

HARASSMENT/BULLYING INVESTIGATION PROTOCOL

When investigating any alleged Code of Conduct violation it is important to remember to provide the student with an appropriate level of due process which includes:

- The student shall be given oral or written notice of the charges and evidence against him/her; and
- An opportunity to explain his/her side of the story

When investigating allegations of harassment or bullying (JCDA-R, Subsections L1, L3, or U2) the following steps will further assist administrators in documentation of the report, the investigation and the follow-up with parents and students:

- **INVESTIGATE:**
 - Upon receipt of any report of bullying or harassment, an administrator should conduct an investigation in a timely manner, beginning no later than the following school day.
 - The investigation should include interviewing the alleged perpetrator(s) and victim(s), identified witness(es), teacher(s) and staff member(s) and reviewing video surveillance if available.
 - When investigating harassment or bullying it is helpful to keep information regarding who reported the incident confidential. This will assist in creating a climate where students are not fearful of reporting.
 - Public Safety, school counselors, school social workers and/or other support staff should be utilized for their expertise as appropriate based upon the circumstances of the matter.
- **NOTIFY:**
 - Parents of the alleged victim *and* the alleged perpetrator must be notified of the report and of the result of the investigation by conference, letter or e-mail. The specific discipline of another student, if any, will not be shared according to FERPA guidelines.
- **DISCIPLINE:**
 - Upon confirmation that harassment or bullying has occurred, the accused student should be charged with the appropriate Code of Conduct violation (L1, L3, or U2) and consequence accordingly. This information will then be entered in CSIS.
 - **NOTE:** If the allegation is proven not to be true, the allegation should still be entered in CSIS. This is done in STEP 1 only of the discipline module.
- **FOLLOW UP:**
 - Follow up is important to the accused and the victim. Reiterate to all parties that retaliation following a report of harassment or bullying is strictly prohibited and may result in additional disciplinary action.

These steps will assist administrators in meeting the requirements of Georgia's bullying law (O.C.G.A. §20-2-751.4) as well as the State Department of Education's Policy for Prohibiting Bullying, Harassment and Intimidation.

The attached forms may be used for documentation of the report and the investigation. It is important that written documentation of the complaint, the investigation and the response to parents be maintained by the administrator.

CONFIDENTIAL

**Harassment and Bullying
Student Complaint Form**

The school takes student safety seriously. When student's feel that they are being harassed or bullied, it is important that this be reported to the appropriate school staff. It is very important that you provide the school with as much information as possible. The more complete the information that you provide, the more successful the school can be in thoroughly investigating and addressing the situation.

Name of the Person Reporting: _____

Are you the

Targeted Student

Parent*

Witness/Bystander*

Other*

*If you are not the targeted student, please list his/her name: _____

Name of the person(s) who you believe harassed or bullied you/targeted student: _____

When did this happen? _____

Where did this happen? _____

Describe what happened. Be very specific. _____

Did anyone witness this incident? If so list their first and last names. _____

What was your/targeted student's response to this situation? _____

How has this incident affected you/targeted student at school? _____

Were you/targeted student physically harmed during this situation? If so, how? _____

Is there anything else we need to know about this situation? _____

Signature of Person Reporting

Date

If your statement was transcribed by a school official, please fill out the following:

Statement was accurately transcribed by _____

(school official's name)

in _____'s presence.

(student's name)

Student's Initials: _____

Date: _____

CONFIDENTIAL
Student Complaint
Investigation Report

School: _____ Date: _____

Complaint: Harassment Bullying
On the basis of: Disability Race, color, or national origin Religion
 Sex Sexual Orientation Undetermined

Reported Victim: _____

Basis of Complaint (Attach copy of the student complaint form)

Interviews/Statements (Attach copies of written statements by complainant, charged party, witness(es) and notes of interviews.

Finding of Fact – after completion of the investigation, the administrator should document his/her determination of the incident:

Action Taken

- None (Allegation Only)
- JCDA-R (attach a copy of the administrative referral form)

Parental Notification

Date Parent of Victim was notified: _____
Date Parent of Accused was notified: _____

Administrator's Signature

Date

Steps in Investigating Charges of Harassment or Bullying

Step 1: Act immediately and appropriately:

- Upon receipt of any report of bullying or harassment, an administrator should conduct an investigation beginning no later than the following school day.
- Note: If allegations of bullying or harassment involve a protected status including race, creed, color, national origin, religion, sex, age, or disability, the administrator should consult other applicable district policies and protocol for further additional steps that may be required. Examples include, but are not limited to, sexual harassment reporting and investigation and bullying or harassment based upon disability.

Step 2: Gather the Facts:

- Interview the charging party.
 - What did the other person do?
 - What did the other person say?
 - When did this happen?
 - Where did this happen?
- Document what you are told (make notes).
- Remind the charging party of the Code of Conduct rules regarding harassment and bullying (Subsections L1, L3, and U2).
- Avoid being judgmental. Remain objective. Only one side of the story has been heard.

Step 3: Interview All Identified Witnesses

- Ask the same questions that were asked of the victim.

Step 4: Interview the Accused Party

- Make him/her aware of the complaint.
- Ask if they have done what was alleged.
- Ask them for their side of the story.
- Ask if they have any witnesses.
 - Follow up with their witnesses (refer to Step 3).
- Avoid being judgmental. Remain objective.

Step 5: Complete the Investigation Report

Step 6: Advise Against Retaliation

- Reiterate to all parties that retaliation following a report of harassment or bullying is strictly prohibited and may result in additional disciplinary action.

Step 7: Contact Parents

- Parents of the alleged victim *and* the alleged perpetrator must be notified of the report and of the result of the investigation by conference, letter or e-mail. The specific discipline of another student, if any, will not be shared according to FERPA guidelines.
- Document parental contact on the Investigation Report form.

Step 8: Discipline

- Upon confirming that harassment or bullying has occurred, the accused student should be charged with harassment or bullying and given an age-appropriate consequence which shall include, at minimum and without limitation, disciplinary action or counseling as appropriate under the circumstances and District Code of Conduct (Subsections L1, L3, and U2).

Step 9: Follow Up

- Follow up is important to the accused and the victim. Implement a planned method to provide after-care and follow up if appropriate. Reiterate to all the previously stated prohibition on retaliation.