

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

2.71

ANTI-BULLYING AND HARASSMENT

POLICY:

It is the policy of the Hernando County School District that all of its students and school employees have an educational/work setting that is safe, secure, and free from harassment and bullying of any kind. The district will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.

(1) Definitions

- (a) Bullying – “Bullying” means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual’s performance or participation; and may involve but is not limited to:
- (i) Unwanted teasing
 - (ii) Social exclusion
 - (iii) Threat
 - (iv) Intimidation
 - (v) Stalking
 - (vi) Physical violence
 - (vii) Theft
 - (viii) Sexual, religious, or racial harassment
 - (ix) Public humiliation
 - (x) Destruction of property
- (b) Harassment – “Harassment” means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or employee that:

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- (i) Places a student or employee in reasonable fear of harm to his or her person or damage to his or her property;
- (ii) Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
- (iii) Has the effect of substantially disrupting the orderly operation of a school or workplace.

(c) **Bullying and harassment also encompasses:**

- (i) Retaliation against a student or employee by another student or employee for asserting or alleging an act of bullying or harassment.
Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

- (ii) Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or employee by:

- (1) Incitement or coercion.
- (2) Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the district school system.
- (3) Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

- (iii) Any harassment prohibited under State and federal law.

- (d) Cyberstalking – “Cyberstalking” as defined in §784.048(1)(d), F.S., means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

(2) Expectations

The Hernando County School District expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment. Students are expected to comply with established rules, follow directions, and respond respectfully to those in authority. In addition, students should be recognized and praised for demonstrating good conduct, self-discipline, good citizenship, and academic success.

The school district believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of students, staff, and community members.

Since students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment. All staff is expected to conduct themselves in a professional manner and adhere to ethical obligations as required by School Board Policy 6.301.

The school district upholds that bullying or harassment of any student or employee is prohibited:

- (a) During any education program or activity conducted by a public K-12 educational institution;
- (b) During any school-related or school-sponsored program or activity;
- (c) On a school bus of a public K-12 educational institution; or
- (d) Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K-12 education institution.

(3) Consequences

- (a) Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances, followed by the determination of disciplinary sanctions appropriate to the perpetrator's position within the District.
- (b) Consequences and appropriate interventions for students who commit an act of bullying or harassing may range from positive behavioral interventions up to, but not limited to expulsion, as outlined in the Student Code of Conduct, and this Policy.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- (c) Consequences and appropriate interventions for an employee found to have committed an act of bullying or harassing will be instituted in accordance with District policies, procedures, and agreements.
- (d) Additionally, egregious acts of bullying or harassing by certified educators may result in a sanction against an educator's state issued certificate.
- (e) Consequences and appropriate intervention for a visitor or volunteer, found to have committed an act of bullying or harassing shall be determined by the site administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.
- (f) These same actions will apply to persons, whether they be students, employees, or visitors/volunteers/independent contractors, who are found to have made wrongful and intentional accusations of another as a means of bullying or harassing.
- (g) The physical location or time access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated.

(4) Reporting an act of Bullying or Harassment

- (a) Site administrators are responsible for receiving oral or written complaints alleging violations of this policy.
- (b) All employees are required and must report, in writing, any allegations of bullying and violations of this policy to the site administrator. Failure to report will result in action(s) or discipline, consistent with School Board Policy, up to and including termination of employment.
- (c) Any other members of the school community who have credible information that an act of bullying or harassing has taken place are encouraged to file a report, whether a victim or witness.
- (d) Any student (and/or the parent on the complainant's behalf if the complainant is a minor) who believes he/she is a victim of bullying or harassment (or any individual, including any student who has knowledge of any incident(s) involving bullying or harassment of students) is strongly encouraged to report the incident(s) in writing to a school official. Complaints should be filed as soon as possible after the alleged incident and noted on the specified data system, but must be filed within thirty (30) school days after the alleged incident (i.e., within thirty (30) school days of the last act of alleged bullying or harassment). Failure on the part of the complainant to initiate and/or follow up on the complaint within this period may result in the complaint being deemed abandoned.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- (e) Site administrators shall prominently publicize to students, staff, volunteers, and parents, how a report of bullying or harassment may be filed and how this report will be acted upon.
- (f) A school district employee, school volunteer, contractor, student, parent, or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official, and who makes this report in compliance with the procedures set forth in this policy, is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying will not affect the complainant's or reporter's future employment, grades, learning or working environment, or work assignments within the Hernando County School System.
- (g) Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s). Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report. Anonymous reports may be made utilizing the Hernando County Public Schools Anonymous Bullying Report Form. This form can be found on the School District's website, at each school's front office, or at the District Office. Anonymous reports may be delivered or sent to the school administration's front office or the District Office.

