

TITLE: **Bullying and Harassment**

POLICY:

- (1) Statement prohibiting bullying and harassment.
 - (a) The School Board of Orange County, Florida (“Board”) is committed to protecting its students, employees, and applicants for admission from bullying, harassment, or discrimination for any reason and of any type. The Board believes that all students and employees are entitled to a safe, equitable, and harassment-free school experience. Bullying, including cyberbullying, harassment, or discrimination will not be tolerated and shall be just cause for disciplinary action. This policy shall be interpreted and applied consistently with all applicable state and federal laws and the Board's collective bargaining agreements.
 - (b) The best practices to ensure school safety and violence prevention initiatives for the school community (students, parents/legal guardians, employees, and community members) are essential components of this policy. This policy is designed to assure that awareness, intervention, and follow-up training components are in place within each school community with the goal of establishing and maintaining a safe learning and working environment.
 - (c) Conduct that constitutes bullying or harassment, as defined herein, is prohibited.
- (2) Definitions. For purposes of this policy, the following definitions shall apply:
 - (a) “Bullying” includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students or OCPS 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 school 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 or private humiliation; and/or
 - (x) Destruction of property.
- (b) “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 OCPS employee that:
- (i) Places a student or OCPS 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; and/or
 - (iii) Has the effect of substantially disrupting the orderly operation of a school.
- (c) “Sexual harassment” consists of unwelcome sexual advances, requests for sexual favors, and other inappropriate oral, written, or physical conduct of a sexual nature when such conduct substantially interferes with a student’s academic performance or creates an intimidating, hostile, or offensive environment for any student or OCPS employee. Sexual harassment as defined herein may include, but is not limited to, the following:
- (i) Verbal harassment or abuse;
 - (ii) Pressure for sexual activity;
 - (iii) Repeated remarks to a person with sexual or demeaning implications;
 - (iv) Unwelcome or inappropriate touching; and/or
 - (v) Suggesting or demanding sexual involvement accompanied by implied or explicit threats.
- (d) Bullying and harassment also encompass:
- (i) Retaliation against a student or OCPS employee by another student or OCPS 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 OCPS employee by:
 - 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 OCPS; and/or
 - c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.
- (e) “Cyberstalking” as defined in Section 784.048(1)(d), Florida Statutes, 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. Additional definitions in Section 815.03, Florida Statutes, are also applicable.
- (f) “Cyberbullying” means bullying through the use of technology or any electronic communication, which includes, but is not limited to, 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, photoelectronic system, or photooptical 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 as the author of posted content or messages, if the creation of impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution of 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.
- (g) “Bullying,” “Cyberbullying”, “Harassment,” and “Sexual Harassment” is hereinafter collectively referred to as “bullying” for the purpose of this policy. Bullying encompasses, but is 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 OCPS employee by any Board member, OCPS employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored events, on school buses, at training facilities or training programs sponsored by OCPS, and/or on property owned or operated by the Board.

- (3) Description of the type of behavior expected from each student and school employee of OCPS.
- (a) The Board 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 OCPS employees, the goal of student success underlying all school activities, and the care of school facilities and equipment.
 - (b) The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, OCPS employees, and community members producing a school climate that encourages students to grow in self-discipline. The development of this positive school climate requires respect for self and others, as well as for district and community property on the part of students, OCPS employees, parents/legal guardians, and community members. Since students learn by example, school and location administrators, faculty, staff, and volunteers will demonstrate appropriate modeling behavior; treat others with civility and respect, and refuse to accept bullying or harassment.
 - (c) The Board upholds that bullying or harassment of any student or OCPS employee is prohibited:
 - (i) During any education program or activity conducted by an OCPS K-12 educational institution;
 - (ii) During any OCPS school-related or school-sponsored program or activity;
 - (iii) On a school bus of a public K-12 educational institution; and/or
 - (iv) Through the use of data or computer software that is accessed through a computer, computer system, or computer network of an OCPS public K-12 education institution.
 - (d) Each school community is required to implement appropriate

recognition for positive reinforcement for good conduct, self discipline, good citizenship and academic success. These areas are addressed in each school improvement plan which is submitted to, reviewed and approved by OCPS.

