

SUMMARY OF RECOMMENDED CHANGES

DATE: September 20, 2016

POLICY #: 5.9

POLICY TITLE: Anti-Bullying

Page (Item)	Recommended Change/Addition/Deletion	Rationale
(p.1-2)	<p>Change:</p> <p>I. Definitions</p> <p>A. <u>“Bullying” as defined in F.S. 1006.147 includes “Cyberbullying” and</u> means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as: unwanted purposeful written, verbal, nonverbal, or physical behavior, including but not limited to any threatening, insulting, or dehumanizing gesture, by an adult or student, that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the individual’s school performance or participation, is carried out repeatedly and is often characterized by an imbalance of power. Bullying may involve, but is not limited to:</p> <ol style="list-style-type: none"> 1. unwanted teasing 2. <u>social exclusion*</u> 3. threatening 4. <u>intimidation</u> 5. stalking 6. <u>physical violence</u>cyberstalking 7. cyberbullying 8. physical violence 9. theft 10. sexual, religious, or racial harassment 11. public or private humiliation 12. destruction of school or personal property 13. social exclusion, including incitement and/or coercion 14. rumor or spreading of falsehoods <p><u>*Note: Social exclusion includes incitement and/or coercion.</u></p>	<p>Alignment to F.S. 1006.147</p>

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<p>(p.2-3)</p>	<p>Change:</p> <p>B. <u>“Cyberbullying” is defined as the willful and repeated bullying or harassment and/or intimidation of a person through the use of digital technologies or any electronic communication, which includes, but is not limited to, email, blogs, apps texting on cell phones, social websites (e.g., MySpace, Facebook, Twitter, etc.), chat rooms, “sexting”, instant messaging, or video voyeurism, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo electronic system, or photo optical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying (F.S. 1006.147).</u></p> <p><u>Note: The scope of a public K-12 educational system means, regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at school-related or school-sponsored program or activity. The definitions of Computer-Related Crimes in F.S. 815.03 and the definitions of Cyberstalking in F.S. 784.048(1)(d) are applicable to this section.</u></p> <p><u>Per F.S. 810.145, voyeurism, which may be utilized in cyberbullying, in and of itself, is a criminal offense.</u></p> <p>D. “Cyberbullying” is defined as the willful and repeated harassment and intimidation of a person through the use of digital technologies, including, but not limited to, email, blogs, texting on cell phones, social websites (e.g., MySpace, Facebook, Twitter, etc.), chat rooms, “sexting”, instant messaging, or video voyeurism.</p> <p>*Note: Per F.S. 810.145, voyeurism, which may be utilized in cyberbullying, in and of itself, is a criminal offense.</p>	<p>Alignment to F.S. 1006.147</p>
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(p.3)	<p>Addition:</p> <p>E. <i>“Bullying”</i>, <i>“Cyberbullying”</i>, and/or <i>“Harassment”</i> also encompass:</p> <ol style="list-style-type: none"> 1. retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying, harassment, or discrimination. 2. retaliation also includes reporting a baseless act of bullying, harassment, or discrimination that is not made in good faith. 3. perpetuation of conduct listed in the definition of bullying, cyberbullying harassment, and/or discrimination by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by: <ol style="list-style-type: none"> a) incitement or coercion; b) 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; or c) acting in a manner that has an effect substantially similar to the effect of bullying, harassment, or discrimination. 	Clarifying Language
(p.3)	<p>Addition:</p> <p>F. <i>“Bullying,” “Cyberbullying,” “Harassment,”</i> and <i>“Discrimination”</i> (hereinafter referred to as bullying, as defined in Section A, for the purpose of this Policy) also encompass, but are not limited to, unwanted harm towards a student or employee in regard to their real or perceived: sex, race, color, religion, national origin, age, disability (physical, mental, or educational), marital status, socio-economic background, ancestry, ethnicity, gender, gender identity or expression, linguistic preference, political beliefs, sexual orientation, or social/family background or being viewed as different in its education programs or admissions to education programs and therefore prohibits bullying of any student or employee by any Board member, District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored events, on school buses, and at training facilities or training programs sponsored by the District. For Federal requirements when these acts are against Federally identified protected categories, refer to Policy 4001.1.</p> <p style="text-align: center;">Note: For additional information refer to Section II of the Code of Student Conduct.</p>	Clarifying Language

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(p.3)	<p>Change:</p> <p>G. “<i>Accused</i>” is defined as any Board member, District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored events, on school buses, and at training facilities or training programs sponsored by the District who is reported to have committed an act of bullying. whether formally or informally, verbally or in writing, of bullying.</p>	Clarifying Language
(p.4)	<p>Change:</p> <p>H. “<i>Complainant</i>” is defined as any Board member, District employee, consultant, contractor, agent, visitor, volunteer, student, or other person who formally or informally makes a report of bullying, orally or electronically or in writing.</p> <p>I. “Target <i>Victim</i>” is defined as any Board member District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school sponsored events, on school buses and at training facilities or training programs sponsored by the District, who is reported to have been the target of an act of bullying during any educational program or activity conducted by the SBBC.</p> <p>II. Expectations: The Broward County School District expects students and employees to conduct themselves in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.</p> <p>A. The School District prohibits the bullying of any student or school employee:</p> <ol style="list-style-type: none"> 1. during any educational program or activity conducted by SBBC; 2. during any school-related or school-sponsored program or activity or on a SBBC school bus; 3. through the use of any electronic device or data while on school grounds or on a SBBC school bus, computer software that is accessed through a computer, computer system, or computer network of the SBBC. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated under this section. 4. through threats using the above to be carried out on school grounds. This includes threats made outside of school hours, which are intended to be carried out during any school-related or school-sponsored program or activity, or on a SBBC school bus. 	Recommendation by the FLDOE-Office of Safe Schools/Clarifying Language

