



Procedure for Reporting and Investigating Bullying, Cyber Bullying, Harassment, Discrimination, Intimidation, and Hazing

6.304.1p

LAST REVIEWED: July 2, 2019

Standard Operating Procedure Outline

<i>Category:</i>	Student Policies	<i>Department:</i>	Federal Programs		
<i>Procedure:</i>	Reporting and Investigating Bullying, Cyber Bullying, Harassment, Discrimination, Intimidation, and Hazing				
<i>Policy Reference # :</i>	6.304	<i>Version:</i>	2.0	<i>Date Revised:</i>	July 2, 2019

Operational Objective(s)

To explain the reporting and investigation process for instances of bullying, cyber bullying, harassment, discrimination, intimidation, and/or hazing. Student to student, student to employee harassment and discrimination fall under this policy.

PRE-INVESTIGATION PHASE

Any individual who witnesses or has knowledge of behaviors that may constitute a violation of this policy should report such information promptly to the principal/designee. **The principal/designee is responsible for ensuring that the Incident Report Form (Bullying/Harassment) is completed.** Staff members are obligated to report incidents of bullying, cyber bullying, harassment, discrimination, intimidation, and/or hazing as quickly as possible, but in any event not more than 24 hours after receiving the report.

If the principal is involved in the incident, the complaint is against multiple school staff members or the school as a whole, or if the adult/student is uncomfortable reporting the incident to the principal/designee of the school, he/she should report the incident to the appropriate civil rights coordinator listed below or MNPS Customer Service Center.

If the complainant and the alleged perpetrator attend separate schools, the principal/designee with knowledge of the incident should report the incident to the proper **MNPS Coordinator/Executive Director** or Customer Service Center.

- Customer Service Center
615-259-INFO (4636)
customerservice@mnps.org
- For incidents involving bullying/harassment based on race, color, or national origin:
MNPS Title VI Coordinator, Title VI of the Civil Rights Act of 1964
615-259-8634
civilrightscomplaints@mnps.org
- For incidents involving bullying/harassment based on sex:
MNPS Title IX Coordinator, Title IX of the Education Act of 1972
615-259-8634
civilrightscomplaints@mnps.org
- For bullying/harassment based on disability:
MNPS 504 Coordinator, Section 504 of the Rehabilitation Act of 1973
615-259-8486
civilrightscomplaints@mnps.org
- MNPS ADA Coordinator, Title II of the Americans With Disabilities Act of 1990
615-259-8531
civilrightscomplaints@mnps.org

In addition to the above, the following resources are also available:

COMMUNITY RESOURCES

- Middle Tennessee Mental Health Cooperative
Mobile Crisis Unit
275 Cumberland Bend, Suite 237,
Nashville, TN 37228
615-726-0125
- Department of Children's Services
289 Plus Park Blvd,
Nashville, TN 37217
615-360-4200

- Tennessee Child Abuse Hotline
1-877-237-0004
- Sexual Assault Center
101 French Landing Drive,
Nashville, TN 37228
615-259-9055

INVESTIGATION PHASE – School Level

The Investigation Phase begins when:

- a) The principal/designee receives and reviews the completed Incident Report Form (even if anonymous); **or**,
 - b) The complainant¹ reports the incident directly to the principal/designee.
1. The principal/designee will begin the investigation using the **Incident, Intake, and Analysis Form**. After the initial interview with the complainant, the principal/designee will compare the allegations to the definitions of bullying/harassment/intimidation/hazing found in the policy to initially determine whether the incident is potentially bullying, harassment, or hazing. If the alleged act is a potential violation, the principal/designee will continue with the next steps of the investigation.
 2. If the alleged act could meet the definition of a hostile environment or threatens the safety of the complainant, the principal/designee is to take interim measures as necessary to protect the complainant while the investigation is pending to prevent further bullying, cyber bullying, harassment, discrimination, intimidation and/or hazing.
 3. When appropriate, the principal/designee will report the incident to the proper MNPS department or outside agency, in accordance with MNPS' Reporting Child Abuse and Neglect Policy and/or MNPS' Threat Assessment Practice.
 4. The principal/designee will contact the parents of the alleged perpetrator and the complainant to inform them of the alleged incident and the next steps.
 5. The principal/designee will conduct and document confidential, initial interviews of the alleged perpetrator(s), and any witnesses involved within 2 school days. All interviews should be conducted individually.
 6. The principal/designee will review all relevant background information about the involved students. This includes, but is not limited to, reviewing cumulative records. Any special classifications of the students involved should be considered (e.g., special education, English Learner, etc.). Also, any relevant electronic evidence should also be reviewed at this time (Facebook, text messages, Twitter, Instagram, etc.). If necessary, follow-up or additional interviews should be conducted.
 7. The principal/designee will determine the outcome of the investigation promptly, but in any event not later than 20 school days after receiving notice of the incident. Upon the conclusion of the investigation, the principal/designee will determine any findings and applicable remedies. Such remedies may include:
 - Development of a Behavioral Contract
 - Development of a Functional Behavioral Assessment/Behavior Intervention Plan
 - Convening of a Support or Individualized Education Program Team Meeting
 - Development of a Safety Plan for the victim.
 - Discipline Responses Included in the Student Code of Conduct

