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**Note:** This policy addresses discrimination, harassment (including sexual harassment and sexual assault to include electronic communications), and retaliation involving District students. For provisions regarding discrimination, harassment, and retaliation involving District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. Note that FFH will be used in conjunction with FFI (bullying) for certain prohibited conduct.

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PRINCIPAL'S  
RESPONSIBILITIES:  
PROCESS FOR  
CAMPUS PREVENTION

Principals are expected to implement school-wide, classroom, and individual systems to teach and support positive student behaviors and to provide appropriate consequences for misbehaviors. All staff members will participate in the process of implementing a system for consistently teaching respectful behavior, preventing and stopping bullying and harassment on their campus, and encouraging reporting of such behavior, including how to respond to complaints [see FFH(LOCAL) and FFI(LOCAL)].

1. Principals will be responsible for establishing and maintaining the following:
  - a. **Statement of Purpose:** A brief and positive statement describing the school's purpose and approach to teaching and learning, behavior, and expected outcomes for all students and staff.
  - b. **Initial and Ongoing Assessment of Needs:** Ongoing data collection and analysis to assess campus behavior patterns. Data may include discipline records, school surveys, police reports, and office referrals. Counselors and administrators will communicate regularly about threats to students' safety including actions taken concerning complaints filed, students at risk for violence, and other safety concerns.
  - c. **School-wide Behavioral Rules or Expectations:** A brief and clearly stated list of expected behaviors based on the commonly occurring problem behaviors. Expectations for high standards of behavior and teaching of respectful behaviors will be reinforced continually throughout the year. To promote a safe and respectful school environment, students will be taught how and encouraged to speak up on behalf of other students who are

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION (REGULATION) FFH

targets of bullying, harassment, or otherwise harmful behavior by telling the bully/harasser to stop when it is safe to do so or by getting help from school personnel.

- d. Procedures for Teaching Expected Behavior: Practices that inform students of expected behaviors, demonstrate what expected behaviors look like, and allow students to practice expected behavior skills including how to intervene safely on behalf of others and how to get help from school personnel.
- e. Procedures for Encouraging Expected Behavior: System of social acknowledgment and interaction between the student and the school that provides incentives to encourage students to use pro-social skills in their own relationships and to help others in need.
- f. Procedures for Discouraging Problem Behavior: A continuum of procedures for discouraging problem behavior. Campuses will strive to create a climate of respect and inclusion by reducing the social acceptance of hurtful teasing, bullying, and harassment among students.

STAFF  
RESPONSIBILITIES

All school personnel are expected to model respectful interaction with all students and staff, at all times. School personnel are expected to respond to bullying, dating violence, and harassment based on race, color, gender, national origin, disability, or religion immediately and in a manner consistent with these guidelines.

[See FFI(LOCAL) and FFH(LOCAL) for definitions of bullying, and prohibited harassment including sexual harassment, and dating violence]

PRINCIPAL'S  
RESPONSIBILITIES:  
REPORTING  
BULLYING, SEXUAL  
HARASSMENT, AND  
DATING VIOLENCE

The principal must inform students, parents, and school personnel of a student's right to make a complaint for incidents of bullying, prohibited harassment including cyberbullying, sexual harassment, and dating violence. Students will understand how to file a complaint. School personnel will understand how to respond to incidents and reports. Complaint forms will be available from any school counselor or administrator. Completed complaint forms must be filed in a secure location in the campus administrative office. These files must be made available to the Title IX coordinator or designee upon request.

NOTIFICATION

Staff members who witness or are aware of incidents in which students are bullied or sexually harassed by a student or by school personnel should bring this to the attention of the principal, assistant principal or other appropriate District official immediately. This notification must be documented by submitting a complaint form to

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION (REGULATION) FFH

the principal or assistant principal on behalf of the targeted student on the same day. A failure to immediately report or take required action in a timely manner may impair the District's ability to investigate and address the prohibited conduct. [see FFH(LOCAL) and FFI(LOCAL)].

COUNSELOR OR  
ADMINISTRATOR

A school counselor or administrator who learns of an incident of bullying or prohibited harassment including sexual harassment, and dating violence, or who receives a complaint from a student or staff member will meet with the targeted student privately. If the counselor or administrator has cause to believe that a child has been or may be abused or neglected, he or she shall immediately report the suspected abuse or neglect to Child Protective Services (CPS). [See FFG(LEGAL)]

The counselor or administrator shall also immediately report suspected incidences of abuse or neglect to the District Chief of Police and assist the student in documenting the incident on a complaint form in order for the incident to be investigated by District Police and the District's investigative team.