- (e) Student rights shall be explained as outlined in this policy and in the OCPS Code of Student Conduct: Students Rights and Responsibilities.
 - (f) Proper prevention and intervention steps shall be applied based on the level of severity of infraction as outlined in the OCPS Code of Student Conduct and this policy.
- (4) Consequences for a student or OCPS employee of a public K-12 educational institution who commit an act of bullying or harassment.
- (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 offenders' position within OCPS.
 - (b) Consequences and appropriate interventions for students who commit acts of bullying may range from positive behavioral interventions up to, but not limited to an expulsion, as outlined in the OCPS Code of Student Conduct.
 - (c) Consequences and appropriate interventions for an OCPS employee found to have committed an act of bullying will be instituted in accordance with OCPS policies, procedures, and agreements. Additionally, egregious acts of bullying or harassment by certified educators may result in a sanction against an educator's state issued certificate (see Rule 6B-1.006, Florida Administrative Code, and The Code of Ethics and The Principles of Professional Conduct of The Education Profession in Florida).
 - (d) Consequences and appropriate intervention for a visitor or volunteer found to have committed an act of bullying shall be determined by the school or location administrator after consideration of the nature and circumstances of the act, which may include reports to appropriate law enforcement officials.
 - (e) In addressing consequences of computer-related bullying, 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. Consequences will be taken as outlined in the section on Abuse of Electronic and Internet/Communication Devices as outlined in the OCPS Code of Student Conduct and in the Code of Civility (found in Board Policy KFB).

- (5) Consequences for a student or OCPS employee of a public K-12 educational institution who is found to have wrongfully and intentionally accused another of an act of bullying or harassment.
 - (a) Consequences and appropriate remedial action for a student found to have wrongfully and intentionally accused another as a means of bullying or harassment range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct.
 - (b) Consequences and appropriate remedial action for an OCPS employee found to have wrongfully and intentionally accused another as a means of bullying or harassment will be referred to Employee Relations and may be disciplined in accordance with OCPS policies, procedures, and agreements.
 - (c) Consequences and appropriate remedial action for a visitor or volunteer found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school or location administrator after consideration of the nature and circumstances of the act, which may include reports to appropriate law enforcement officials.
- (6) Procedures for reporting an act of bullying or harassment, including provisions that permit a person to anonymously report such an act.
 - (a) At each school, the principal/designee is responsible for receiving oral or written complaints alleging violations of this policy, as with all infractions from the OCPS Code of Student Conduct.
 - (b) All OCPS employees are required and must report, in writing, any allegations of bullying or violations of this policy to the principal/designee or appropriate area/district administrator.
 - (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 at the school location, whether they are a victim or a witness.
 - (d) Any student who believes he/she is a victim of bullying, or has knowledge of any incidents involving bullying of students is strongly encouraged to report the incident(s) in writing to a school official. A parent/legal guardian may intervene on behalf of their child. Complaints should be filed as soon as possible after the alleged incident and noted on the specified OCPS reporting form, but must be filed within ten (10) school days after the alleged incident. 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.
 - (e) The principal/designee shall establish, and prominently publicize to

students, employees, volunteers, and parents/legal guardians, how a report of bullying may be filed and how this report will be acted upon. This notification will occur through school newsletters, pre-planning staff meetings, school announcements, OCPS Code of Student Conduct review meetings, and on the school's website. Forms will be available at each school to make a written report when student bullying is witnessed.

- (f) An OCPS employee, school volunteer, contractor, student, parent/legal guardian, or other person 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 or reporter's future employment, grades, learning or working environment, or work assignments.
 - (g) Administrators/principals/designees shall document in writing and/or via the discipline data system all complaints regarding bullying, as with all infractions of the OCPS Code of Student Conduct, to ensure that problems are appropriately addressed in a timely manner, whether the report is made verbally or in writing.
 - (h) Anonymous reports may be made utilizing The Speakout Hotline. The Speakout Hotline is promoted to schools at the district level and, in return, each school will publicize The Speakout Hotline through PSAs and/or other promotional materials. Reports made to this anonymous hotline are immediately followed up on and written copies of this anonymous report will be sent to the principal/designee for follow-up. Formal disciplinary action may not be based solely on the basis of an anonymous report.
- (7) Procedures for the prompt investigation of a report of bullying or harassment and the persons responsible for the investigation.
- (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.
 - (b) The procedures for investigating school-based bullying (student-to-student bullying) may include the principal/designee and is deemed to be a school-related activity. The principal/designee shall be trained by the Area Administrators and a representative from Academic and Guidance Services in investigative procedures and interventions as outlined in this policy. For incidents of bullying which are the most serious acts of misconduct (OCPS Code of Student Conduct), the area/district level administrator will work cooperatively with the principal/designee as outlined in this policy.

