

**FALL RIVER SCHOOL DISTRICT**

**BULLYING/HARASSMENT OF STUDENTS  
REPORTING AND INVESTIGATION PROCEDURES**

The Fall River School District does not discriminate against students on the basis of race, gender, color, national origin, ancestry, creed, religion, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional, or learning disability in its educational programs or activities.

The District encourages informal resolution of complaints under this policy. If any person believes that the District or any part of the school organization has failed to follow the law and rules of Wisconsin Statutes, sec. 118.13, or in some way discriminates against students on any of the bases listed above, s/he may bring or send a complaint to the District Administrator or his/her designee.

Bullying/harassment of students or by students in the school setting will not be tolerated. It is considered the responsibility of all school officials, administrators, students, District employees, volunteers, and other community members to report any acts of bullying/harassment to a school official. Students who participate in, allow, or knowingly fail to enforce this policy will be subject to disciplinary action.

Incidents of bullying/harassment must be reported in a timely manner. Filing a report in good faith will not reflect upon the status of any individual. The District shall endeavor to keep the complaint confidential for both the accused and the accuser until such time as the misconduct is confirmed and sanctions are imposed and, even at that time, confidentiality restrictions may limit the availability of information to all parties.

**Bullying/Harassment Reporting, Complaint, Investigative, and Disciplinary Procedures**

1. Any student within our school district community who believes s/he has been subjected to bullying/harassment should report the incident immediately to a school official, including but not limited to a school counselor/student services personnel, teacher, or administrator. The report shall be made verbally or in writing to a school official and then subsequently to a principal. The report will then be entered in writing on a standard complaint form by the reporting school official and provided to a principal or his/her designee. It is recommended that when possible the initial report from the subject will be made in writing and that the written report with other relevant information be provided to a principal.
2. A principal, in cooperation with student services staff, shall interview all parties involved within five (5) school days of the complaint from being filed unless administration determines and documents that additional time is needed to conduct the investigation.
3. The objective of the investigation shall be:
  - a. To establish, if possible, whether the allegations are true;
  - b. To determine whether the alleged conduct constitutes bullying/harassment;
  - c. To determine whether remedial action is needed, and if so, to act promptly; and
  - d. To maintain confidentiality to the greatest extent possible; however, there shall be no promise or guarantee of strict or absolute confidentiality.

5. The investigator shall prepare a written report which shall include:
  - a. A summary of the allegations and accused's response;
  - b. A summary of the persons interviewed and an assessment of their credibility;
  - c. A presentation of the findings of fact;
  - d. A discussion of the conclusions about the allegation; and
  - e. A discussion of the recommendations for the remedial or other corrective action.
6. Appropriate consequences, restorative procedures and strategies aimed at prevention, resolution of conflicts and rebuilding relationships, and/or counseling interventions shall be considered as interventions.
7. A principal shall inform students and parents of the outcome of the investigation within five (5) school days of the complaint being filed unless administration determines and documents that additional time is needed. Due to confidentiality restrictions, the information provided to the victim will be limited to the following: that the investigation has/has not substantiated the complaint and that appropriate action will be taken.
8. If the investigation reveals that the complaint is valid, prompt action designed to curtail the bullying/harassment and to prevent its recurrence will be taken. Consequences for bullying/harassment may include disciplinary measures including but not limited to suspension or expulsion.
9. In cases involving serious disciplinary consequences, the administrative recommendations and documentation regarding resolution shall be forwarded to the District Administrator. If appropriate and/or required by statute, the matter will also be reported to the appropriate social service or law enforcement agency and all statutory requirements shall be met.

### **Review/Appeal Procedures**

If the complainant wishes to appeal the decision of the investigator, s/he may submit a signed statement of appeal to the District Administrator within five (5) school/business days after receipt of the investigator's response. The District Administrator shall review the investigator's report and all supporting documentation, formulate a conclusion, and respond in writing to the appeal within ten (10) school/business days.

If the complainant remains unsatisfied, s/he may appeal through a signed, written statement to the Board within five (5) school/business days of his/her receipt of the District Administrator's response. The Board will review the investigator's report and any supporting documentation at the next regular Board meeting, formulate a conclusion, and respond in writing to the appeal within ten (10) school/business days.

If a complainant wishes to appeal a negative determination by the Board, s/he has the right to appeal the decision to the State Superintendent within 30 days of the Board's decision. In addition, the complainant may appeal directly to the state superintendent if the Board has not approved written acknowledgment within 45 days of receipt of the complaint or made a determination within 90 days of receipt of the written complaint. Appeals should be addressed to: State Superintendent, Wisconsin Department of Public Instruction.

Nothing in these procedures shall preclude persons from filing a complaint directly, or an appeal, with designated agencies as authorized by state and federal law (e.g., U.S. Office of Civil Rights-Region V, State Superintendent of Public Instruction, Equal Rights Division of the Department of Workforce Development) and/or with courts having proper jurisdiction.

### **Maintenance of Complaint Records**

Records should be kept for each complaint filed according to state record retention laws and, at a minimum, should include:

1. The name and address of the complainant and his/her title or status;
2. The date the complaint was filed;
3. The specific allegation made and any corrective action requested by the complainant;
4. The name and address of the respondents;
5. The levels of processing followed and the resolution, date, and decision-making authority at each level;
6. A summary of facts and evidence presented by each party involved; and
7. A determination of the facts, statement of the final resolution, and the nature and date(s) of any corrective or remedial action taken.
8. Records will be maintained in the District Office.

**Legal References:** Wisconsin Statutes Sections §§ 118.13, 111.31, 111.32(13), 111.36(1) (b), 947.013, 947.025; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Equal Employment Opportunities Commission Guidelines (29); C.F.R. – Part 1604.11)

**Cross References:** Policies 411 Equal Educational Opportunities, 411.1 Bullying/harassment of Students, 411 and 511 Exhibits – Bullying/Harassment Complaint Report Form, 512 Employee Harassment

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