



Revised: 9/9/22



# **PROMOTING A SAFE ANTI-BULLYING ENVIRONMENT FOR ALL STUDENTS**

La Feria ISD does not discriminate on the basis of race, religion, color, national origin, gender, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; section 504 of the Rehabilitation Act of 1973, as amended.

## TABLE OF CONTENTS

I.	Mission and Priority Statement .....	3
II.	FFI Legal & Local.....	4
III.	Introduction and Instructions .....	10
II.	Checklist for Responding to Reports of Bullying or Harassment .....	11
III.	Bullying/Harassment Incident Report .....	13
IV.	Investigation Guidelines .....	15
V.	Administrative Investigation Report.....	18
VIII.	Corrective Measures .....	20
A.	Ideas & Strategies to Address Bullying/Harassment .....	21
B.	“Stay Away” Agreement .....	22
IX.	Glossary of Key Terms.....	25

# **Mission Statement**

La Feria ISD is committed to each student's success in learning within a responsive and safe environment. We are committed to providing a learning environment which is free from discrimination, threats, bullying and harassment for all students. We will work to ensure that all students have the opportunity and support to develop to their fullest potential and that all students have a personal, meaningful bond with someone in the school community.

## **Priority Statement**

Schools are meant to be safe and caring places where students can learn. As such, bullying in any form will not be tolerated. It is the responsibility of the entire school community to ensure that bullying is not allowed.

The Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and cyber bullying. The school or district is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this plan for preventing, intervening, and responding to incidents of bullying, cyber bullying, and retaliation. The principal of each school is responsible for the implementation and oversight of the plan.

## **Bullying Prevention and Intervention Policies**

STUDENT WELFARE  
FREEDOM FROM BULLYING

FFI  
(LEGAL)

**Definitions**

**Bullying**

**“Bullying”:**

1. Means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that satisfies the applicability requirements below and that:
  - a. Has the effect or will have the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to the student’s person or of damage to the student’s property;
  - b. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
  - c. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
  - d. Infringes on the rights of the victim at school; and
2. Includes cyberbullying.

**Cyberbullying**

“Cyberbullying” means bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

**Applicability**

These provisions apply to:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying:
  - a. Interferes with a student’s educational opportunities; or

STUDENT WELFARE  
FREEDOM FROM BULLYING

FFI  
(LEGAL)

- b. Substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

**Policy**

The board shall adopt a policy, including any necessary procedures, concerning bullying that:

1. Prohibits the bullying of a student;
2. Prohibits retaliation against any person, including a victim, a witness, or another person, who in good faith provides information concerning an incident of bullying;
3. Establishes a procedure for providing notice of an incident of bullying to:
  - a. A parent or guardian of the alleged victim on or before the third business day after the date the incident is reported; and
  - b. A parent or guardian of the alleged bully within a reasonable amount of time after the incident;
4. Establishes the actions a student should take to obtain assistance and intervention in response to bullying;
5. Sets out the available counseling options for a student who is a victim of or a witness to bullying or who engages in bullying;
6. Establishes procedures for reporting an incident of bullying, including procedures for a student to anonymously report an incident of bullying, investigating a reported incident of bullying, and determining whether the reported incident of bullying occurred;
7. Prohibits the imposition of a disciplinary measure on a student who, after an investigation, is found to be a victim of bullying, on the basis of that student's use of reasonable self-defense in response to the bullying; and
8. Requires that discipline for bullying of a student with disabilities comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

The policy and any necessary procedures must be included annually in the student and employee handbooks and in the district improvement plan under Education Code 11.252. [See BQ]

**Internet Posting**

The procedure for reporting bullying must be posted on a district's Internet Web site to the extent practicable.

**Prevention and  
Mediation**

A district may establish a district-wide policy to assist in the prevention and mediation of bullying incidents between students that:

1. Interfere with a student's educational opportunities; or
2. Substantially disrupt the orderly operation of a classroom, school, or school-sponsored or school-related activity.

*Education Code 37.0832*

STUDENT WELFARE  
FREEDOM FROM BULLYING

FFI  
(LOCAL)

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**Note:** This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyber-bullying.

For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

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**Bullying Prohibited**

The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

**Examples**

Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

**Retaliation**

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

**Examples**

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

**False Claim**

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

**Timely Reporting**

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

**Reporting  
Procedures**

**Student Report**

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

**Employee Report**

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

STUDENT WELFARE  
FREEDOM FROM BULLYING

FFI  
(LOCAL)

<b>Report Format</b>	A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.
<b>Notice of Report</b>	When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.
<b>Prohibited Conduct</b>	The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
<b>Investigation of Report</b>	The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
<b>Concluding the Investigation</b>	<p>Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.</p> <p>The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.</p>
<b>Notice to Parents</b>	If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.
<b>District Action</b>	If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.
<i>Discipline</i>	A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.