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	<p>5. while the District does not assume any liability for incidences that occur at a bus stop or en route to and from school, a student or witness can may file a complaint following the same procedures for bullying against a student and the school will investigate and/or provide assistance and intervention as the principal/ <u>administrative Investigative Designee</u> deems appropriate, which may include the use of the School Resource Officer. The principal/<u>administrative Investigative Designee</u> designee shall use all District Reporting Systems to log all reports and interventions. However, if a student’s ability to receive an education or a school’s ability to provide an education is significantly impaired, as determined by the school district administration, disciplinary sanctions will may be issued, see Section V. A. 1.a of this policy.</p>	
<p>(p.4-5)</p>	<p>Change:</p> <p>B. All administrators, faculty, and staff, in collaboration with parents, students, and community members, will incorporate systemic methods for student and staff recognition through positive reinforcement for good conduct, self discipline, good citizenship, and academic success, as seen in the required <u>school-wide positive behavior plan school plan</u> to address positive school culture and behavior (aka Discipline Plan). <u>Schools are to work with their Discipline Team and Collaborative Problem Solving Team (CPST) to address violence (bullying) prevention and incorporate Response to Intervention (RtI) strategies and interventions in all tier levels. Schools will utilize the Behavior Academic Support Information System (BASIS) to gather school, classroom and student data to accomplish these tasks.</u></p>	<p>Recommendation by the FLDOE-Office of Safe Schools</p>
<p>(p.5)</p>	<p>Change:</p> <p>C. Student rights, <u>disciplinary sanctions and due process</u> shall be explained as outlined in this policy and in the <u>Code of Student Conduct</u>.Student Code of Conduct: -Respect for Persons and Property. to conform to reasonable standards of socially acceptable behavior, respect the person, property, and rights of others, obey constituted authority, and respond to those who hold that authority.</p> <p>D. Proper prevention and intervention steps shall be taken based on the level of severity of infraction as outlined in the <u>Code of Student Conduct</u>Student Code of Conduct, the Discipline Matrix, and this Policy. <u>The link to access the Student Code of Conduct is: http://www.browardschools.com/codeofconduct.</u> http://browardschools.com/Parents-Students/Parent-Student-Pages/Code-Of-Conduct.</p>	<p>Recommendation by the FLDOE-Office of Safe Schools</p>

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<p>(p.5)</p>	<p>Change:</p> <p>I. Stakeholder Responsibilities</p> <p>A. Student Support Initiatives Services Diversity, Prevention & Intervention (DPI) Department Office of Prevention: Student Support Initiatives Services professionals, in collaboration with other District departments, will collaborate create trainings for with all school based staff members, Investigative Designees, Prevention Liaisons, students, families, and community stakeholders on to utilize this Policy and associated procedures to promote academic success, enhance resiliency, build developmental assets, and promote protective factors within each school by ensuring that each and every staff member and student is trained on violence prevention.—These trainings will work to create a climate within each school and within the District that fosters the safety and respect of children and the belief that adults are there to protect and help them. Additionally, students and staff (including, but not limited to, school based employees, administrators, area/district personnel, counseling staff and; bus drivers) will be given the skills, training, and tools needed to create the foundation for preventing, identifying, investigating, and intervening when issues of bullying arise.</p>	<p>Clarifying Language</p>
<p>(p.5-6)</p>	<p>Change:</p> <p>B. Schools: By August 2011, Each school principal shall designate a:</p> <p><u>1.-Prevention Liaison to act as the Student Support Initiative’s DPI contact and disseminator of all prevention related resources. These designees are key school based personnel who will attend DPI’s annual prevention training(s) and receive prevention and intervention methods and tools related to bullying/cyberbullying and other prevention issues that impact the school culture, safety, and well-being of students and staff. The Prevention Liaisons will also be part of a school-based team tasked with prevention and policy related efforts to address acts of violence and school safety. If a team does not already exist, it will be created by the Prevention Liaison. At minimum, this team should include staff members from administration, guidance, and instruction.</u>Prevention Liaison who shall serve on existing teams that address acts of violence and school safety, e.g., threat assessment teams, SAFE Teams, and act as the Student Support Service’s Office of Prevention contact. At minimum, this team should include staff m embers from administration, guidance, and instruction. These designees are the key school based personnel who will receive prevention training and assist in the dissemination of prevention methods, intervention, and curriculum, for bullying and other issues that impact the school culture and welfare of students and staff.</p>	<p>Clarifying Language</p>

