Bullying Referral Process





Bullying/Harassment Protocol for Teachers and Staff

Staff members responding to an incident of bullying or harassment between students occurring anywhere on campus shall follow all of the steps below. PLEASE NOTE: Para-professionals shall report complaints to classroom teacher. Para-professionals SHALL NOT set up conferences but may be present at conference to report any information deemed necessary.

Date Completed	Initials	Activity
		Fulfill the state's mandatory reporting laws regarding suspected abuse or neglect of a child if applicable.
		Separate the victim from the alleged perpetrator.
		Speak separately with the victim and the alleged perpetrator.
		Ask alleged victim (student) and/or parent to fill out Student Incident/Complaint Report (in packet).
		Review form with parent and alleged victim (student). Ask for clarification or additional information if necessary.
		Inform the parent that you will be turning in form to an administrator and the administrator will conduct an investigation.
		Inform parent that an administrator will contact them once the investigation is complete.
		Turn in packet along with this checklist to an administrator.
		Monitor the victim's safety and increase supervision of the alleged perpetrator as needed. If the bullying and or harassment continues, you will need to write a discipline referral (work with administrator).

Adapted from Col. Santos Benavides Elem. and Round Rock ISD



Bullying/Harassment Protocol for Administrators and Counselors

Date Completed	Initials	Activity
		Fulfill the state's mandatory reporting laws regarding suspected abuse or neglect of a child if applicable.
		Receive/Review student incident/complaint form. <i>This will be completed by the administrator.</i>
		Set up conference with alleged victim (student) and parent to review form and get additional information/clarification. <i>This will be completed by administrator.</i>
		Conduct investigation (use UISD Investigation Interview Notes packet). Speak to the victim and the alleged perpetrator separately. Speak to any witnesses if applicable. <i>This will be completed by administrator.</i>
		Set up conference with alleged perpetrator (student) and parent and at conclusion of conference if (a) bullying was determined than provide appropriate discipline consequences and have alleged perpetrator (student) and parent sign No Bullying/Stay Away Contract (use form provided). If (b) investigation was non-conclusive than have alleged perpetrator (student) and parent sign No Bullying/Stay Away Contract. If parent/student refuse to sign the No Bullying/Stay Away Contract make sure to document. <i>This will be completed by administrator.</i>
		Provide alleged perpetrator (student) a minimum of two counseling sessions. <i>This will be completed by counselor.</i>
		Conduct three follow up counseling sessions with alleged victim (student) and student witnesses (if any) to ensure bullying/harassment has stopped and document (use form provided). <i>This will be completed by counselor.</i>
		If bullying/harassment continues, initiate a discipline referral and follow consequences as stated in the Student Code of Conduct. <i>This will be initiated by the administrator.</i>
		Notify office of superintendent or designee for serious offenses of bullying, sexual harassment or discrimination. Report to UISD police if necessary. Name of officer: _____
		<i>Complete packet will be kept by the counselor</i>

Adapted from Col. Santos Benavides Elem.



Bullying/Harassment Follow-Up Documentation (Victim)

Meet with victim (student) a minimum of three times to follow-up on bullying/harassment. If victim (student) reports that harassment has continued initiate a discipline referral.

Date	Follow-up	Follow-up Notes	Signature of Student/Staff
	# 1		
	#2		
	#3		

Adapted from Col. Santos Benavides Elem.



Bullying/Harassment Follow-Up Documentation (Perpetrator)

Meet with perpetrator (student) a minimum of two times to follow-up on bullying/harassment.

Date	Follow-up	Follow-up Notes	Signature of Student/Staff
	#1		
	#2		

Adapted by Col. Santos Benavides Elem.

INVESTIGATION INTERVIEW
NOTES PACKET

Complainant Interview Notes
Witness Interview Notes
Accused Interview Notes
Fact Finding Conclusion Form

**INVESTIGATION QUESTIONNAIRE
MAIN COMPLAINANT**

Admonition

1. Describe purpose of interview (to gather facts; District wants truthful information).
2. No conclusions have been reached.
3. No retaliation for submitting complaint and/or statement.
4. Confidentiality: Ask that statement given be kept confidential. Do not discourage complainant from seeking legal representation. If necessary, give name of HR personnel who can assist further. Do not promise absolute confidentiality; however, inform complainant that matter will be treated as confidential to the extent possible, but information will need to be communicated with those that need to know.
5. Advise complainant that if they have any pertinent information and/or names of witnesses, they must advise you.

**INVESTIGATION INTERVIEW NOTES
MAIN COMPLAINANT**

Complainant's Name: _____		Date of Interview: _____	
(Circle one) Parent	Community Member	Employee	Other: _____
Position (if employee): _____		Employee ID#: _____	
Campus: _____			
Grade (if student): _____		Age: _____ Student ID#: _____	
Parent(s) Name: _____		Phone Number: _____	

1. Please describe nature of complaint (with as much detail as possible).

2. When did the incident in question happen?

3. Where did the incident in question occur?
4. Who are you making the complaint against?
5. What did you personally see or hear?
6. Is the problem still ongoing?
7. How often did it occur?
8. How did you react?
9. How have you been affected by the incident in question?
10. Was anyone present when the alleged incident occurred?
11. Did you tell anyone about it, and if so who?
12. When did you tell anyone about it?
13. Did anyone see you after the alleged incident occurred? If so, who?
14. Do you know if the perpetrator did the same thing with someone else?