STUDENT WELFARE  
FREEDOM FROM BULLYING

FFI  
(LOCAL)

	The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.
<i>Corrective Action</i>	Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.
<i>Transfers</i>	The principal or designee shall refer to FDB for transfer provisions.
<i>Counseling</i>	The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.
<i>Improper Conduct</i>	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.
<b>Confidentiality</b>	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.
<b>Appeal</b>	A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.
<b>Records Retention</b>	Retention of records shall be in accordance with CPC(LOCAL).
<b>Access to Policy and Procedures</b>	This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

## I. INTRODUCTION & INSTRUCTIONS

Both news coverage of and complaints about bullying and harassment are on the rise. The National Institute of Health reports that as many as one in five students have been bullied at school. In response, legislative bodies and government agencies have put in place laws and guidance aimed at defining and identifying what, from a legal perspective, constitutes bullying and possibly unlawful harassment.

This Toolkit is aimed at helping campus-level administrators meet their legal obligations regarding bullying, as well as the measures found in the model anti-bullying and anti-harassment policies, FFI and FFH, as issued by the Texas Association of Schools Boards (TASB) on February 20, 2012. The materials in the Toolkit also provide practical resources for documenting bullying and harassment complaints, as well as investigating and responding to such allegations.

A preliminary campus-level Bullying/Harassment Report form and Investigation Guidelines will aid campus administrators in documenting and analyzing allegations of bullying and/or harassment. The sample Administrative Investigation Report allows the administrator to document the investigation findings and reach a determination using the legal and policy descriptions of bullying. Finally, other helpful resources, including a Stay-Away Agreement and possible strategies for addressing bullying and/or harassment, are provided in the Corrective Measures section of the Toolkit. Also, the use of the terms “Target Student” and “Perpetrator” throughout the Toolkit are not intended to reflect a final determination of student roles or culpability, but are simply used for ease of reference.

While a complete glossary of key terms is found at the end of this Toolkit, it is helpful to keep in mind that bullying is defined by state law and the corresponding district policy FFI. The related issue of harassment involves federal law as outlined in policy FFH. It is important to remember that even if certain conduct does not meet the definition of bullying under policy FFI, it may still constitute discriminatory or harassing conduct under policy FFH and should be addressed accordingly. Finally, even though the passage of time makes investigating bullying complaints difficult, do not forget that the timelines that apply to typical grievances do not apply to complaints of bullying and harassment.

The material in this Toolkit is intended for general, informational purposes to aid and assist administrators in addressing claims of bullying/harassment. The Toolkit is not meant to be legally comprehensive and may need to be tailored to the specific facts and circumstances at issue. Consult the district’s legal counsel for specific legal advice.

## II. Checklist for Responding to Reports of Bullying or Harassment

This checklist is an overall general guide to assist administrators in complying with legal and policy requirements as they document, investigate and respond to reports of bullying or harassment. For ease of reference, the underlined terms refer to sample forms contained in subsequent sections of this Toolkit.

- ☐ **Step 1** Obtain details regarding the allegations and ask that they be put in writing (written allegations are not required, however).
- ☐ **Step 2** Receive or complete the Bullying/Harassment Report. Although bullying reports must be made in a timely manner, unlike other district grievances, there is no time limit on when a bullying complaint can be made.
- ☐ **Step 3** Verbally notify the parent(s) of the student alleged to have been bullied or harassed (referred to in this toolkit as the “Target Student”) as well as the parent(s) of the alleged perpetrator, that an allegation of bullying has been made and an administrative investigation will be conducted. Assure the parents that they will be kept advised of the outcome.
- ☐ **Step 4** Take any immediate interim steps that may be necessary to ensure student safety, including but not limited to separating the students, disciplining the student(s), contacting Child Protective (CPS), or other measures.
- ☐ **Step 5** Gather information and conduct an investigation of the allegations using the Investigation Guidelines. Complete the Administrative Investigation Report to document the investigation. Generally, the investigation should be completed within ten business days. Check policy FFE (local) to confirm the deadlines.
- ☐ **Step 6** Send a copy of the completed Administrative Investigation Report to the Superintendent’s offices.
- ☐ **Step 7** If necessary, take any corrective measures to stop the bullying and/or harassment and prevent it from recurring, such as disciplinary consequences, student conferences, counseling referrals, schedule changes, a Stay Away Agreement, etc. For other suggested remedial measures, refer to the Ideas and Strategies to Address Bullying/Harassment.