- (c) Incidents that require a reasonable investigation when reported to an appropriate school official shall include alleged incidents of bullying or harassment allegedly committed against a student while the student is en route to school aboard a school bus or at a school bus stop.
- (d) Documented interviews of the victim, alleged offender, and witnesses are conducted privately, separately, and are confidential. The victim will be interviewed first. Each individual (victim, alleged offender, and witnesses) will be interviewed separately and at no time will the alleged offender and victim be interviewed together.
- (e) 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;
 - (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.
- (f) The investigator may not be the accused or the alleged victim or related to the alleged victim.
- (g) The principal/designee or appropriate area/district administrator shall begin a thorough investigation and interviews with the complainant(s), accused, and witnesses within twenty-four (24) hours or no more than two (2) school days of receiving a notification of complaint. The principal/designee will provide immediate notification to the parents/legal guardians of both the victim and the

alleged offender of an act of bullying or harassment.

- (h) During the investigation, the principal/designee or appropriate area/district administrator may take any action necessary to protect the complainant, other students or OCPS employees consistent with the requirements of applicable regulations and statutes.
- (i) 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. Any legal order of a court will prevail and/or state and federal laws.
- (j) When necessary to carry out the investigation or for other good reasons and consistent with federal and state privacy laws, the principal/designee or appropriate area/district administrator also may discuss the complaint with any OCPS employee, the parent/legal guardian of the complainant or accused, and/or child protective agencies responsible for investigating child abuse.
- (k) During the investigation where an OCPS employee is the accused, the principal/designee will make contact with the designee of OCPS Employee Relations who may recommend any action necessary to protect the complainant, or other students or OCPS employees, consistent with the requirements of applicable statutes, State Board of Education Rules, Board policies, and collective bargaining agreements.
- (l) Within ten (10) school days of the filing of the complaint, there shall be a written decision by the principal/designee or appropriate area/district administrator regarding the completion 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.
- (m) The principal/designee or appropriate area/district administrator will inform all relevant parties in writing of the decision and the right to appeal. A copy of the decision will be sent to the originating school and be noted in all relevant data tracking systems including, but not limited to the SESIR and the Statewide Report on School Safety and Discipline Data system.
- (n) If the accused is an OCPS employee, discipline may be taken, consistent with any applicable collective bargaining agreement provisions, to resolve a complaint of bullying (Employee Disciplinary Guidelines). The supervisor/designee (e.g., principal/designee for OCPS employees) of the employee shall discuss the determination and any recommended corrective action with Employee Relations and/or the appropriate area/district supervisor.
- (o) No retaliation of any kind is permitted in connection with an

individual's having made a bullying complaint and if it occurs, it shall be deemed an additional act of bullying as stated herein this policy.

- (p) A process to investigate whether a reported act of bullying or harassment is within the scope of the OCPS school system and, if not, a process for referral of such an act to the appropriate jurisdiction
- (q) Each principal/designee will receive training in bullying investigation.
- (r) The principal/designee will determine whether the act of bullying or harassment is within the scope of investigation for OCPS.
 - (i) The team decision making approach may be utilized in this process and consultation with the appropriate area administrator may be used in this determination.
 - (ii) If it is determined that it is in the scope of investigation for OCPS, the procedures outlined for investigating the bullying act or harassment act contained herein will be applied.
 - (iii) If it is outside the scope of investigation for OCPS and if it is determined that it is a criminal act, a referral to the appropriate law enforcement agency will be applied.
 - (iv) If it is outside the scope of investigation for OCPS and if it is determined not to be a criminal act, all parents/legal guardians of each student involved will be informed.
- (8) Procedures for providing immediate notification to the parents/legal guardians of a victim of bullying or harassment and the parents/legal guardians of the offender of an act of bullying or harassment, as well as, notification to all local agencies where criminal charges may be pursued against the offender.
 - (a) The principal/designee who will conduct the investigation will receive training on investigative procedures regarding bullying or harassment. The required training will include that the principal/designee shall promptly report by telephone, personal conference, and/or in writing by first class mail the occurrence of any incident of bullying or harassment as defined by this policy to the parent/legal guardian of all students 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).
 - (b) The required training for the principal/designee will include information regarding the procedures to follow if the bullying incident results in the offender being charged with a crime. The

principal/designee shall promptly report by telephone, personal conference, and/or in writing by first class mail the occurrence of any incident of bullying or harassment as defined by this policy to the parent/legal guardian of the victim(s) involved in the bullying incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532 which provides "...a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.")

