

RESPONDING TO REPORTS OF BULLYING AND HARASSMENT INVOLVING STUDENTS

I. RESPONDING TO AND INVESTIGATING REPORTS OF POSSIBLE BULLYING OR HARASSMENT INVOLVING STUDENTS

A. General Expectations and Priority Actions

Whenever the District receives any report or complaint regarding alleged bullying or harassment of a student (whether written or verbal), or where any employee is otherwise addressing an incident, concern, or allegation that the employee understands to be related to possible bullying or harassment of a student, the District shall implement the following high-priority response measures:

1. Timely intervention to attempt to stop harmful or inappropriate behavior in any incident that is presently taking place;
2. Taking steps to address concerns regarding any imminent threats or imminent harm; and
3. Identifying a teacher, administrator, or other licensed staff member who will quickly make a personal contact with the student who has been clearly identified as a possible victim/target of bullying or harassment and with the alleged perpetrator.

The District's further expectation is that employees will process written reports and formal complaints according to established procedures, and, more generally, appropriately scale the District's response to any report or complaint in a manner that reflects the known nature and severity of the specific incident(s)/concern(s). The District's response to any situation involving bullying or harassment should be adjusted any time the District determines that an initial response or attempted resolution has been ineffective.

B. Investigating a Written Report of Bullying or Harassment

The following procedures shall be used to process any clearly identified written report of possible bullying or harassment of a student that is received by the District, including most reports submitted using the District's "Report of Bullying or Harassment" form, but not including any report or complaint that is being separately processed under the District's formal student discrimination complaint procedure. Where any written report of bullying or harassment specifies that the alleged conduct is based, in whole or in part, on a student's legally-protected classification (e.g., race, sex, sexual orientation, disability, etc.), the District reserves the right to divert the report for separate processing as a complaint under the District's student discrimination complaint procedures.

1. Initial Screening. Under the direction of a school administrator, each written “Report of Bullying or Harassment” may initially be screened by a licensed staff member to determine whether the report involves conduct that, if substantiated, could be a violation of the District’s anti-bullying and anti-harassment policy. This step will normally involve making contact within one school day with the individual who submitted the report, as well as with each student who is an alleged target/victim.
 - a. If the District, with the approval of a school administrator, determines that the report involves conduct that would not be a violation of the District’s bullying and harassment policy, the issue may be diverted from these procedures for another appropriate resolution. The individual filing the report and each known target/victim and his/her parent or guardian will be notified of such a decision, and they may, within 10 days of being notified, request reconsideration of the decision.
 - b. If the initial screening suggests that bullying or harassment may have occurred (or may be occurring), an administrator or designee will continue to investigate the report under these procedures.
 - c. Depending on the severity of the alleged incident, parents of all students involved in the incident(s) may be contacted at this stage of the process. This contact will be more likely for more serious incidents.

Nothing in the remainder of these procedures prevents an administrator, a target/victim, and the student’s parent or guardian from mutually agreeing, at any time, to a resolution of a report of bullying or harassment that is satisfactory to all parties, even though it departs from these procedures. Such an alternative resolution shall be documented in the District’s records. However, no administrator shall approve a resolution that he/she determines (a) does not adequately address the matter, or (b) may jeopardize any person’s safety.

Regardless of who initially submitted the report, the District’s primary point of contact from this point forward will be with each student who is an alleged target/victim and the student’s parent or guardian.

2. Post-Screening Investigation. When any report of bullying or harassment is investigated beyond the initial screening stage, a thorough investigation shall be conducted by an administrator or by a licensed staff member acting under the direction of an administrator, unless the District Administrator engages an independent outside party to conduct the investigation.
 - a. The investigation shall be conducted by a person who the District determines is not a person who is allegedly responsible for or directly involved in the underlying issue or incident.
 - b. The investigator shall ensure that the person who filed the report (unless the report was anonymous) and any student who has been identified as an alleged victim/target has had an opportunity to present relevant information or other evidence.

- c. Prior to making and issuing any determination that a report of bullying or harassment has been substantiated, the investigator shall (unless the student is unavailable to the District) provide any accused bully/aggressor who has been identified with an opportunity to respond to the allegations and to present relevant information or other evidence.
 - d. Nothing in these procedures prevents the District from implementing interim responsive measures (e.g., pending completion of an investigation) intended to address any person's safety and well-being, prevent continuation or escalation of a conflict, or prevent disruption to a student's education or within any school environment. These interim responsive measures may include involving/notifying additional school staff who have been determined by the administration to have legitimate educational interests, including safety interests, under Wis. Stat. sec. 118.125(2)(d).
3. Administrative Determination. Following the completion of the investigation described in Step 2, the person who conducted the investigation (if someone other than the building principal or District Administrator) shall consult with a building principal or the District Administrator, and the administration will determine whether any bullying, harassment, or other violation of District policies or school rules has been substantiated.
 - a. The District will notify each student (and his/her parent or guardian) who was identified as an alleged target/victim of the extent to which the District determined that the student has (or has not) been subjected to bullying or harassment in violation of Board policy.
 - b. The District will notify each student (and his/her parent or guardian) who was identified as an alleged bully/aggressor of the extent to which the District determined (if at all) that the student engaged in bullying, harassment, or other conduct prohibited by Board policy or school rules. The appropriate entries documenting any violation(s) will be made in the student's behavioral records.
4. Request for Reconsideration of the Administrative Determination. Any student, or any parent or guardian of the student, who is an alleged target/victim or an alleged bully/aggressor and who disagrees with the administration's decision in the matter may, within 10 calendar days of being notified of the administration's decision, file a written request for reconsideration with the office of the District Administrator. Unless additional time is needed to conduct further investigation or to evaluate new information, the District Administrator shall normally respond to the request for reconsideration within 10 calendar days.
5. Optional Appeal to the School Board. Any student, or any parent or guardian of the student, who is an alleged target/victim or an alleged bully/aggressor and who disagrees with the District Administrator's resolution upon reconsideration may treat the District Administrator's decision as the District's final decision or submit an appeal to the School Board. Any appeal to the Board shall be filed in care of the School Board Clerk at the Office of the District Administrator within ten calendar days of receipt of the District Administrator's decision, and the request shall state the reasons the decision is