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	<p><u>2. Investigative Designee(s) who is an administrator and the only individual(s) who shall receive and investigate bullying complaints other than the principal.</u></p> <p><u>a. 3. Implement this bullying and harassment policy in the prescribed manner and integrate it with the school’s bullying prevention and intervention programs.</u></p>	
(p.6)	<p>Change:</p> <p>C. Community Resources: Student Support Services- <u>Initiatives’</u> professionals, in collaboration with other District departments, will train a wide range of community stakeholders, <u>for-profit, non-profit, Local, County and State law enforcement agencies</u> -School Resource Officers, and faith based agencies to provide the dissemination and support of violence prevention curriculums to students, their families and school staff. This collaboration will make effective use of available school district and community resources while ensuring seamless service delivery in which each and every school and student receives an equitable foundation of violence prevention.</p>	<p>Clarifying Language</p>
(p.6)	<p>Change:</p> <p>D. Evidence-Based Interventions and Curriculum: Student Support Services’ <u>Initiatives’</u> DPI Office of Prevention staff members will serve as the coordinators and trainers of prevention for all designated school staff and outside agencies/community partners. Those trained in Prevention (e.g., Prevention Liaisons, <u>DPI Office of Prevention</u> staff and Community Partners) will then collaborate as “violence prevention partners” to implement the <u>create a list of bullying prevention and intervention programs authorized by the district, including</u> evidence-based interventions, <u>curriculums,</u> and proven programs <u>to be utilized</u> within each of their schools. <u>Student Support Initiatives’ DPI will assist with the provision of</u> Training will focus on prevention and evidence-based programs <u>as funding allows.</u></p> <p>E. Parent Participation and Partnership: Student Support Services- <u>Initiatives’</u> <u>DPI</u> professionals, in collaboration with other District departments, will provide opportunities and encourage parents to participate in prevention efforts with their children in meaningful and relevant ways that address the academic, social-emotional, and health needs of their children. The District will offer parents and parent associations² trainings on violence prevention as well as knowledge of and/or opportunity to participate in any violence prevention initiatives currently taking place in their school via the District school website, Broward Education Communication Network (BECON), open</p>	<p>Clarifying Language</p>

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	<p>houses, and parent/school newsletters. These trainings will provide resources and support for parents by linking them with internal supports as well as referral to community-based resources as needed.</p>	
(p.6)	<p>Change:</p> <p>F. Evaluation of Service Effectiveness: Evaluations to determine the effectiveness and efficiency of the policy services being provided will be conducted at least every three years and shall include data-based outcomes. <u>These findings will be used to modify trainings, curriculum and programs.</u></p> <p>G. Accountability: The Superintendent, other district administrators, the Area Superintendents <u>Chief of School Performance & Accountability</u> and <u>his/her</u> their staffs, as well as school principals, share accountability for implementation of these student support services consistent with the standards of this policy. These administrators will take steps to assure that student support services are fully integrated with their instructional components at each school and are pursued with equal effort in policy and practice.</p>	<p>Recommendation by the FLDOE- Office of Safe Schools/Clarifying Language</p>
(p.7)	<p>Change:</p> <p>II. Training for students, parents, teachers, area/district staff, school administrators, student <u>and student</u> support staff, counseling staff, bus drivers, School Resource Officers/Deputies, contractors and school volunteers on identifying, preventing, and responding to bullying will be conducted.</p> <p><u>A.</u> At the beginning of each school year, the school principal/designee and/or appropriate area/district administrator shall provide <u>for:</u></p> <p><u>1.</u> awareness of this policy <u>the policy trainings, including</u> , as well as the process for reporting incidents, investigation and appeal, to students, school staff, parents, or other persons responsible for the welfare of a pupil; <u>and</u></p> <p>b.2. <u>through</u> appropriate references <u>to the policy</u> in the <u>Code of Student Conduct</u> Student Code of Conduct, Employee Handbooks, the school website, and/or through other reasonable means.</p>	<p>Clarifying Language</p>
(p.7)	<p>Change:</p> <p>V. Disciplinary sanctions (consequences) and due processes for a person who commits an act of bullying under this policy.</p>	<p>Recommendation by the FLDOE-</p>

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	<p>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. <u>The physical location or time access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated.</u></p> <p>1. Consequences and appropriate interventions for students who commit acts of bullying may range from positive behavioral interventions up to, but not limited to suspension, as outlined in the <u>Code of Student Conduct</u> Student Code of Conduct, the Discipline Matrix, and this Policy.</p> <p>a. All steps necessary to protect the victim <u>target</u> from further violations of this policy will be taken, and may include, but are not limited to, assignment of the perpetrator to a different school from that <u>where</u> the offense occurred. Only the Superintendent/designee may make such a reassignment. In such cases of reassignment, transportation will be provided by the District.</p>	<p>Office of Safe Schools</p>
<p>(p.8)</p>	<p>Change:</p> <p>VI. Reporting an act of bullying</p> <p>A. At each school, the principal and/or administrative Investigative Designee/designee is responsible for receiving oral, or electronic or written complaints alleging violations of this policy, as with all infractions from the <u>Code of Student Conduct</u> Student Code of Conduct.</p> <p>B. Students may report complaints of bullying to any school district employee, faculty or staff. All District employees, faculty and staff are required and must report, in writing, any allegations of bullying or violations of this Policy involving students to the principal/designee <u>principal/administrative Investigative Designee</u> or appropriate area/district administrator. Failure to report will result in action(s) or discipline, consistent with the collective bargaining agreement provisions, up to and including termination of employment (SBBC Policy 2410, section 1). Any District faculty or staff who suspects adult-on-adult bullying is strongly encouraged to report any concerns <u>to his/her school based or district administrator</u>.</p>	<p>Clarifying Language</p>
<p>(p.8)</p>	<p>Change:</p>	<p>Recommendation by the FLDOE-</p>