- (c) The required training for the principal/designee will include information that once the investigation has been completed and it has been determined that criminal charges may be pursued against the offender, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.
- (9) Procedures to refer victims and offenders of bullying or harassment for counseling.
- (a) Each school will have a principal/designee who will attend a training which will include the protocol for intervening when bullying or harassment is suspected or reported. The principal/designee will disseminate to OCPS employees at the school the protocol and procedure for intervening which includes the OCPS referral process for suspected or reported bullying (victim and offender).
 - (b) Each school will have a Child Study Team in place. The principal/designee who attends the trainings will be a member of the Child Study Team. A parent/legal guardian may request consultation from the school's Child Study Team. A referral form to the team will be available for parents/legal guardians and school employees.
 - (c) If a level III or IV (most severe) bullying or harassment discipline report is made, the principal/designee may refer the student(s) (victim(s) or offender(s)) to The Child Study Team for additional determination of counseling support and interventions. Parent/legal guardian involvement is required at this point. In utilizing the team approach, The Child Study Team identifies and accesses appropriate support services for students who have received most severe disciplinary referrals. The services recommended for the students are not to replace disciplinary action but will offer family and individual support regarding appropriate therapeutic interventions.
- (10) Procedures for including incidents of bullying or harassment in the school's report of data concerning school safety and discipline data required under Section 1006.09(6), Florida Statutes.

- (a) The report must include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. The report must include, in a separate section, each reported incident of bullying or harassment that does not meet the criteria of a prohibited act under this section with recommendations regarding such incidents:
 - (b) All bullying and harassment offenses will be reported in SESIR with the following bullying/harassment codes: bullying (BUL), harassment (HAR), unsubstantiated bullying (UBL), and unsubstantiated harassment (UHR).
 - (c) Discipline, referral data, investigations, interventions, and actions of discipline will be recorded on the discipline data form(s) as is applied for other discipline infractions from the OCPS Code of Student Conduct.
- (11) Procedures for providing instruction to students, parents/legal guardians, employees, school and location administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying or harassment.
- (a) The Academic and Guidance Service Department will provide a training of trainer model. The trainings will be ongoing and the delivery model will allow participants to return to their school site and train students, parents/legal guardians, employees, school and location administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying or harassment.
 - (b) The best practices, which include individual, classroom, community/parent/legal guardian, and school wide efforts for bullying prevention, will be included in the training of trainer model.
- (12) Procedures for regularly reporting to a victim's parents/legal guardians the actions taken to protect the victim.
- (a) The principal/designee shall by telephone and/or in writing report the occurrence of any incident of bullying victimization as defined by this policy to the parent/legal guardian of the victim on the same day an investigation of the incident has been initiated.
 - (b) According to the level of infraction, parents/legal guardians will be notified by telephone and/or writing of actions being taken to protect the student; the frequency of notification will depend on the seriousness of the bullying or harassment incident.
 - (c) Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

- (13) Procedures for publicizing the policy which must include its publication in the OCPS Code of Student Conduct required under Section 1006.07(2), Florida Statutes, and in all employee handbooks.
 - (a) OCPS shall provide notice to students and OCPS employees of this policy through the OCPS Code of Student Conduct, the Employee Handbook, Superintendent Documents, and/or through other reasonable means.

- (14) Plans to implement curriculum, discipline policies, and violence prevention efforts which are ongoing and throughout the school year.
 - (a) The goal to create a safe learning and working environment at schools will be accomplished through the selection of the following initiatives:
 - (i) Violence Prevention Efforts (curriculum, activities and programs);
 - (ii) Nonviolent Crisis Intervention Training;
 - (iii) Threat Assessments;
 - (iv) Response Teams;
 - (v) Student Assistance Teams;
 - (vi) Child Study Teams;
 - (vii) Elementary, Middle and High School Bullying Prevention Programs;
 - (viii) SAFE Ambassadors;
 - (ix) Internet Safety Curriculum;
 - (x) Class Meetings/Discussions;
 - (xi) Preventing Disruptive Behaviors Training;
 - (xii) Parent/Legal Guardian Interaction Training;
 - (xiii) Student Recognition Programs;
 - (xiv) Bullying Prevention Trainings (principal/designee)
 - (xv) School Climate Surveys (available for parents/legal guardians, staff and students); and/or
 - (xvi) Discipline/Bullying Procedure Training (principal/designee).