8. Both parents/guardians must be contacted in writing to be informed that the investigation was completed. The principal will notify the complainant and the accused in writing as to whether or not the investigation resulted in a determination that the alleged misconduct occurred. The principal will also notify the complainant about any individual remedies offered or provided to the complainant or any sanctions imposed on the perpetrator that directly relate to the complainant, and other steps the District has taken to eliminate the hostile environment and prevent recurrence.
9. The principal/designee will take appropriate steps to end the bullying, cyber bullying, harassment, discrimination, intimidation and/or hazing, with the goal of minimizing the burden on the complainant's educational program.
10. After the findings of the investigation have been determined, the principal/designee must also complete the **Final Resolution of Incident(s) Form** and submit the following documentation, including but not limited to:
 - Initial Incident Report Form
 - Incident Intake and Analysis Form
 - Final Resolution Form
 - Safety Plan (only required if the allegations were founded/substantiated)
 - Parent Letters (for alleged offender and alleged complainant).
 - Written witness statements
 - Supporting facts/evidence from each side
 - Written response/statement of the accused

All above completed documents must be sent to, Bullying@mnps.org

11. The principal/designee will post the final resolution on the Behavior Intervention page in Infinite Campus, and it may be included in the accused's discipline file, if appropriate.
12. When there is a finding of harassment and/or discrimination involving a protected class, the principal/designee must submit the completed investigation packet to the appropriate Civil Rights Coordinator (listed on page 2) within 24 hours upon the investigation's conclusion.
13. The school/district shall maintain a copy of the investigation file for one year beyond the complainant's 18th birthday.

At least annually, if not quarterly, the Office of Student Services should run an incident report for each school. In the event of an excessive number of bullying/harassment cases, the Office of Student Services will meet with the school administration to determine next steps and the need for potential training.

If the principal/designee determines that a student or adult intentionally made a false report against another individual, the person who made the false report may be subjected to appropriate disciplinary and/or remedial action.

INVESTIGATION PHASE – District Level

1. The investigation begins when notice of a potential violation of SP 6.304 (the "Policy") has been received by the appropriate district coordinator.
2. The appropriate district coordinator will determine whether or not the allegations meet the definition of discrimination/harassment/hazing under the Policy. If the alleged act(s) could be a violation, the

investigation will proceed. If no potential violation is possible, the district coordinator shall close the investigation by filing a final report.

3. If the alleged act could meet the definition of a hostile environment or threaten the safety of the complainant, the district coordinator will take interim measures as necessary to protect the complainant while the investigation is pending to prevent further bullying, cyber bullying, harassment, discrimination, intimidation and/or hazing.
4. The district coordinator or designee will conduct and document confidential, initial interviews of the complainant, alleged perpetrator(s), and any witnesses involved as needed. All interviews should be conducted individually.
5. The district coordinator/designee will review all relevant background information.
6. When appropriate, the district coordinator/designee will report the incident to the proper MNPS department or outside agency.
7. The district coordinator/designee will determine whether the allegation constitutes a violation of the Policy promptly, but should not be later than 30 school days after receipt of notice of potential noncompliance with the Policy.

POST INVESTIGATION – District Level

8. The district coordinator compiles a final report that contains the findings of the investigation and any recommended remedies to achieve compliance with the policy.
9. The district coordinator shall compile and retain documentation of remedial actions that have been taken to ensure compliance with the Policy.
10. Any findings of noncompliance will be reported to the appropriate governmental entity if necessary.
11. All documentation obtained in the investigation and post investigation phases will be archived for one year beyond the affected students' 18th birthday.

Performance Measure/Accountability

Continuous evaluation of procedure to ensure efficiency and compliance with all federal and state laws and regulations

¹ In this procedure outline, the term “complainant” means the alleged victim of bullying, cyber bullying, discrimination, harassment, and/or hazing. A complainant may or may not be the individual who reported the alleged incident to MNPS.