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	<p>C. Any other members of the school community who have credible information that an act of bullying has taken place may file a report of bullying, whether a <u>target</u> victim or witness.</p> <p>D. Any student (and/or the parent on that complainant's behalf if the complainant is a minor) who believes he/she is a <u>target</u> victim of bullying (or any individual, including any student who has knowledge of any incident(s) involving bullying 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 <u>Bullying Management System (BMS)</u> specified data system, but must be filed within ninety (90) school days after the alleged incident (i.e., within 90 school days of the last act of alleged bullying). Failure on the part of the <u>target</u> victim to initiate and/or follow up on the complaint within this period may result in the complaint being deemed abandoned. For protected categories covered under Policy 4001.1, a different timeline may apply.</p>	<p>Office of Safe Schools</p>
<p>(p.8-9)</p>	<p>Change:</p> <p>G. Administrators, Principals or <u>administrative Investigative Designee</u> designee(s) shall document in <u>the BMS</u> writing and/or via the specified 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, <u>electronically</u> or in writing.</p> <p>H. Anonymous reports may be made utilizing the Broward County Public Schools Anonymous Bullying Report Form. This reporting form can be found on the School District's website <u>www.browardschools.com</u> (click on Special Investigative Unit; click on report anonymous tips), at each school's front office, or at each school's single point of entry Anonymous Reporting Box, or at each area/district/department site. Anonymous reports may be delivered to the school administration's front office, put in the school's Anonymous Reporting Box, or through the Special Investigative Unit (herein after to be referred to as SIU) via their internet website <u>www.broward.k12.fl.us/siu/tips/</u> or Emergency/Silence Hurts Tipline at (754) 321-0911. Anyone wishing to file a bullying report can also make a report via email to <u>school911@browardschools.com</u> or via text message by texting 'SBBC' [space], plus the text message to CRIMES (274637). Administrators shall use the <u>BMS</u> specified data system to log all reports and interventions. Formal disciplinary action may not be based solely on the basis of an anonymous report.</p>	<p>Clarifying Language</p>

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<p>(p.9)</p>	<p>Change:</p> <p>VII. Bullying Complaints and Resolution</p> <p><u>A. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en-route to school aboard a school bus or at a school bus stop. The investigation of a reported act of bullying of a student, school-based employee, parent/guardian 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.</u></p> <p><u>B. The principal/administrative designee Investigative Designee shall be the only school based person(s) to receive, investigate and document all complaints in writing and/or through the BMS appropriate data system to ensure that problems are addressed in a timely manner. This process is to be followed with all anonymous complaints as well. Although this Policy encourages students to use the formal written complaint process, school officials "should investigate all complaints and reports of harassment, whether or not the complaint is in writing," as stated by the Office for Civil Rights in <i>Protecting Students from Harassment and Hate Crime: A Guide for Schools, Part II</i> (1999).</u></p>	<p>Recommendation by the FLDOE-Office of Safe Schools</p>
<p>(p.9-10)</p>	<p>Change:</p> <p><u>C. If the complaint is about the principal or an area/district's staff member's direct supervisor, then the Area Superintendent Chief School Performance & Accountability Officer/Designee or appropriate district administrator shall be asked to address the complaint.</u></p> <p><u>D. The trained principal/administrative Investigative Designee(s) will make the determination if a reported act of bullying or harassment falls within the scope of the District.</u></p> <ol style="list-style-type: none"> 1. If it is within the scope of the District, move to Procedures for Investigating Bullying, <u>Cyberbullying</u> and/or Harassment as outlined below. 2. If it is outside the scope of the District, and determined an alleged criminal act, refer to appropriate law enforcement, provide any applicable interventions, and document according to Policy. 	<p>Clarifying Language</p>

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	<p>3. If it is outside the scope of the District, and determined not a criminal act, inform parents/guardians of all students involved, provide appropriate interventions and document according to Policy.</p>	
<p>(p.10)</p>	<p>Change:</p> <p>E. Informal Resolution: <u>all complaints are treated as Formal, unless</u> where the administrator, along with the alleged target victim and the accused student, may agree to informally resolve the complaint. <u>The alleged target and alleged accused student’s request for an Informal Resolution must be in writing.</u> Documented interviews of the alleged target-victim, alleged perpetrator, and witnesses are conducted privately separately, and are confidential. Each individual (victim, alleged perpetrator and witnesses) will be interviewed separately, and <u>At</u> no time will the alleged perpetrator and alleged target victim be interviewed together. Each party’s agreement to Informal Resolution must be in writing. The incident and the resolution must be documented <u>and the written request uploaded into the BMS. Please note that determination of bullying is not made with Informal Resolutions. on the appropriate data system.</u></p> <p>1. If the Informal Resolution fails at a later date, a mutual resolution has not been achieved, the Formal Resolution process is to begin immediately. a formal written appeal must be filed within five (5) workdays after the informal meeting and submitted to the principal or appropriate area/district supervisor.</p> <p>F. Formal Resolution: the alleged target victim/complainant/student/employee or parent(s), on behalf of the student, may <u>make file</u> a written complaint with to the principal/ <u>administrative Investigative Designee designee</u> or appropriate area/district administrator <u>verbally, electronically or</u> by utilizing the Broward County Public Schools Bullying Complaint Report Form. <u>This Said</u> form is available on the School District’s website <u>www.browardschools.com</u>, at each school’s front office, or area/district/department site.</p> <p>1. According to the level of infraction, parents will be promptly notified of any actions being taken to protect the victim via written notice, telephone or personal conference; the frequency of notification will depend on the seriousness of the bullying incident.</p> <p>G. The resolution, all interviews and interventions that take place and the corresponding dates shall be documented in writing and or noted in the <u>BMS</u> district specified data system.</p>	<p>Recommendation by the FLDOE- Office of Safe Schools/ Clarifying Language</p>