*Remember:* a student who was the victim of bullying may not be disciplined for the student’s reasonable use of self-defense to respond to bullying.

Additionally, a special education student may not be disciplined for bullying until a manifestation determination review is held.

- ❑ **Step 8** If it is determined that bullying *did not* occur, the investigating administrator must determine if the conduct alleged could constitute prohibited discrimination, harassment, or dating violence under policy FFH. If so, an appropriate, and separate, investigation must be taken under policy FFH (Local), and any necessary corrective actions should be pursued in accordance with that policy.

### III. Bullying/Harassment Report Form

**This report is to be completed by the individual making or receiving a report of alleged bullying or harassment. The administrator may complete this form when receiving a report of alleged bullying or harassment from a student. If the reporting individual is unable or unwilling to complete the form, it should be filled out by the administrator receiving the report.**



Form 1

### BULLYING/HARRASSMENT INCIDENT REPORT

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_ Repeat infraction? YES NO

**Location of Incident (circle all that apply):**

Hallway Restroom Classroom Gym Lunch Room Playground Locker Room Bus Stop On Bus Parking Lot

To/From School After School Program School Sponsored Event Text/Phone/Internet/Social Media

Other: \_\_\_\_\_

**Name of victim(s):**

**Name of student(s) bullying:**

**Name(s) of witnesses/bystanders:**

\_\_\_\_\_  
\_\_\_\_\_

**Type of Bullying:**

☐ Verbal

☐ Physical: Result in injury? YES NO Reported to School Nurse? YES NO Reported to Police? YES NO

☐ Relational

**Bullying Behaviors (circle all that apply):**

Shoved/Pushed

Hit, Kicked, Punched

Threatened

Stole/Damaged Possessions

Excluded

Taunting/ridiculing

Writing/Graffiti

Told Lies or False Rumors

Staring/Leering

Intimidation/Extortion

Demeaning Comments

Inappropriate touching

Cyber-bullying using:

Text messages

Website

Email

Other: \_\_\_\_\_

Racial, Sexual, Religious or Disability Circle one and describe: \_\_\_\_\_

**Reported to school by (circle all that apply):**

Teacher Student Bystander Victim/Target Parent Bus Driver Anonymous Other: \_\_\_\_\_

**Describe the incident:**

\_\_\_\_\_  
\_\_\_\_\_

Physical Evidence? Notes Email Graffiti Video/audio Website Other: \_\_\_\_\_

**Today's Date:** \_\_\_\_\_ **Reported by:** \_\_\_\_\_ **Signature:** \_\_\_\_\_

**Actions Taken (for Administration only)**

Determination: ☐ Bullying ☐ Not Bullying

Administrator: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Consequences: \_\_\_\_\_

Remediation: \_\_\_\_\_

Referral for additional support services: \_\_\_\_\_

Parent Contact: Date \_\_\_\_\_ Time \_\_\_\_\_ Person making contact: \_\_\_\_\_

Result: \_\_\_\_\_

This is the Bullying Reporting Site. However this site is only monitored on school calendar days. This is not a crisis line. If you have immediate safety concerns involving a physical threat, suicidal thoughts or threats, or concerns about a weapon or anyone's immediate physical safety, please call 911.



Form 2

**WITNESS STATEMENT FORM (FFI or FFH)**  
**FORMULARIO DE DECLARACIÓN DE TESTIGO (FFI or FFH)**

Please describe in your own words and handwriting what you observed. Be as factual and specific as you can. Try not to reach conclusions or make judgments. *(Por favor describa en sus propias palabras y escritura a mano lo que observó. Sea lo más objetivo y más específico posible. Trate de no llegar a conclusiones o emitir juicios.)*

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Please provide the names of other witnesses if you know them, or descriptions if you do not. *(Indique los nombres de otros testigos o descripciones si no los conoce.)*

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\_\_\_\_\_  
Name (*Nombre*) (please print)

\_\_\_\_\_  
Signature (*Firma*)

\_\_\_\_\_  
Date (*Fecha*)

## IV. Investigation Guidelines

**While these guidelines will not always address every aspect of an administrator's investigation of reports of bullying and/or harassment, they will serve as a useful guide for the key steps in conducting such a review. For ease of reference, the underlined terms refer to sample forms contained in this Toolkit.**

"LFISD does not discriminate on basis of race, color, national origin, sex, religion, age or disability in employment or provision or services, programs or activities." "LFISD no discrimina a base de raza, color, origen nacional, religión, sexo, edad o discapacidad en empleo en la provisión de servicios o actividades."

