

## **Bullying or Harassment Complaint Form Checklist**

### **Right to Be Free From Bullying and Harassment at School**

Students have a right to be free from bullying and harassment in school. It does not matter if a student, staff, or other member of the school community is engaging in the bullying and harassment, it is wrong and against the law. Students who are being harassed due in part to their race, color, sex, status as a student who has a disability, sexual orientation, gender identity, or immigration status, or as a student who is pregnant or parenting are entitled to additional protections under harassment laws.

### **Responding to Bullying and Harassment**

Learn more about student's rights to be free from bullying and harassment and what you can do as a parent or caregiver [here](#). This list can be used to guide you as you fill out a Bullying/Harassment Complaint. Be sure to see if your child's school uses a certain form. If so, use that form instead. If not, you can use [this sample form](#).

### **Describe the Student Subjected to Bullying or Harassment for Whom the Complaint is Filed**

- Specify if the student has a 504 Plan or IEP
- Describe in as much detail as possible how the student who was bullied or harassed has been impacted by the bullying and harassment
  - For example, if the student has been impacted academically, behaviorally, socially, has been forced to miss out on activities or extracurriculars, or has needed medical or mental health care as a result.
- Specify all demographic information about the student that may be relevant to the Complaint, the more detailed the better. Include *all* information about a student that is the focus of the mistreatment.
  - For example, if racial slurs are used, list the child's race. If race, sexual orientation, and status as a student with a disability are at play in the harassment the student is facing, list all three.
  - Students may be protected even if they do not themselves identify with a protected class, if others "perceive" them to be in the protected class

- Examples can include:
  - A student may be perceived by her peers to have an IEP/504/Disability and harassed on this basis, even if she does not have an IEP/504/Disability
  - A student may be perceived as being gay and harassed on this basis, even if they are not gay
  - A student is harassed by being called racial/ethnic slurs, even if they do not identify as a member of the racial/ethnic group to whom the slur is being directed
  - A student's perceived immigration status is called into question, regardless of the student's actual immigration status

**Describe the School Community Member(s) Engaging in Bullying/Harassment**

- Specify the name(s) of the school community member(s) including students and staff, if they are known
- If the person's name is not known describe what the student looks like in as much detail as possible in order to assist those investigating the bullying/harassment.
- Consider the following questions for each school community member who was engaging in bullying or harassing behavior if their name is not known:
  - Describe the school community member
  - List the person's role at the school, if it is known
    - For example: is the person a student, teacher, paraprofessional, or someone with another role at the school?
      - Be as detailed as possible, even if a person's particular role is not known.
      - For example: The adult who works in Ms. Miller's class during 3<sup>rd</sup> and 4<sup>th</sup> periods on Wednesday
    - If the person is a student, consider listing the following information:
      - Grade/classroom placement
      - Information about how the student gets to school
        - School or public transportation
        - Route, if known
      - Names of siblings of the student if their identities are known
      - How the student filing the Complaint interacts with the student engaging in bullying/harassing behavior
- Specify where in or around the school/activities the student filing the Complaint was harmed

**Describe the Staff or Student Involved as Witnesses**

- List any school staff who witnessed the behavior and what they did in response, even if they ignored the bullying/harassing behavior

- School Staff may include administrative, janitorial, support staff such as aides, paraprofessionals, cafeteria staff, school leadership, bus drivers, bus aides, and teachers
- List any students who witnessed the behavior, and describe them if their names are unknown
- List what classrooms or offices are nearby where the behavior took place
  - Being as specific as possible about location can help identify witnesses who may not be known by name at the time the Complaint was filed
  - It is also possible a staff member is aware of the incident because of the proximity of where it happened, even if they did not see the behavior
- List all school staff that were told about the behavior
  - Be specific about when they were told, what they were told, how they responded (even if they ignored the report), any steps they took, and any steps they told the student or parent to take in response to making the Complaint.

**Describe the Bullying/Harassing Behavior**

- Describe the behavior in as much detail as possible
- When did the behavior happen?
  - Include any specific dates or past attempts to find a solution
- Specify where the behavior took place in-person, online, or through social media
- Describe whether other students or adults around when the behavior happened
- Be sure to write down any names, slurs, or disrespectful comments that were said
  - It is really important to include in the Complaint the actual words used to bully/harass, even if they are slurs or the comment involves explicit language because they may establish that a student was being harassed, rather than bullied
- Did the student need to see the school nurse or get medical attention or mental health care as a result?
  - If the student experienced physical harm, attach any medical records or images of the injury you may have.