(5) Investigation and Resolution

- (a) The investigation of a reported act of bullying or harassment of a student, employee, or other persons providing service to the school is deemed to be a school related activity and begins with a report of such an act.
- (b) The site administrator shall document all complaints in writing and/or through the designated data system to ensure that problems are addressed in a timely manner. Although this policy encourages students to use the formal written complaint process, school officials should investigate all complaints and reports of bullying or harassment, whether or not the complaint is in writing.
- (c) If the complaint is about the site administrator or the staff member's direct supervisor, then the Superintendent's designee shall be asked to address the complaint.
- (d) The site administrator selects a designee(s), employed by the school, trained in investigative procedures to initiate the investigation. The designee(s) may not be the accused perpetrator (harasser or bully) or victim.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- (e) The site administrator's designee shall begin a thorough investigation within five (5) school/work days of receiving a notification of complaint.
- (f) During the investigation, the site administrator may take appropriate action to protect the complainant, other students or employees consistent with the requirements of applicable regulations and statutes.
- (g) In general, student complainants will continue attendance at the same school and pursue their studies as directed while the investigation is conducted and the complaint is pending resolution.
- (h) When necessary to carry out the investigation or for other good reasons, and consistent with federal and state privacy laws, the site administrator or other appropriate administrator also may discuss the complaint with any school district employee, the parent of the complainant or accused, if one or both is a minor (or has given consent or is an adult who has been determined to be incompetent or unable to give informed consent due to disability), and/or child protective agencies responsible for investigating child abuse.
- (i) Documented interviews of the victim, alleged perpetrator, and witnesses are conducted privately, separately, and are confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
- (j) The investigator shall collect and evaluate the facts including, but not limited to:
 - (i) Description of incident(s) including nature of the behavior; context in which the alleged incident(s) occurred, etc.;
 - (ii) How often the conduct occurred;
 - (iii) Whether there were past incidents or past continuing patterns of behavior;
 - (iv) The relationship between the parties involved;
 - (v) The characteristics of parties involved (i.e., grade, age, etc.);
 - (vi) The identity and number of individuals who participated in bullying or harassing behavior;
 - (vii) Where the alleged incident(s) occurred;
 - (viii) Whether the conduct adversely affected the student's education or educational environment or employee's work environment;
 - (ix) Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and
 - (x) The date, time, and method in which the parents/legal guardians of all parties involved were contacted.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- (k) Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances and includes:
 - (i) Recommended remedial steps necessary to stop the bullying and/or harassing behavior; and
 - (ii) A written final report to the site administrator.
- (l) The investigation should be completed within 10 school/work days. If additional time is required, approval must be obtained from the Superintendent or his/her designee.
- (m) The site administrator shall make a decision about the validity of the allegations in the complaint and about any corrective action, if applicable.
- (n) Informal Resolution occurs when the administrator, along with the complainant and the accused, agree to informally resolve the complaint. The incident and the resolution must be documented on the designated data system. If a mutual resolution has not been achieved, the complainant shall proceed through the formal investigation and resolution process.
- (o) The resolution, all interviews and interventions that take place and the corresponding dates, shall be documented in writing and/or noted in the designated data system.

(6) Referral for External Investigation

If the behavior/conduct that is subject to a report, or complaint is not within the District's jurisdiction, referral to the appropriate agency shall be made immediately, the parent will be notified (if applicable), and the referral documented by the site administrator in the designated data system.

While the District does not assume any liability for incidences that must be referred to external investigation, it encourages the provision of assistance and intervention as the site administrator deems appropriate, including the use of the School Resources Officer and other personnel. The site administrator shall use the designated data reporting system to log all reports and interventions.

(7) Notification

The principal or principal's designee shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

If at any time after receiving a report/complaint about bullying or harassment there is a concern that the conduct in question is criminal in nature, a report shall be made to the appropriate law enforcement agency.