ASSISTANCE TO  
STUDENT

Any student may request a complaint form at any time through any counselor or administrator. The counselor or administrator will assist the student in filling out the form. Complaint forms will not be removed from the office.

Investigation by the principal or designee: Upon oral or written notification of bullying or prohibited harassment including sexual harassment, and dating violence, the principal or designee is expected to take the following actions.

1. Separate the targeted student from the accused student.
2. Meet separately with the targeted student.
3. Review the student's complaint form or assist the student in documenting the incident on a complaint form during the meeting.
4. If the student's allegations consist of physical or sexual assault or threats, notify the District Chief of Police and Superintendent immediately and take the steps as listed below for intervention.

INTERVENTIONS WITH  
TARGETED STUDENT

Intervention by the principal or designee with the targeted student will include the following:

1. Conference with the targeted student and parent on the same day that the principal or designee was notified.

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION (REGULATION) FFH

2. Identify actions that can be taken to increase the targeted student's safety and ability to participate in school without fear or intimidation.
3. Inform the student and parent of school and community resources as needed, (i.e., Child Protective Services, Baptist Child and Family Services) including their right to file charges or seek legal protection.
4. Encourage the student to report further incidences.
5. Inform the targeted student of his or her right to request a "Stay Away Agreement" [see FFH(EXHIBIT)]. If the student declines, document on the complaint form.
6. For situations also involving sexual harassment, inform the targeted student of his or her right to file a complaint alleging sexual harassment directly with the SFDR CISD Police and the Title IX Coordinator. A complaint may also be filed with the Office for Civil Rights [see FFH(EXHIBIT)].
7. The administration will immediately inform the student, parent or guardian of their right to request an investigation by law enforcement.
8. Monitor the targeted student's safety as needed.
9. Document the meeting and any action plans on the complaint form.
10. Store all complaint forms in a separate, confidential file and document subsequent follow-up actions and complaints in the space provided on the complaint form.

INTERVENTIONS WITH  
ACCUSED STUDENT

Intervention by the principal or designee with accused student will include the following:

1. Conference with the accused student and parent.
2. Emphasize expectations for positive behavior and provide education.
3. Identify disciplinary and other actions and consequences that will be taken to prevent further incidents (e.g. suspension, schedule change)
4. Inform the student and parent of help and support available at school or in the community as needed (e.g. Baptist Child and Family Services).

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION (REGULATION) FFH

5. Address the seriousness of retaliation against the targeted student for reporting the incident or cooperating with the investigation.
6. Increase supervision of the accused student as needed.
7. Document the meeting and action plans in the space provided on the complaint form.

Additional intervention options as deemed necessary by the principal or designee may include:

1. Administering a "Stay-Away Agreement" [see FFH (EXHIBIT)] in the conference with the accused student and parent. A "Stay-Away Agreement" will be attached to the complaint form in the file.
2. Taking other action in accordance with the District student management plan.

INITIAL ASSESSMENT

The following guidelines apply when addressing any student complaint of discrimination, harassment, or retaliation committed by an employee or another adult associated with the District or a complaint of student-to-student harassment or dating violence when the allegations presented, if proven, would constitute prohibited conduct as defined by District policy at FFH.

In the event that the allegations, if proven, would not constitute prohibited conduct as defined by District policy at FFH, the Principal may need to refer to policies and procedures at FFI, regarding bullying or the Student Code of Conduct for other improper conduct.

In the event that the allegations, if proven, would support or constitute prohibited conduct as defined by District policy at FFH, then the campus principal must immediately notify District police and the Superintendent. The Superintendent will assign an investigator(s) to begin the investigation of the allegations presented.

INVESTIGATIVE  
PROCEDURES

GENERAL  
GUIDELINES

The investigator(s) must maintain confidentiality to the extent possible and as allowed by law and must advise the complainant that limited disclosure may be necessary to complete a thorough investigation. Records of the investigation must be maintained in accordance with FB(LOCAL).

If possible, when investigating allegations of discrimination and/or gender-based harassment, the investigator should be the same sex as the student. During the investigative process, the student should be permitted to be accompanied by a parent, friend, or advisor.

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION (REGULATION) FFH

In the course of the investigation, the investigator may also need to determine whether the allegations, if proven, would constitute bullying as defined by District policy. If the allegations would constitute bullying, the investigator will need to make a determination about the bullying incident in accordance with policies and procedures at FFI.