**STEP 1**      **Receive report of bullying or harassment and complete a Bullying Incident Report if necessary. Use the Administrative Investigation Report to document the investigation.**

**STEP 2**      **Conduct Interviews with:**

- The individual making the complaint of bullying or harassment
- The alleged target student
- The alleged perpetrator
- Any witnesses to the reported conduct

During all interviews:

- Take thorough and detailed notes.
- Remain neutral and professional.
- Document the allegations and facts (who, what, when, and where) using specific and unambiguous language.
- Quote the exact language used by the witness, where possible.
- Ask for and secure copies of any evidence such as emails, texts, letters, gifts, etc.
- Ask for the names of any potential witnesses or others who can corroborate the incidents alleged.

- Explain the process of the investigation and assure all of those interviewed that they will not be retaliated against and should immediately report any further misconduct.
- If rumors are discussed, label such items accordingly in notes.
- The notes should include the date, start and end time of the interview, those present during the interview, the interview location, and name of interviewer.
- Re-interview witnesses if new information found during the investigation indicates such action is warranted.
- Make sure the notes are legible.
- Keep notes in a place that ensures confidentiality.
- At the conclusion of the interview, go over notes with the individual to ensure a complete and accurate understanding of the statement, to fill in important gaps, and/or make corrections. Repeat the significant points and ask the person to confirm accuracy.
- Be certain that students and parents understand any interim measures that have been taken to ensure student safety.

**STEP 3      Take any immediate, interim steps considered necessary to ensure the safety or well-being of the student(s).**

**STEP 4      Notify the parent(s) of the alleged target and perpetrator of the allegations:**

- Advise them of the investigation.
- Ensure compliance with FERPA and do not divulge confidential student information.
- Let them know of any interim safety measures that have been taken.
- Ask them for any further information or evidence they may have.
- Advise them that they should immediately report any further misconduct.
- Inform them that they will be kept apprised of the investigation and conclusions.

**STEP 5      Notify Child Protective Services or law enforcement if there is reason to believe the alleged conduct was unlawful or could constitute child abuse.**



- STEP 6**      Implement any further interim measures deemed appropriate, including notice to key staff or possible discipline.
- STEP 7**      Review all information and determine if the investigation is complete or if further action or investigation is needed.
- STEP 8**      Complete the Administrative Investigation Report form; provide completed documents to the Superintendent. Include conclusions drawn and the basis for those conclusions.
- STEP 9**      Communicate with parent of the target and perpetrator and the results of the investigation.
- STEP 10**     Follow up and take any further corrective actions deemed necessary following the investigation.

## **V. Administrative Investigation Report**

This report is to be completed by the campus administrator who investigates the alleged bullying and/or harassing conduct. Such a report is required under district policy FFI (Local) and FFH (Local).



Form 3

**La Feria Independent School District**  
**Administrative Investigation Report for Bullying/Harassment**

**INVESTIGATION**

**1. Investigator:** \_\_\_\_\_ **Position:** \_\_\_\_\_

**2. Interviews:**

☐ Interviewed Alleged Aggressor Name: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Interviewed Alleged Target Name: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Interviewed

Witness Name \_\_\_\_\_ Date: \_\_\_\_\_

Witness Name: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Yes, the incident involved physical injury.

☐ No, physical injury was not involved.

**3. Prior documented incidents by the alleged aggressor:** ☐ Yes ☐ No

Dates: \_\_\_\_\_

If yes, has alleged aggressor targeted this victim/group previously? ☐ Yes ☐ No

Any previous incidents with findings of bullying or harassment? ☐ Yes ☐ No

**4. Summary of investigation:** Use additional paper or attach to this document if needed.

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## CONCLUSIONS FROM INVESTIGATION:

PAGE 1 OF 2

### 1. Did the incident have any of the following features:

Feature	Yes	No
Threat to someone's physical safety		
Sexual harassment		
Threat or harassment based on race, class, gender, sexual orientation, disability, or other protected status		
Repeated cyber bullying after earlier intervention		
Image or audio/video record of harassment		
Other notable feature (please list):		

### 2. Did the incident substantially disrupt the learning environment or infringe on the rights of students and/or staff? If yes, please describe how, using as much detail as possible.