(8) Referral for Intervention

- (a) When a report or complaint is received, the principal/designee shall refer the student(s) to the guidance counselor/designee for determination of need for counseling support and interventions. Parent notification is required.
- (b) Referral of school or district personnel to the Employee Assistance Program (EAP) for consideration of appropriate services will be made by the site administrator.
- (c) School-based intervention and assistance will be determined by the principal and guidance counselor may include, but is not limited to:
 - (i) counseling and support to address the needs of the victims of bullying.
 - (ii) counseling interventions to address the behavior of the students who bully (e.g., empathy training, anger management).
 - (iii) assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.
- (d) Any investigations and referrals shall be recorded in the designated data system.

(9) Incident Reporting Requirements

The school district will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying/harassment as an incident code as well as bullying-related as a related element code. The SESIR definition of bullying/harassment is unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting or dehumanizing gesture, by an adult or student that is severe or pervasive enough to create an intimidating, hostile or offensive educational environment, cause discomfort or humiliation, or unreasonably interfere with the individual's school performance or participation.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

If a bullying and/or harassment incident occurs then it will be reported in SESIR with the bullying/harassment code. If the bullying/harassment results in any of the following SESIR incidents it will be coded appropriately using the relevant incident code and the related element code entitled bullying-related code. Those incidents are:

- (a) Arson
- (b) Battery
- (c) Breaking and Entering
- (d) Disruption on Campus
- (e) Major Fighting
- (f) Homicide
- (g) Kidnapping
- (h) Larceny/Theft
- (i) Robbery
- (j) Sexual Battery
- (k) Sexual Harassment
- (l) Sexual Offenses
- (m) Threat/Intimidation
- (n) Vandalism
- (o) Weapons Possession

Discipline and referral data will be recorded in Student Discipline/Referral Action Report and Automated Student Information System. The district will provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Survey 5 from Education Information and Accountability Services, and at designated dates provided by the Department of Education.

Principals and/or principal's designee(s) shall document in writing and/or via the designated data system all complaints regarding bullying, as with all infractions of the Code of Student Conduct, to ensure that problems are appropriately addressed in a timely manner, whether the report is made verbally or in writing.

(10) Training and Instruction on Prevention

The district ensures that schools sustain healthy, positive, and safe learning environments for all students. It is important to change the social climate of the school and the social norms with regards to bullying and harassment. This requires the efforts of everyone in the school environment. This policy will be implemented in a manner that is ongoing throughout the school year and

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

integrated with school curriculum, school discipline policies, and other violence prevention efforts. Awareness training will be provided to new students and staff members.

At the beginning of each semester, site administrators shall provide awareness of this policy, as well as the process for reporting incidents, to students, staff, and parents. This information will be shared through the appropriate references in the Student Code of Conduct, Employee Handbooks, District and school website, and/or other reasonable means.

Each principal shall develop an annual process for discussing this policy on bullying and harassment with students in a student assembly or other reasonable format. Reminders of this policy and bullying prevention messages such as posters and signs will be displayed around each school.

(11) Confidentiality

To the greatest extent possible, all complaints will be treated as confidential and in accordance with School Board policy, Florida Statutes, the Health Insurance Portability and Accountability Act (“HIPAA”) and any other applicable law. Limited disclosure may be necessary to complete a thorough investigation as described in this policy. The District's obligation to investigate and take corrective action may supersede an individual's right to privacy. The complainant's identity shall be protected, but absolute confidentiality cannot be guaranteed. The identity of the victim of the reported act shall be protected to the extent possible.

(12) Retaliation Prohibited

Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment in connection with filing a complaint or assisting with an investigation under this policy. Retaliatory or intimidating conduct against any individual who has made a bullying complaint or any individual who has testified, assisted, or participated, in any manner, in an investigation is specifically prohibited and as detailed in this policy shall be treated as another incidence of bullying.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

Page 11 of 11

2.71

STATUTORY AUTHORITY: 1001.41(2); 1001.42(17), F.S.

LAWS IMPLEMENTED: 1000.01; 1000.05; 1001.43(1),(6),(11), 1006.147, F.S.

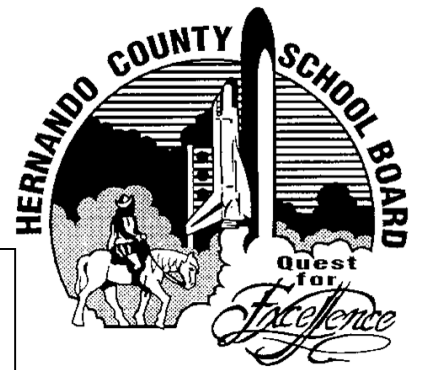
STATE BOARD OF EDUCATION RULE: 6A-19.001 et. seq.