In conducting the investigation, the investigator will:

1. Take immediate action to protect the student from the alleged situation.
2. Notify parents of the allegations, explain to them the purpose of the investigation, and keep them apprised during the process.
3. Assure complainant of protection from retaliation.
4. Advise complainant that the District does not tolerate discrimination, harassment, dating violence, or retaliation and help the complainant feel secure about presenting allegations of wrongdoing.
5. Notify Child Protective Services of the Department of Family and Protective Services or local law enforcement immediately if there is cause to believe the student has been sexually abused or neglected or has been a victim of indecency with a child.
6. If a student's complaint leads to a suspected incidence of abuse or neglect, the investigator will immediately cease the investigation and report the complaint to the District Chief of Police.
7. If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District Chief of Police will confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation and proceed only to the extent that the District's investigation does not impede the ongoing agency investigation. After the law enforcement or regulatory agency has completed gathering its evidence, the District will promptly resume its investigation.
8. Reduce all complaints to writing. If the student refuses to make or sign a written complaint, the administrator will carefully document the allegations in writing and record the date and circumstances of the interview.
9. Take a sworn statement if at all possible.

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION (REGULATION) FFH

10. Secure any physical evidence.
11. Interview the complainant first, proceeding chronologically through the allegations.
12. Interview the alleged victim if that person is not also the complainant. Assure the alleged victim of protection from retaliation.
13. Interview any witnesses.
14. Maintain detailed notes of all interviews. Notes will be read to witnesses to verify details and to ensure accuracy. Record facts, not conclusions.
15. Develop a summary of interview notes, which should be signed by witnesses to verify the accuracy of their statements. If a witness declines to sign the summary or to allow the use of his or her name, the interviewer will note that restriction and retain the unsigned document.
16. Interview the alleged harasser and take a written or sworn statement, if possible. The alleged harasser will be presented with each allegation and provided an opportunity to respond.
17. Advise the alleged harasser that retaliation against the victim, the complainant, or any witnesses is strictly prohibited by District policy and is subject to immediate disciplinary action.
18. Not concede the truth or falsehood of the allegations during the course of the investigation.
19. Not divulge information regarding the identity of the victim or alleged perpetrator unnecessarily when interviewing other witnesses.
20. Document all efforts made to investigate the alleged harassment.
21. Prepare a written report of the investigation

NOTICE TO  
SUPERINTENDENT  
INVESTIGATION  
REPORT

Within two District business days of the completion of an investigation, the investigator will submit the Investigation Report [see FFH(EXHIBIT)] and any appropriate materials associated with the investigation to the Superintendent or designee.

The Investigation Report will include supporting documentation that will refute or support whether prohibited conduct including discrimination, harassment, and/or retaliation occurred.

STUDENT WELFARE FFH  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION (REGULATION)

DISMISSAL OF COMPLAINT	<p>If upon completion of the investigation, supporting documentation refutes whether discrimination, harassment or retaliation has occurred, and the Superintendent determines that dismissal of the complaint is warranted, the Superintendent will provide notification to the Board, and the Principal will follow up with the alleged victim, the alleged harasser, the complainant, and the witnesses, in accordance with the Family Educational Rights and Privacy Act (FERPA), and will ensure that behavior giving rise to the allegations does not recur.</p> <p>The Principal will advise the alleged victim and his or her parents, the harasser, and the complainant of their right to appeal the investigator's decision through the student complaint process at FNG(LOCAL), beginning at Level Two, as well as notify them of their right to file a complaint with the United States Department of Education Office for Civil Rights.</p>
DISCIPLINARY ACTION AGAINST AN EMPLOYEE	<p>If upon completion of the investigation, supporting documentation indicates whether discrimination, harassment or retaliation has occurred, the Superintendent will notify the School Board and the Chief Human Resources and Instructional Support Officer regarding the course of action.</p> <p>The District must notify SBEC if an educator's employment is terminated or if the educator resigns, and reasonable evidence supports a recommendation to terminate based on a determination that the educator engaged in certain criminal misconduct. [See DF]</p>
AGAINST A STUDENT	<p>If upon completion of the investigation, supporting documentation indicates whether discrimination, harassment or retaliation has occurred and that disciplinary action against a student is warranted, the Superintendent will notify the School Board and the Principal will proceed with the appropriate course of action, in accordance with the District's Student Code of Conduct.</p>
RECORDS RETENTION	<p>The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records retention schedules, but no less than the minimum amount of time required by law. [See CPC].</p>