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<p>(p.10-11)</p>	<p>Change:</p> <p>VIII. Investigation requirements for reported acts of bullying under this policy</p> <p>A. The procedures for investigating school-based bullying must include the <u>be conducted by the</u> principal/designee and/or the <u>administrative</u> Investigative Designee, in the case of student-to-student bullying. The principal <u>and administrative</u> Investigative Designee and Prevention Liaison shall be trained <u>yearly on</u> investigative procedures and interventions as outlined in this Policy. For incidents at the area/district level, or for school-based adult-on-adult bullying, the appropriate administrator will be responsible for the investigation as outlined in this policy and will run concurrently and in addition, <u>to</u> all agreed upon procedures for staff discipline.</p> <p>e. <u>B.</u> The investigator/<u>administrator</u> may not be the <u>alleged</u> accused or the alleged <u>target</u>victim.</p> <p><u>C. The Florida Department of Education requires that school administrators provide immediate notification to the parents of both the alleged target and the alleged perpetrator of an act of bullying or harassment.</u></p> <p>d. <u>D.</u> The principal/ <u>administrative Investigative Designee</u>designee or appropriate area/district administrator shall begin a thorough investigation with the alleged <u>target</u> victim and <u>alleged</u> accused within two (2) school days of receiving a notification of complaint. <u>Within said days, written notification of the investigation will be provided to the parents of the alleged target and alleged accused. The two day letters of notification are found in the BMS. (The Florida Department of Education requires that school administrators/designees provide immediate notification to the parents of both the victim and the alleged perpetrator of an act of bullying or harassment.)</u></p>	<p>Recommendation by the FLDOE-Office of Safe Schools/Clarifying Language</p>
<p>(p.11)</p>	<p>Change:</p> <p>e. <u>E.</u> During the investigation, the principal/<u>administrative Investigative Designee</u>designee or appropriate area <u>Chief/Designee of School Performance & Accountability</u>/district administrator may take any action necessary to protect the complainant, alleged <u>target</u> victim, other students or employees consistent with the requirements of applicable regulations and statutes.</p> <p><u>1.</u> Documented interviews of the alleged target, alleged perpetrator, and witnesses are conducted privately, separately, and are confidential. Each individual (<u>alleged</u> target, alleged perpetrator, and</p>	<p>Clarifying Language</p>

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	<p>witnesses) will be interviewed separately and at no time will the alleged perpetrator and <u>alleged</u> target to be interviewed together.</p> <p><u>2.</u> At no time during the investigation will the name of the complainant be revealed by the investigator.</p> <p><u>3.</u> In general, student complainants and/or alleged targets will continue attendance at the same school and pursue their studies as directed while the investigation is conducted and the complaint is pending resolution. Any legal order of a court will prevail.</p> <p><u>4.</u> When necessary to carry out the investigation or for other good reasons, and consistent with federal and state privacy laws, the principal/<u>administrative Investigative Designee</u> designee or appropriate area/district <u>director</u> administrator also may discuss the complaint with any school district employee, the parent of the alleged <u>target victim</u>, the parent of the complainant or <u>alleged</u> 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.</p> <p><u>5.</u> During the investigation where an employee is the <u>alleged</u> accused, the principal/<u>administrative Investigative Designee</u> designee or the appropriate area <u>Chief/Designee of School Performance & Accountability</u>/district administrator may recommend to the Associate Superintendent of Human Resources <u>Chief Human Resources Officer</u>/designee, any action necessary to protect the complainant, the alleged <u>target victim</u>, or other students or employees, consistent with the requirements of applicable statutes, State Board of Education Rules, School Board Policies, and collective bargaining agreements.</p>	
(p.12)	<p>Addition:</p> <p><u>6. Parents will be promptly notified of any actions being taken to protect the alleged target via written notice, telephone or personal conference; the frequency of notification will depend on the seriousness of the bullying incident, but at minimum parents of the alleged target will be communicated with every other school day.</u></p> <p><u>7. All cyberbullying complaints will be accepted and investigated. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated. During the investigation the principal/administrative Investigative Designee will determine if the act is within the scope of the district school system by assessing if the cyberbullying meets the criteria of significantly impairing a school's ability to provide an education,</u></p>	<p>Recommendation by the FLDOE-Office of Safe Schools</p>