☐ Yes ☐ No

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### 3. Finding: ☐ Yes (Identify below) ☐ No

☐ Bullying ☐ Incident documented as \_\_\_\_\_ ☐ Harassment

☐ Discipline referral only \_\_\_\_\_ ☐ Other

### 4. Contacts

☐ Contacted target's parent/guardian ☐ Contacted aggressor's parent/guardian

☐ Police ☐ Principal ☐ Assistant Principal ☐ Counselor ☐ Nurse ☐ Teacher

☐ Other: \_\_\_\_\_

### 5. Action(s) Taken:

☐ Schedule Change ☐ Reprimand ☐ Detention ☐ On School Suspension

☐ Off Campus Suspension ☐ Nurse ☐ Counselor/Social Worker Referral

☐ Parent/Student Conference ☐ DAEP Placement

☐ Contacted Police ☐ Denial of Bus Privileges

☐ Other: \_\_\_\_\_

Signature of Administrator Completing Report: \_\_\_\_\_ Date: \_\_\_\_\_

A copy of this report has been sent to:

☐ Superintendent, Mrs. Cynthia A. Torres, 203 E. Oleander, La Feria, 956-797-8300.

Page 2 of 2

"LFISD does not discriminate on basis of race, color, national origin, sex, religion, age or disability in employment or provision or services, programs or activities." "LFISD no discrimina a base de raza, color, origen nacional, religión, sexo, edad o discapacidad en empleo en la provisión de servicios o actividades."

## **VIII. Corrective Measures**

### **A. Ideas and Strategies to Address Bullying/Harassment**

#### **IDEAS FOR ENDING THE CONDUCT:**

- ☐ Separate the students temporarily (including during meals, recess, bus, and passing periods)
- ☐ Implement and document a permanent schedule change
- ☐ Appoint an escort to take the students from class to class
- ☐ Take appropriate disciplinary action against the student(s) who engaged in misconduct
- ☐ Deny privileges (e.g., participation in prom, senior trips, or extracurricular activities)
- ☐ Utilize safety plans or stay-away agreements
- ☐ Provide additional supervision (classroom, locker room, hallways, etc.) as needed
- ☐ Initiate a campus transfer of the student(s) as appropriate under policy
- ☐ Train faculty on constructive responses
- ☐ Assign a staff member to monitor the student(s) and/or have scheduled check-in meetings with the targeted student
- ☐ Involve the parents
- ☐ Involve law enforcement

#### **STRATEGIES FOR ELIMINATING ANY EFFECTS OF THE CONDUCT:**

- ☐ Provide training or other interventions, not only for the perpetrators but also for the larger school community to ensure that all students, their families, and school staff recognize the conduct if it recurs and know how to respond
- ☐ Provide counseling or referrals for the targeted student and/or perpetrator
- ☐ Provide additional educational or services to the targeted student as necessary
- ☐ Ensure that the targeted student has an opportunity to make up any missed school work
- ☐ Reaffirm & redistribute policy FFI or FFH & make revisions if appropriate

- ☐ Publicize the means of making a bullying/harassment report
- ☐ Conduct community outreach to engage parents & students in efforts to improve the school climate

#### **IDEAS FOR PREVENTING FURTHER MISCONDUCT AND AVOIDING RETALIATION:**

- ☐ Host class discussions with students
- ☐ Make sure that students who have been subject to bullying or retaliation, and their families, know how to report any subsequent problems
- ☐ Encourage student(s) to contact a person in authority if misconduct continues
- ☐ Monitor the situation and conduct follow-up inquiries to see if there have been any new incidents or any instances of retaliation; document such monitoring
- ☐ Respond promptly and appropriately to address continuing or new problems
- ☐ Review district policy and procedures to ensure that both are clear and effective

## **VIII. Corrective Measures**

### **B. “Stay Away” Agreement**

**In a Stay Away Agreement, the district sets out the rules or conditions that must be followed by an alleged perpetrator of bullying/harassment while the student is at school or school-related activities. The intent of this sample Stay Away Agreement is to increase the safety of any student who has alleged that he or she is the target of another student’s misconduct, or who has been the target of documented bullying/harassing conduct. The Stay Away Agreement should be prepared by the campus principal or the principal’s designee in a conference with the perpetrator and his or her parent(s). The parent(s) of the targeted student should be made aware of the existence and terms of this agreement as well.**



**To the student:**

In order to protect the rights and safety of all members of our school community, you are required to stay away from (*name of Targeted Student*) at all times during the school day and at any school-sponsored event. This means that you may not approach, talk to, sit by or have any contact with (*name of Targeted Student*) at school, on school property, on school buses, at bus stops, or at school-related activities. You also may not have others engage in such conduct on your behalf.