- (b) The components listed above are a violence prevention plan developed by the Academic and Guidance Service Department for the schools to assist in creating and maintaining a positive and welcoming school culture free of violence. The above ongoing plan promotes a comprehensive approach for curriculum implementation, discipline policy awareness, and violence prevention initiatives.

SPECIFIC AUTHORITY:

Sections 784.048; 760.01; 1000.05; 1006.09; 1006.147, Florida Statutes

42 U.S.C. Section 2000d (1964) as amended; and
42 U.S.C. Section 12132 (1990) as amended

TITLE: Teen Dating Violence or Abuse

POLICY:

It is the policy of The School Board of Orange County, Florida (“Board”) that all students of Orange County Public Schools (“OCPS”) have an educational setting that is safe, secure, and free from dating violence or abuse of any kind. The Board and OCPS shall not tolerate any form of teen dating violence or abuse. Dating violence or abuse by any student is prohibited on school property; during any school related or school sponsored program or activity; or during school sponsored transportation.

(1) Definitions. For purposes of this policy, the following definitions shall apply:

(a) “Dating violence” is a pattern of emotional, verbal, sexual, or physical abuse used by one person in a current or past intimate relationship to exert power and control over another when one or both of the partners is a student.

(b) “Abuse” is mistreatment which may include, without limitation, insults, coercion, social sabotage, sexual harassment, stalking, threats, and/or acts of physical or sexual abuse. The abusive partner uses this pattern of violent and coercive behavior to gain power and maintain control over the dating partner. This may also include abuse, harassment, and stalking via electronic devices (as further described in Board Policy JIC), including without limitation, cell phones and computers, and harassment through a third party, and may be physical, mental, or both.

(2) Reporting Dating Violence or Abuse.

OCPS employees shall report to the applicable OCPS school principal or designee (“principal/designee”) suspected cases of dating violence and abuse. Students should report suspected cases of dating violence and abuse to the principal/designee and may do so anonymously. Student

victims should report any incidences of dating violence and abuse to the principal/designee as soon after it occurs as possible. In the event an OCPS employee has reason to suspect that an alleged violation of this policy might constitute a crime, such employee shall also immediately report the complaint to applicable law enforcement. All other members of the school community, including without limitation, students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal/designee.

(3) Investigations.

- (a) The principal/designee will conduct an investigation. If the principal/designee determines that inappropriate behaviors have occurred on school property, the principal/designee will make a determination if disciplinary action is warranted as outlined in the OCPS Code of Student Conduct and take the necessary action as proscribed therein.
- (b) The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of dating violence and/or abuse and the investigative procedures that follow in compliance with applicable law.
- (c) If a crime has been committed, the appropriate law enforcement agency shall be notified.

(4) Curriculum.

- (a) The health education curriculum for students in grades 7 through 12 shall include dating violence and abuse. The dating violence and abuse component shall include, without limitation: the definitions of dating violence and abuse; the warning signs of dating violence and abusive behavior; the characteristics of healthy relationships; measures to prevent and stop dating violence and abuse; and community resources available to victims of dating violence or abuse.
- (b) The curriculum for students in grades 7 through 12 shall have an emphasis on prevention-based education.

(5) Training.

- (a) Training on this policy prohibiting dating violence and abuse and related procedures will be provided to OCPS school employees.
- (b) Training to be provided hereunder shall include, without limitation, the proper identification, investigation, and intervention of dating violence or abuse incidents that fall within the jurisdiction of the school.

