



INVESTIGATION OF BULLYING-RELATED ACTS (INS-P030)

Clarksville-Montgomery County School System

1.0 SCOPE:

- 1.1 This procedure outlines the process for investigating bullying-related acts including, but not limited to acts based on disability, gender, race, etc., perpetrated on any student, school/district personnel, or volunteers by a student, school/district personnel or volunteers that disrupts both a student's ability to learn and a school's ability to educate students in a safe and orderly environment.

The online version of this policy is official.
Therefore, all printed versions of this
document are unofficial copies.

2.0 RESPONSIBILITY:

- 2.1 Principal or Designee

3.0 APPROVAL AUTHORITY:

- 3.1 Chief Academic Officer

4.0 DEFINITIONS:

- 4.1 Harassment, intimidation, and bullying – Any conduct that is sufficiently serious to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by the school district, and:

- 4.1.1 if the act takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation or at any official school bus stop that has the effect of:

- a. physically harming a student or damaging a student's property;
- b. knowingly placing a student or students in reasonable fear of physical harm to the student(s) or damage to the student's or students' property; or
- c. causing emotional distress to a student or students' or
- d. creating a hostile educational environment; or

- 4.1.2 if the act takes place off school property or outside of a school-sponsored activity, it is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the education environment or learning process.

To distinguish bullying-related acts from other inappropriate behaviors, CMCSS defines bullying as:

- a. harm occurs through an intentional act; and
 - b. a power imbalance exists; and
 - c. the accused enjoys carrying out the action; and
 - d. the accused repeats the behavior, often in a systematic way; and
 - e. the target has a sense of being persecuted or oppressed and is hurt physically and/or psychologically.
- 4.2 Cyber-bullying – Bullying that creates a hostile educational environment or otherwise creating a substantial disruption to the educational environment or learning process. Cyber-bullying includes, but is not limited to, the use of information and communication technologies, such as e-mail, cell phone text or picture messages, instant messaging, and defamatory personal websites, social networking sites, and online personal polling sites – to support deliberate, hostile behavior intended to frighten or harm others.



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- 4.3 Hazing – Any intentional or reckless act, on or off school system property, by one student acting alone or with others, directed against any other student, that endangers the mental or physical health or safety of that student or that induces or coerces a student to endanger that student's mental or physical health or safety. Hazing does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.
- 4.4 Not all inappropriate behaviors are bullying related acts. The CMCSS Code of Conduct will be referenced to distinguish between bullying, harassment, and other forms of inappropriate behaviors (i.e. vulgar and profane language, lewd or lascivious conduct, assault and fighting, disruptive or boisterous conduct).

5.0 PROCEDURE:

- 5.1 Principal or designee initiates full investigation within 48 hours for founded incidents. The investigation will be conducted in an impartial manner, including an impartial decision maker, and the parties have the right to present witnesses and other evidence relevant to the complaint, to the decision maker and/or investigator.
- 5.1.1 Collects all facts, including review of records of target and accused (Bullying and Harassment Investigation Form (INS-F112);
- 5.1.2 Principal or designee interviews target, accused, and witnesses/bystanders; and
- 5.1.3 Evaluates the facts presented.
- 5.1.4 If a student with a disability is involved in the investigation, notify the case manager or 504 coordinator.
- 5.2 Principal or designee completes log entry in PowerSchool for target and accused.
- 5.3 The principal or designee shall complete the investigation in such a manner that he/she will initiate any appropriate intervention within twenty (20) calendar days of receipt of the initial report unless the need for more time is appropriately documented.
- 5.3.1 As permitted by FERPA, the principal or designee gives written notice to the alleged target and his/her parents/guardians of the conclusion of the investigation. The principal or designee gives written notice to the accused and his/her parents/guardians of the conclusion of the investigation and any associated discipline and/or interventions, including the availability of counseling and support services that may be deemed necessary by the principal or designee. Such written notice will be sent no later than one school day after the decision is made.
- 5.3.2 Principal or designee will notify the case manager or 504 coordinator of the results so they can determine if a review is necessary.
- 5.4 Discipline and/or intervention process takes place.
- 5.4.1 Principal for designee will consider the following factors in determining the consequences and appropriate remedial action for bullying-related acts:
- The developmental level and maturity levels of the parties involved;

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- The levels of harm as determined by the student's ability to be educated in a safe and orderly environment;
- The surrounding circumstances;
- The nature of the behavior(s) (refer to INS-A016 definition, pg. 1);
- Past incidences or continuing patterns of behavior;
- The relationships between the parties involved; and
- The context in which the alleged incidents occurred.