**Describe the Location of Incident**

Incidents that occur on school buses or other school-sanctioned transportation are considered school grounds. Events that occur off-school grounds but are school-sanctioned or school-related activities are also covered and should be described in detail.

- Be as specific as possible in describing where the behavior happened by providing landmarks or other identifying information
  - For example, in the 5<sup>th</sup> grade hall across from Mr. Miller's class by the water fountain
- Are there certain areas of the school where bullying/harassing behavior is more common? (Sometimes schools call these bullying or harassment hotspots)
  - Note: Incidents that occur on school buses or other school-sanctioned transportation are considered school grounds. Events that occur off-school

grounds but are school-sanctioned or school-related activities are also covered and should be described in detail.

- Do you or the student know if there are cameras in that area of the school?

#### **(If Applicable) Describe Prior Incidents and Complaints**

- Has this behavior been ongoing? If so for how long?
  - Did this behavior happen in prior school years?
    - Include any specific dates or past attempts to find a solution
  - Has this happened before this school year?
    - Include any specific dates or past attempts to find a solution
  - Were the same school community members involved?
  - Has the student been bullied or harassed for the same reason before, even if another school community member was engaging in the behavior?
    - Example: Jazmyn is harassed because by several different students and one teacher on the basis of her race.
- Is this the first Complaint being filed on behalf of the student?
  - If not, when were prior Complaints filed and what was the outcome?
    - Did the previous complaint involve the same student(s)?
    - Did the Complaints involve a similar type of harassment, even if they involved different people?
    - To whom were the Complaints made?
    - What was the outcome? (Or previously recommended solution)
    - Did the school take any action? If so, did it help?

#### **Request an Investigation**

Schools must investigate incidents of bullying or harassment after receiving notice of an incident.

- Request that the school undertake a comprehensive investigation
  - The school should determine what happened and remedy the situation if it determines that bullying/harassment took place
- Provide the school with a copy of pictures showing physical injuries to a child
- Provide the school with copies of excuse notes, if a student needed to miss school to get needed physical or mental healthcare

#### **Keep a Record**

- Keep all records pertaining to the Complaint, if the school doesn't take the steps outlined in their policy, doesn't fully investigate the issue, or fails to take steps to keep your child safe you may be able to seek additional recourse
- Follow up if you don't hear anything from your child's school

#### **Undertake Additional Advocacy**

While an investigation is underway, you can take more steps to support a student who experienced bullying and harassment.

### *Request Follow-up to Meet Student's Needs*

- Special Education
  - Request an IEP or 504 Plan Team Meeting to address the bullying/harassing behavior
  - [Request an evaluation](#) to determine if a child is eligible for special education services if a child is not currently receiving special education services, but may need them as a result of the bullying or harassment
  - [Request a reevaluation](#) if a student is currently receiving special education services, but may need new or different services
- Safety and Supervision Needs
  - Request a meeting to develop a Safety Plan (a document that specifies what actions a school will take to keep a student safe and what actions staff need to take to make this happen) on behalf of the student for whom the Complaint is being filed
- Supports at School
  - Request services for both the student who was impacted and the student engaging in the inappropriate behavior
  - Inquire if the student's school uses restorative justice practices to address the individual harm to students and to the school community as a whole when bullying or harassment takes place as well. Learn more about restorative justice practices [here](#).

### *Undertake Attendance Advocacy*

- Request the school to mark the student as excused for days of school missed for mental or physical medical attention
- Request a meeting with the school to address any absences stemming from a bullying/harassment issue

### *Request Classroom or School Change To Address Significant Student Safety Needs*

- Request a classroom change, or school change
  - Before making this request, consider if additional supports could be put into place to keep a student safe in their current school
    - Be specific about what safety needs could only be met by a change in classroom or school
  - Schools may be hesitant to change a student's classes or school
    - Follow up if you don't hear back
    - Ask if there is an appeal process if the school declines