15. Are there any notes, evidence, or documentation regarding the incident?

16. How do you want the situation resolved?

17. Do you know any other relevant information?

Evidence/Documentation Received:

Listed below is documentation received, date evidence/documentation was received, and from whom the evidence/documentation was received. (Make sure to keep originals of documents in a safe, secure place)

Document/Evidence:

Date Received:

From Whom:

1. _____

2. _____

3. _____

4. _____

**INVESTIGATION INTERVIEW NOTES
WITNESS INTERVIEW**

Witness Name: _____		Date of Interview: _____	
(Circle one): Parent Community Member Employee Other: _____			
Position (if employee): _____		Employee ID#: _____	
Campus: _____			
Grade (if student): _____		Age: _____ Student ID#: _____	
Parents(s) Name: _____			

Admonition:

1. Inform of purpose of interview (gather facts, ascertain truth of allegation).
2. Inform that no conclusion has been reached; only fact-finding at this point.
3. Inform to maintain interview confidential.
4. Reminder of no retaliation for cooperating in the fact-finding investigation.
5. If the witness knows of any other witness names or pertinent evidence, they must advise you.

Questions:

1. Name:

2. Position or Grade:

3. Date Interviewed:

4. Inform and describe nature of allegations being made:

5. Do you have personal knowledge of the incident in question, if so, how?

6. What exactly did you personally witness (see or hear)?

7. What did complainant say to you about the incident in question?

8. When did he or she tell you?

9. What did the alleged perpetrator say to you about the incident in question?

10. When did the alleged perpetrator talk to you?

11. Have you personally observed or heard any other inappropriate behavior by the alleged perpetrator?

12. Any other evidence or information that District should know?

13. What are the names of any others who may have information relating to the incident/inappropriate behavior by the alleged perpetrator?

Evidence/Documentation Received:

Listed below is documentation received, date evidence/documentation was received, and from whom the evidence/documentation was received. (Make sure to keep originals of documents in a safe, secure place)

Document/Evidence:	Date Received:	From Whom:
1. _____		
2. _____		
3. _____		
4. _____		

INVESTIGATION INTERVIEW NOTES ACCUSED

Accused Name: _____	Date of Interview: _____
Position (if employee): _____	Employee ID#: _____
Campus: _____	
Grade (if student): _____	Age: _____ Student ID#: _____
Parent(s) Name: _____	Phone Number: _____

Admonition:

1. Inform what the purpose of the interview is for (gather facts, determine truth, etc.)
2. Inform that no conclusions have been made.
3. Inform that retaliation is prohibited by District policy and law.
4. Remind that the interview must be kept confidential and direct not to discuss the matter with anyone.
5. Do not prohibit accused of obtaining legal representation.

Questions:

1. Describe nature of allegations being made.
2. Inform accused that he or she will have an opportunity to respond to each and every allegation.
3. Date of interview:
4. State each allegation and have the accused give his/her version or explanation (take copious notes).
5. Why do you think allegations are being made?
6. How do you know complainant?

7. What kind of interaction, in the past, have you had with complainant?

FACT FINDING/CONCLUSION

8. Where were you when the incident in question happened?

9. Who was with you?

10. What witnesses names do you have that would corroborate your version of events?

11. Is there any relevant evidence/documentation that you would like to submit?

12. Any other facts that District should be aware of?

Evidence/Documentation Received:

Listed below is documentation received, date evidence/documentation was received, and from whom the evidence/documentation was received. (Make sure to keep originals of documents in a safe, secure place.)

Document/Evidence:

Date Received:

From Whom:

- 1. _____
- 2. _____
- 3. _____
- 4. _____

Student Code of Conduct Revisions

United ISD prohibits conduct that consists of bullying or harassment. In addition to the penalties and consequences set forth in this Student Code of Conduct, pursuant to state law, on the request of a parent of other person with authority to act on behalf of a student who is a victim of bullying, a student who is a victim of such conduct as determined by the Board of Trustees, may receive a transfer to another classroom at the campus to which the victim was assigned at the time of bullying occurred; or a campus in the school district other than the campus which the victim was assigned at the time the bullying occurred. The Board of Trustees may also transfer a student who engages in bullying to (1) another classroom at the campus to which was assigned at the time the bullying occurred; or (2) another campus in the district other than the campus to which the victim was assigned at the time the bullying occurred.

The board of trustees or the board's designee shall verify that a student has been a victim of bullying before transferring the student under this section. Past student behavior may be considered when identifying a bully. The determination by the board of trustees or the board's designee is final and may not be appealed. The district is not required to provide transportation to a student who transfers to another campus. There are no hearings and appeals for a transfer due to bullying behavior.

The following language should be inserted into the Code of Student Conduct in the Bullying and Harassment Violations Section.

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, counselor, principal, or other District employee. A report may be made orally or in writing. Formal Complaint Forms are available from school principals or counselors. Counselors and administrators are available to assist students in completing the form.

HOUSE BILL 1942

Bullying

Region XIII ESC

Presented to Instructional Board Committee

June 11, 2012

Beginning 2012-2013

- ▣ Boards must adopt policies that:
 - Prohibit bullying
 - Prohibit retaliation for good faith reports
 - Establish procedures to notify parents
 - Establish actions a student should take to obtain assistance
 - Sets out counseling options for bullies, victims, and bystanders

Continued

- Establish procedures for reporting, investigating, and determining whether bullying occurred
- Prohibit discipline measures against the victim on the basis of reasonable self-defense
- Discipline for the bullying of a student with disabilities complies with applicable federal laws

Health Curriculum

- ▣ Must include essential knowledge and skills that include evidence-based practices that will effectively address awareness, prevention, identification, self-defense in response to and resolution of and intervention in bullying and harassment.

Policies

- ▣ Each year these policies and procedures must be posted in employee and student handbooks, district improvement plans, and procedures for reporting bullying behavior must be posted on the districts website.

Transfer of Students

- ▣ May transfer a student who has engaged in bullying to:
 - Another classroom at the campus
 - Another campus, in consultation with the parent of the bully