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	<p style="text-align: center;"><u>or a student’s ability to receive an education. If neither, referrals will be made to the appropriate jurisdictions.</u></p>	
<p>(p.12)</p>	<p>Change:</p> <p>f. Within twelve^{en} (120) school days of <u>receipt of the</u> the notification as to the filing of the complaint, there shall be a written decision by the <u>p</u>Principal/<u>administrative Investigative Designee</u>Designee or appropriate area/district administrator regarding the completion and determination of the investigation. The principal/designee shall make a decision about the validity of the allegations in the complaint and about any corrective action, if applicable, consistent with the Discipline Matrix. Immediate notification will be made to Broward Schools’ (SIU) and to all local agencies where criminal charges may be pursued against the perpetrator for an act of bullying or harassment.</p> <p><u>G. The -p</u>Principal/<u>administrative Investigative Designee</u>Designee or appropriate area<u>Director of School Performance & Accountability</u>/district administrator will inform all relevant parties in writing of the decision and the right to appeal <u>within twelve days of the receipt of the complaint. The notification letter of determination for the alleged accused and the alleged target will be found in the BMS.</u> A copy of the decision will be sent to the originating school and be noted in all relevant data tracking systems (<u>Bullying (BUL), harassment (HAR), unsubstantiated (UBL) and unsubstantiated harassment (UHR)</u>) including, but not limited to the <u>BMS, SESIR</u> and the Statewide Report on School Safety and Discipline Data system.</p>	<p>Recommendation by the FLDOE-Office of Safe Schools/ Clarifying Language</p>
<p>(p.12)</p>	<p>Change:</p> <p><u>H. If the alleged</u> accused is an employee, discipline may be taken, consistent with any applicable collective bargaining agreement provisions, to resolve a complaint of bullying (Policy 4.9, Employee Disciplinary Guidelines). The supervisor/designee (e.g., principal/designee for school-based employees) of the employee shall discuss the determination and any recommended corrective action with the Area Director <u>Director of School Performance & Accountability</u>, for school-based actions, or the appropriate area/district <u>director supervisor</u>, for area/district actions, and the Associate Superintendent of Human Resources <u>Chief Human Resources Officer</u>.</p>	<p>Clarifying Language</p>

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<p>(p.12-13)</p>	<p>Change:</p> <p>IX. Referral for Intervention</p> <p>A. Referral of a student to the <u>C</u>ollaborative <u>P</u>roblem-<u>S</u>olving <u>T</u>eam (or equivalent school-based team with a problem solving focus) for consideration of appropriate services is made through the school problem-solving process by school personnel or parent to the principal/<u>administrative Investigative Designee</u>designee. Parent notification is required. When such a report of formal discipline or formal complaint is made, the principal/<u>administrative Investigative Designee</u>designee shall refer the student(s) to the <u>C</u>ollaborative <u>P</u>roblem-<u>S</u>olving <u>T</u>eam for determination of need for counseling support and interventions.</p> <p>B. Referral of school or area/district personnel to the Employee Assistance Program (EAP) for consideration of appropriate services will be made by the administrator.</p> <p>C. School-based intervention and assistance will be determined by the <u>C</u>ollaborative <u>P</u>roblem-<u>S</u>olving <u>T</u>eam and may include, but is not limited to:1. counseling and support to address the needs of the target victims of bullying.</p> <ol style="list-style-type: none"> 1. counseling and support to address the needs of the <u>alleged target victims</u> of bullying. 2. <u>counseling and support to address the needs of the bystander;</u> 2-3. <u>3.</u> counseling interventions to address the behavior of the students who bully (e.g., empathy training, anger management); 3-4. <u>4.</u> intervention which includes assistance and support provided to parents; 4-5. <u>5.</u> analysis and evaluation of school culture with resulting recommendations for interventions aimed at increasing peer ownership and support. 	<p>Clarifying Language</p>
<p>(p.13)</p>	<p>Change:</p> <p>D. Self referral for informal consultation: District staff, students or parents may request informal consultation with school staff (e.g., school social worker, school counselor, school psychologist, Prevention Liaison, EAP, etc.) to determine the severity of concern and appropriate steps to address the concern of bullying (the involved</p>	<p>Recommendation by the FLDOE-Office of Safe Schools/</p>

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	<p>students' parents may be included) orally or in writing to the principal/<u>administrative Investigative Designee</u>designee.</p> <p>E. Any investigations and interventions shall be recorded on the <u>BMS</u> District-specified data system.</p> <p>X. Incident reporting requirements</p> <p>C. Discipline, referral data, investigations, interventions, and actions of discipline shall be recorded on the <u>Discipline Management System (DMS), BMS, and other-specified</u> data systems, as with other infractions from the Code of Student Conduct.</p>	<p>Clarifying Language</p>
<p>(p.13-14)</p>	<p>Change:</p> <p>XI. Process for referral for external investigation</p> <p>A. If the act is outside the scope of the District, and determined a criminal act, referral to appropriate law enforcement shall be made immediately, the parent will be notified, and the referral documented by the principal/<u>administrative Investigative Designee</u> designee in the <u>BMS</u> specified data system.</p> <p>B. While the District does not assume any liability for incidences that must be referred for external investigation, it encourages the provision of assistance and intervention as the principal/<u>administrative Investigative Designee</u> designee deems appropriate, including the use of the School Resource Officer and other personnel. The principal/<u>administrative Investigative Designee</u> designee shall use District Reporting Systems to log all reports and interventions.</p> <p>XIII. Confidentiality</p> <p>D. The identity of the <u>alleged target</u> victim of the reported act shall be protected to the extent possible.</p>	<p>Clarifying Language</p>