5.5 Principal or designee continues to monitor situation and conducts appropriate follow-up.

5.6 The school will take steps to prevent recurrence of any intimidation, bullying, or harassment act, including, but not limited to acts which are based upon a person's disability, gender or race, etc. The school will remedy discriminatory effects on the complainant and others, if appropriate.

6.0 ASSOCIATED DOCUMENTS:

- 6.1 CMCSS Student Code of Conduct ([STS-M001](#))
- 6.2 Reporting Bullying-Related Acts ([INS-P029](#))
- 6.3 Bullying and Harassment Investigation Form ([INS-F111](#))
- 6.4 Log Entry in PowerSchool
- 6.5 504 Grievance Procedure ([INS-P027](#))

7.0 RECORD RETENTION TABLE:

<u>Identification</u>	<u>Storage</u>	<u>Retention</u>	<u>Disposition</u>	<u>Protection</u>
Investigation Form (INS-F112)	School Office	3 years	Shred	Locked Office

<u>Date:</u>	<u>Rev.</u>	<u>Description of Revision:</u>
3/18/14	IR	
10/26/16	A	Updated definition. 5.1 changed "immediately" to "48 hours", added impartial manner statement. 5.3 investigation will be completed within 20 days. Added 5.1.4 and 5.3.2. Updated associated documents.

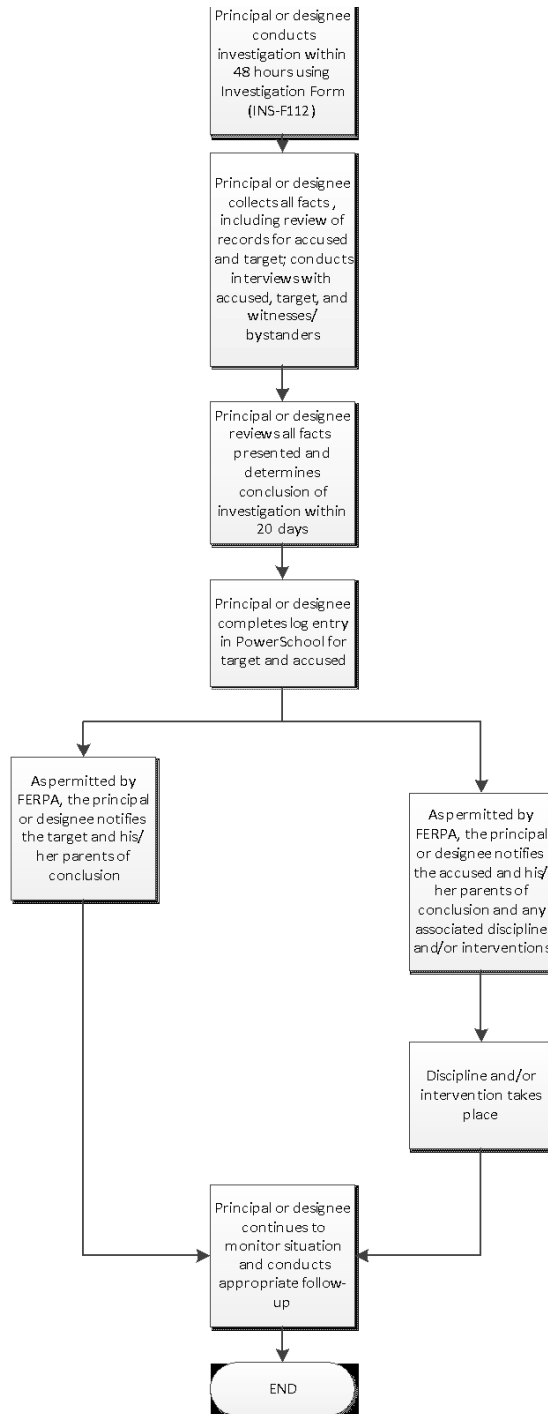
8.0 REVISION HISTORY:

9.0 FLOWCHART:

- 9.1 A flowchart detailing this process can be found below.

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End of Procedure