

## APPENDIX I: Freedom from Bullying Policy

*Note to handbook developer: Because state law requires that the district's policy on bullying be distributed in its Student Handbook(s), the following has been formatted for you to more easily insert the district's FFI(LOCAL) policy here rather than in the body of the handbook itself.*

Note that school board policies may be revised at any time. For legal context and the most current copy of the local policy, visit <http://pol.tasb.org/Policy/Code/1125?filter=FFI>. Below is the text of Terrell County ISD's policy FFI(LOCAL) as of the date that this handbook was finalized for this school year.

STUDENT WELFARE: FREEDOM FROM BULLYING

FFI(LOCAL)

Adopted on 9/11/2013

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**Note:** This policy addresses bullying of District students. 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 as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

DEFINITION

Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the District and that:

5. 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; or
6. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considered bullying if it:

1. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
2. Interferes with a student's education or substantially disrupts the operation of a school.

<b>EXAMPLES</b>	Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.
<b>RETALIATION</b>	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.
<b>EXAMPLES</b>	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.
<b>FALSE CLAIM</b>	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.
<b>TIMELY REPORTING</b>	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.
<b>REPORTING PROCEDURES</b>	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, counselor, or other District employee.
<b>STUDENT REPORT</b>	
<b>EMPLOYEE REPORT</b>	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 Superintendent or designee.
<b>REPORT FORMAT</b>	A report may be made orally or in writing. The Superintendent or designee shall reduce any oral reports to written form.
<b>PROHIBITED CONDUCT</b>	The Superintendent 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, 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 Superintendent or designee shall conduct an appropriate investigation based on the allegations in the report. The Superintendent or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
<b>CONCLUDING THE INVESTIGATION</b>	Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the

initial report alleging bullying; however, the Superintendent or designee shall take additional time if necessary to complete a thorough investigation.

The Superintendent 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.

**NOTICE TO PARENTS**

If an incident of bullying is confirmed, the Superintendent or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

**DISTRICT ACTION  
BULLYING**

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.

**DISCIPLINE**

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.

The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

**CORRECTIVE  
ACTION**

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 if 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.

**TRANSFERS**

The Superintendent or designee shall refer to FDB for transfer provisions.

**COUNSELING**

The Superintendent or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.

**IMPROPER  
CONDUCT**

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.

**CONFIDENTIALITY**

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.

**APPEAL**

A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.

**RECORDS RETENTION** Retention of records shall be in accordance with CPC(LOCAL).

**ACCESS TO POLICY AND PROCEDURES** 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 Web site, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.