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<p>(p.15)</p>	<p>Addition:</p> <p>XVII. Preclusion This policy should not be interpreted as to prevent an <u>alleged target</u> victim or <u>alleged</u> accused from seeking redress under any other available law either civil or criminal.</p> <p>XIX. Policy Review <u>This policy shall be reviewed at least every three (3) years and as needed, revised and any changes adopted.</u></p>	<p>Clarifying Language</p>
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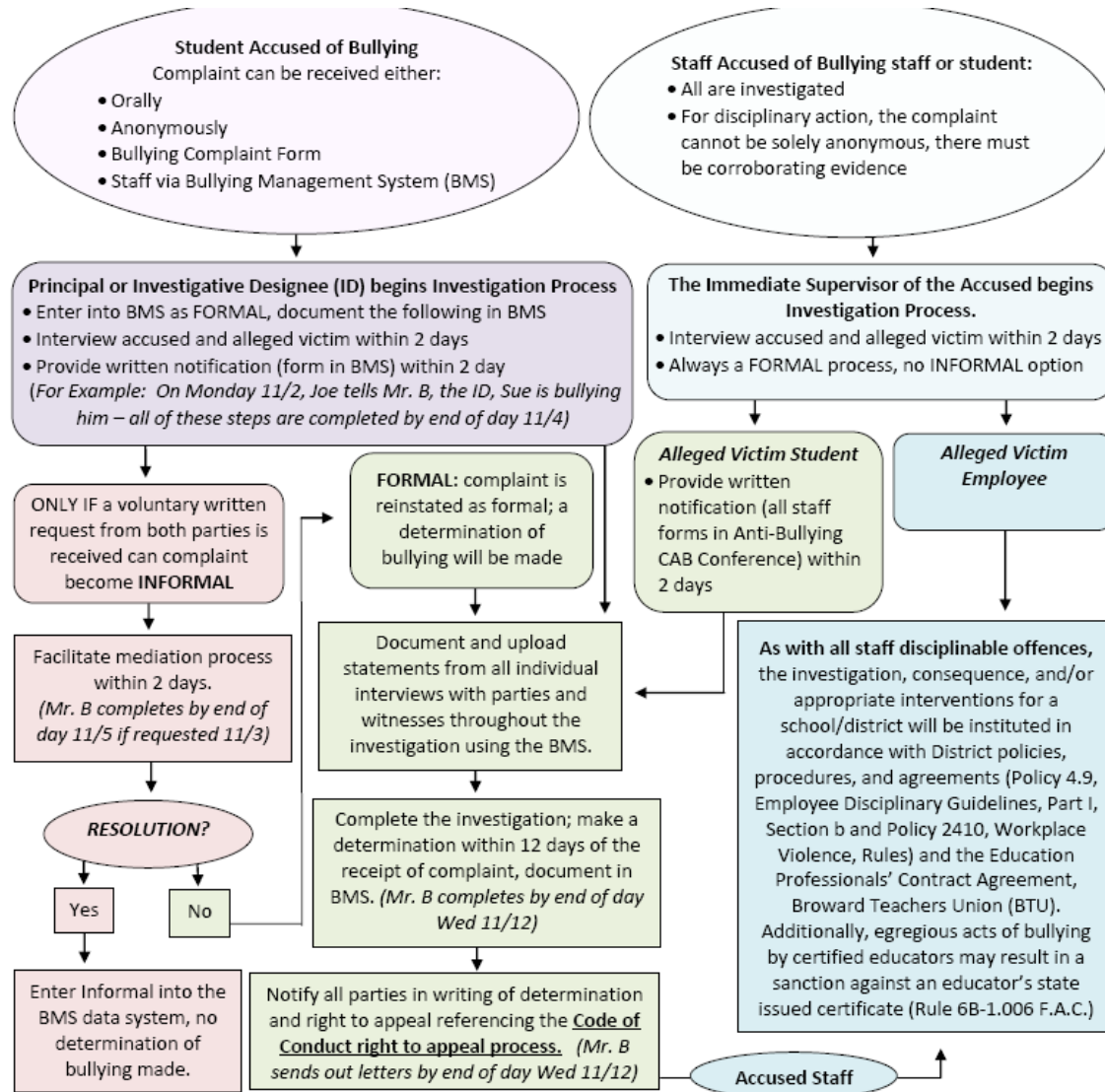
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Investigative Flow Chart – Students and Staff