*Con el fin de proteger los derechos y la seguridad de todos los miembros de nuestra comunidad escolar, se le exige que se mantenga alejado de (nombre del Targeted Student) en todo momento durante el día escolar y en cualquier evento patrocinado por la escuela. Esto significa que usted no puede acercarse, hablar, sentarse ni tener ningún contacto con (nombre de Targeted Estudiantes) en la escuela, en la propiedad escolar, en los autobuses escolares, en las paradas de autobús, o en actividades relacionadas con la escuela. También es posible que no tenga otros se dedican a ese tipo de conducta en su nombre.*

In addition, the following actions are effective immediately: (*Además, las siguientes acciones son efectivas de inmediato*)

Current Schedule	New Schedule

Lunch: \_\_\_\_\_

\_\_\_\_\_

Extracurricular Activities: \_\_\_\_\_

\_\_\_\_\_

**Enforcement (aplicación):**

Violations of this agreement, or any retaliatory conduct, made directly or indirectly towards the any other person, student or adult, involved in this matter will result in further disciplinary actions.

Your compliance with this agreement will be monitored by *(name and title of staff member)*.

**Signatures (Firmas):**

Student: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

Copies of this Agreement provided to:

☐ Principal ☐ Assistant Principal ☐ Counselor ☐ SRO ☐ Teachers \_\_\_\_\_

**Periodic Review of Stay Away Agreement: (Revisión Periódica de Stay Away Acuerdo)**

Date of Review	Incident(s) Since Agreement Initiated or Last Reviewed	Continue Stay Away Agreement Until:	End Stay Away Agreement On:	Reviewing Administrator Initials

*Page 3 of 3*

"LFISD does not discriminate on basis of race, color, national origin, sex, religion, age or disability in employment or provision or services, programs or activities." "LFISD no discrimina a base de raza, color, origen nacional, religión, sexo, edad o discapacidad en empleo en la provisión de servicios o actividades."



## IX. Glossary of Key Terms

<b>Bullying:</b>	<p>When a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the District and that:</p> <ol style="list-style-type: none"><li>1. Has or will physically harm a student, damage a student's property, or place a student in reasonable fear of harm to the student's person or of damage to the student's property; or</li><li>2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.</li></ol> <p>And which:</p> <ol style="list-style-type: none"><li>3. Exploits an imbalance of power between the student perpetrator and the student target; and</li><li>4. Interferes with a student's education or substantially disrupts the operation of a school.</li></ol>
<b>Cyberbullying:</b>	<p>Engaging bullying conduct through the use of the Internet and/or electronic devices. Cyberbullying, even if it originates off campus, may be subject to discipline if there is an adverse effect on or disruption of the school environment.</p>
<b>Discrimination:</b>	<p>Conduct directed at a student on the basis of race, color, religion, gender, sex, national origin, disability, or on any other basis prohibited by law, that adversely affects the student.</p>
<b>Gender Based Harassment:</b>	<p>Physical, verbal, or non-verbal conduct based on the student's perceived or actual sexual orientation, or the student's failure to conform to stereotypical notions of masculinity or femininity.</p>
<b>Harassment:</b>	<p>Physical, verbal, or nonverbal conduct based on the student's race, color, religion, gender, sex, national origin, disability, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct:</p> <ol style="list-style-type: none"><li>1. Affects a student's ability to participate in or benefit from an</li></ol>

educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Prohibited harassment includes dating violence as defined by FFH (Local).

**Retaliation:**

Conduct by a student or District employee that is directed toward any person who makes a good faith report of bullying or harassment, who was alleged to have experienced bullying or harassment, or who serves as a witness or participates in an investigation of such conduct. Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

**Employee-Student Sexual Harassment:**

Sexual harassment of a student *by a District employee* includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. The employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:
  - a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
  - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

**Student-Student Sexual Harassment:**

Sexual harassment of a student *by a student*, includes unwelcome sexual advances, requests for sexual favors, or sexually motivated physical, verbal or nonverbal conduct when the conduct is so severe, persistent or pervasive that it:

1. Affects the student's ability to participate or benefit from an educational program or activity or creates an intimidating threatening, hostile or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance, or
3. Otherwise adversely affects the student's educational opportunities.