History:

Adopted: 11/18/08 Revision Date(s): Formerly: New

HERNANDO COUNTY SCHOOL BOARD

Bullying Anonymous Reporting Form



If you have information regarding bullying and would like to report this information, please fill out the following form to the best of your knowledge. Please note that this form is completely anonymous. *(For the purpose of this form, bullying encompasses bullying and harassment.)*

VICTIM NAME (last, first, middle)	SEX	GRADE	AGE
ACCUSED NAME (last, first, middle)	SEX	GRADE	AGE
SCHOOL/SITE	SCHOOL TELEPHONE (352) -		
SITE ADMINISTRATOR	TODAY'S DATE		

When did the incident occur?

Date: _____ Time: _____

Where did the incident occur?

Please describe, in as much detail as possible, what happened. (attach additional paper an

Do you know any of the witnesses involved? If so, please provide as much detail as possible about these people.

List evidence of bullying, if any (i.e. letters, photos, etc. – attach evidence if possible)

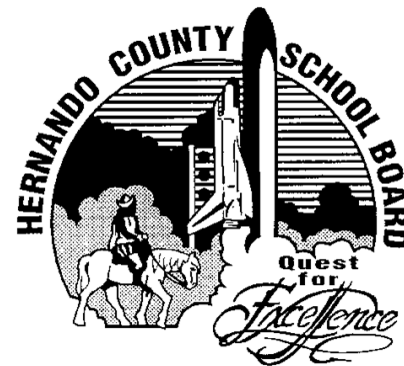
Thank you, this report will be followed up on within 5 school/work days. If you fear a student is in IMMEDIATE danger, contact their home school or the police immediately!

For Office Use Only

Date Received:	
Received by:	

HERNANDO COUNTY SCHOOL BOARD

Bullying Complaint Report Form



This report **MUST** be completed to file a complaint relating to an incident of alleged bullying (*for the purpose of this form, bullying encompasses bullying and harassment*) and turned in to the Site Administrator of the victim's assigned location or the District office if allegations are against a Site Administrator.

VICTIM NAME:	SEX	GRADE
ACCUSED NAME: (last, first)		
SCHOOL SITE/DEPARTMENT: (or site where incident occurred)	HOME SCHOOL/DEPT. OF VICTIM	
SITE ADMINISTRATOR	TODAY'S DATE:	

When did the incident occur?

Date: _____ Time: _____

Describe the location where the incident took place:

Description of incident witnessed:

List any witnesses' names and grades (if applicable):

List evidence of bullying (i.e. letters, photos, etc. – attach evidence if possible):

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Printed Name

Date

Signature

Printed Name of person receiving Bullying Complaint Form

Date

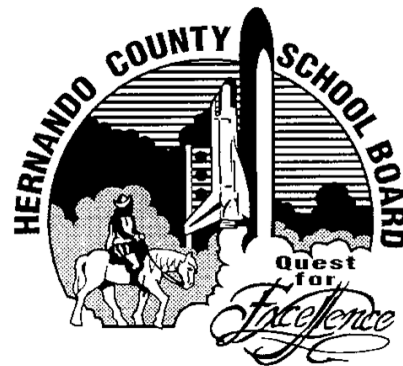
Title/School

Signature

Action	Agreed to Informal Resolution (Student-Student only)	Formal Resolution
Date		
Outcome		
Signatures		

HERNANDO COUNTY SCHOOL BOARD

Bullying Witness Statement



WITNESS NAME: (last, first)	WITNESS TITLE: (Ex. Parent, Student or Teacher)	INTERVIEW DATE:
VICTIM NAME:		
ACCUSED NAME: (last, first)		
SITE: (where incident occurred)	SCHOOL TELEPHONE:	
SITE ADMINISTRATOR	INCIDENT DATE:	

When did the incident occur?

Date: _____ Time: _____

Describe the location where the incident took place:

Description of incident witnessed:

List any other witnesses' names and grades (if applicable):

List evidence of bullying (i.e. letters, photos, etc. – attach evidence if possible):

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature of witness

Date

Printed Name of person receiving Bullying Witness Form

Date

Title/School

Signature of person receiving Bullying Witness Form