being appealed. The Board will provide a response to the appeal, which may or may not involve a meeting with the relevant parties and/or further investigation.

6. Appeal to DPI in Limited Cases. Where any written “Report of Bullying or Harassment” investigated under these procedures specifies that the alleged conduct is based, in whole or in part, on a student’s legally-protected classification (e.g., race, sex, sexual orientation, disability, etc.), the complaining party may appeal any negative final decision of the District to the State Superintendent of Public Instruction. Accordingly, in such cases, notice of a negative determination issued to the complainant by the District Administrator upon reconsideration or (if applicable) by the Board shall include notice to the complainant that the District’s determination may be appealed to the State Superintendent in writing within 30 days using the procedures identified in Chapter PI 1 of the Wisconsin Administrative Code.

II. DISTRICT INTERVENTIONS FOLLOWING REPORTS AND SUBSTANTIATED INCIDENTS OF BULLYING OR HARASSMENT INVOLVING STUDENTS

A. Supporting a Student who Expresses Concerns or Fears Related to Bullying or Harassment

In some situations, an investigation may be unable to substantiate a particular incident, unable to identify any or all students who may have been involved in a particular incident, or result in a finding that away-from-school conduct cannot be investigated as a District matter. However, a substantiated incident is not a pre-requisite to providing supportive interventions on behalf of a student who expresses concerns or fears related to bullying or harassment. Any time the District is working with a student and/or his/her parent or guardian surrounding concerns with bullying or harassment, staff may explore the extent to which on-going monitoring, counseling, or other supportive measures may be useful and appropriate.

B. Supporting a Student Victim Following a Substantiated Incident of Bullying or Harassment

Following any substantiated incident of bullying or harassment involving a student victim, the building principal or other administrator assigned by the Superintendent shall specify in writing for the student and his/her parent or guardian the victim-focused interventions that the District intends to implement. Examples of possible interventions and responses include:

- Establishing clear points of contact if the student, or the student’s parent or guardian, has ongoing or new concerns, if any issues concerning retaliation arise, etc.;
- Establishing date(s) by which a designated staff member will initiate follow-up contact with the student and/or the parent or guardian;
- Involving/notifying additional school staff who have been determined by the administration to have legitimate educational interests, including safety interests, under Wis. Stat. sec. 118.125(2)(d);

- Monitoring particular situations/settings; Providing student services (e.g., counseling); Establishing and implementing specific safety plans.

C. Accountability for Students Who Have Engaged in Bullying or Harassment

If the District issues a determination under these procedures that a student has engaged in conduct that constitutes bullying or harassment in violation of Board policy, the [identify the appropriate staff position(s) – e.g., building principal and/or District Administrator] shall specify in writing for the student and his/her parent or guardian (1) any school-related consequences that the District is imposing on the student; and/or (2) any other interventions that the District intends to implement to promote positive changes in the student’s interpersonal skills, communication skills, socio-emotional development (e.g. his/her capacity to demonstrate empathy for others) and/or general behavior moving forward.

Examples of possible school-related consequences include: detention, loss or suspension of privileges, loss or suspension from activities, in-school suspension, out-of-school suspension, and expulsion from school.

Examples of other possible interventions include:

- Holding meetings involving the student and his/her parent or guardian which cover issues such as ensuring that the student understands (a) the consequences and impact of his/her past behavior; (b) how the District defines bullying and harassment; (c) the possible consequences for future violations of the District’s behavioral expectations; and (d) that any type of retaliation related to the incident is prohibited and would be a serious offense;
- Establishing date(s) by which a designated staff member will initiate follow-up contact with the student and/or the parent or guardian;
- Providing student services (e.g., counseling);
- Interventions intended to identify/address potential underlying causes of the behavior and teach new skills;
- Referring the student’s parent or guardian to available community services, non-District counseling, etc.

Nothing in these procedures prevents District staff from involving or referring a matter to law enforcement where a student’s conduct may have violated one or more laws or where safety interests indicate that such involvement is appropriate.

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