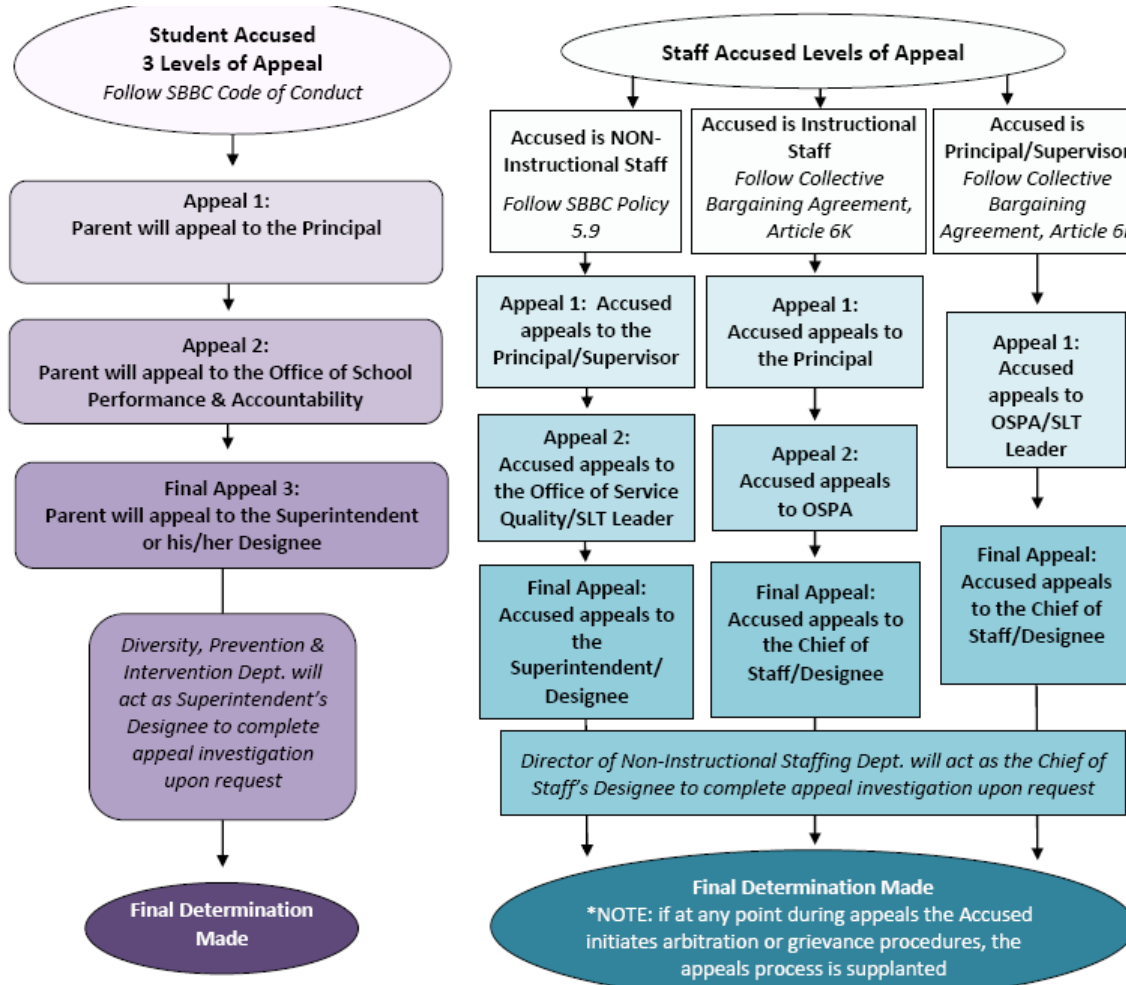
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Appeals Flow Chart – Students and Staff



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**Adult Non-Employee/Parent
Accused of Bullying Staff or Student:**

- All complaints are investigated
- If the alleged target of bullying is a student, the investigation must be tracked via Bullying Management System (BMS)

Within 2 Days of Receipt of Complaint:

- Principal or Investigative Designee (ID) begins the investigation process
- All complaints must be handled formally with a determination of bullying
- Provide both parties written notification at investigation's initiation, parent forms are in the Anti-Bullying CAB Conference
- Interview accused and alleged target

Refer to Special Investigative Unit (SIU) for Investigation if:

- Principal is accused or alleged target
- Principal feels level of threat meets the referral threshold
- Principal requests in writing that SIU handle the investigation

Within 12 Days of Receipt of Complaint, Party Completing the Investigation (Principal or SIU) will:

- Individually interview and document all statements from the alleged target, accused, and bystanders
- Complete the investigation and make a determination if the bullying is substantiated
- Notify all parties in writing of the determination including the Principal if SIU is completing the investigation
- If a student is the alleged target, Principal will document in BMS

How to Consequence Substantiated Adult Non-Employee Bullying Complaints:

- Consequences and/or appropriate interventions for an adult non-employee will be instituted in accordance with District policies and procedures
- Consequences will be graduated, natural and logical in nature, with the goal of protecting the target from any further abuse. For Example, restrictions may include:
 - methods or frequency of access to the target
 - methods or frequency of access to the campus

Please Note: No matter what the determination, the investigating party making the final determination will notify all parties in writing.

- "Days" refers to school/work days; "Within ___ days" refers to days from the receipt of initial complaint
- BMS = Bullying Management System, ID = Investigative Designee
- Complaints of sexual harassment, discrimination and/or bullying based on a protected category listed in Federal and State Laws, Local Regulations and/or School Board Policy 4001.1, are to be referred to the Department of EEO/ADA Compliance.