SPECIFIC AUTHORITY: Sections 760.01; 1000.05; 1001.41; 1001.42; 1001.43;
1003.42; 1006.07; 1006.148, Florida Statutes

20 U.S.C. Sections 1681-1688 (1972), as amended

42 U.S.C. Section 2000d (1964), as amended

42 U.S.C. Section 12132 (1990), as amended

ADOPTED: 10/25/11

REVISED: 6/23/15; 5/23/17



OCPS Bullying/Harassment Incident Reporting and Title IX Grievance Form

Unsubstantiated: ___ 1O Bullying ___ 1P Harassment		SMS Incident # _____		Date: _____		
	Race	Sex	Religion	Disability	Sexual Orientation	Harassment
Yes	<input type="checkbox"/>	<input type="checkbox"/>				
No	<input type="checkbox"/>	<input type="checkbox"/>				

Incident Recorded by: _____
 Position: _____ School: _____
 Date: _____ Time: _____

Person(s) Making Allegation:

Name: _____ Phone: _____
 Address: _____
 E-Mail: _____

Name: _____ Phone: _____
 Address: _____
 E-Mail: _____

Students Involved:

Name: _____ Student #: _____

Nature of Involvement: _____

Name: _____ Student #: _____

Nature of Involvement: _____

Name: _____ Student #: _____

Nature of Involvement: _____

Incident Information:

Incident Location: _____

Date: _____ Time: _____

Incident Description: _____

Incident Type (Check all that apply)

<input type="checkbox"/> Cyber-bullying	<input type="checkbox"/> 2Q Sexual Harassment
<input type="checkbox"/> Name-calling or unwanted teasing	<input type="checkbox"/> 3S Sexual Harassment
<input type="checkbox"/> Name-calling or mean comments about religion, gender or race	<input type="checkbox"/> 4N Sexual Battery
<input type="checkbox"/> Name-calling, mean comments, or gestures with a sexual meaning	<input type="checkbox"/> 4O Sexual Harassment
<input type="checkbox"/> Physical violence	<input type="checkbox"/> 4P Sexual Offenses
<input type="checkbox"/> Rumor-spreading	<input type="checkbox"/> 4Z Sexual Assault
<input type="checkbox"/> Social isolation/exclusion	
<input type="checkbox"/> Taking another's property	
<input type="checkbox"/> Threats/intimidation	
<input type="checkbox"/> Harassment	
<input type="checkbox"/> Sexual Harassment/Sexual Discrimination	
<input type="checkbox"/> Dating Violence	
<input type="checkbox"/> Other:	

Investigator 1: _____ Position: _____

Investigator 2: _____ Position: _____

Parent/Guardian of Victim contacted on _____ Method of Contact: _____

Name: _____ Relationship to Victim: _____

Parent/Guardian of Victim contacted on _____ Method of Contact: _____

Name: _____ Relationship to Victim: _____

Parent/Guardian of Victim contacted on _____ Method of Contact: _____

Name: _____ Relationship to Victim: _____

Parent/Guardian of Offender contacted on _____ Method of Contact: _____

Name: _____ Relationship to Offender: _____

Investigation initiated: Yes No Initiation Date: _____

Title IX Coordinator Contacted Yes No Contact Date: _____

Bullying/Harassment indicated: Yes No (Refer to Investigative Guidelines document)

If no: ___ 1O Bullying ___ 1P Harassment

Reason/Evidence:

If bullying is indicated, the discipline referral process should be initiated using guidelines documented in the Code of Student Conduct and the Discipline Procedure Guide.

Action Taken as a result of allegation - Substantiated or Unsubstantiated

Action Taken (**Check all that apply**):

<u>Action</u>	<u>Date</u>	<u>Responsible Contact</u>
Referred victim/offender to SAFE Coordinator	_____	_____
Referred victim/offender to Guidance Counselor	_____	_____
Referred victim/offender to SAFE Team	_____	_____
Referred victim/offender to Child Study Team	_____	_____
Initiated Safety Plan for victim and offender	_____	_____
Contacted law enforcement	_____	_____
Notified teachers of students' behavior(s)	_____	_____
Other Consequences for offender(s) (Not documented on Discipline Referral Form)	_____	_____

Describe:

Post-Investigation Contact:

Parent/Guardian of Victim contacted on _____ Method of Contact: _____
Name: _____ Relationship to Victim: _____

Parent/Guardian of Victim contacted on _____ Method of Contact: _____
Name: _____ Relationship to Victim: _____

Parent/Guardian of Victim contacted on _____ Method of Contact: _____
Name: _____ Relationship to Victim: _____

Parent/Guardian of Offender contacted on _____ Method of Contact: _____
Name: _____ Relationship to Offender: _____

Follow-up: _____

Please attach all **discipline referral forms, witness statements, suspension letters**, (if appropriate), and all other discipline information related to the bullying or Title IX investigation.