



THE SCHOOL BOARD OF BREVARD COUNTY, FLORIDA
COMPLAINT INVESTIGATION FORM

DIRECTIONS: This Complaint Investigation Form is to be completed by administration for a report of student-related bullying, sexual harassment, other forms of harassment, teen dating violence and abuse, and/or Title IX, this form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g.

In accordance with Policy 5517.01, prior to beginning the investigation, the principal or principal's designee shall REPORT THE OCCURRENCE of an incident to the parents/legal guardian of all students (alleged victim and alleged offender(s)) known to be involved in the incident on the SAME DAY an investigation of the incident has been initiated.

Notification shall be by telephone or by personal conference AND in writing by first-class mail and shall be consistent with the student privacy rights under applicable provisions of FERPA. The notice shall advise the individuals involved of their respective due process rights including the right to appeal any resulting determination or action to the State Board of Education.

If additional alleged accused are identified in the process of the investigation, the principal or principal's designee shall notify the parent/legal guardians of any new alleged offenders by telephone or by personal conference AND in writing by first-class mail. If additional alleged victim(s) are identified in the process of the investigation, a separate investigation must be completed.

I. INITIAL INTAKE:

Form with five columns: Name of alleged victim, Student ID#, Name of parent/legal guardian contacted, Time of phone/personal contact, Date Letter Mailed. Includes two rows of input lines.

A maximum of fifteen (15) school days shall be the limit from receiving the Student Complaint Reporting Form or Parent/Teacher/Bus Driver/Other Staff/Witness Complaint Reporting Form to the completion of the investigative procedural steps. All complaints will be documented in writing. All documentation is confidential and falls under FERPA. The alleged victim and alleged accused must not be interviewed together, but must be interviewed individually prior to the completion of this investigation.

School Personnel Completing Form: Position:
Date(s) of Alleged Incident: School:
Date Complaint Received:
Date Investigation Must Be Completed (within fifteen (15) days from received date):

Person Reporting Complaint (from reporting form):
Name: Telephone:
E-mail:
Address:

Check the appropriate box:
[ ] Student (victim) [ ] Student (witness/bystander) [ ] Parent/legal guardian [ ] Bus Driver [ ] Teacher/staff
[ ] Other (witness)

Beginning with the 2018-2019 school year, a student enrolled in a Florida public school in kindergarten through grade 12 who has been subjected to an incident of battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses, harassment, assault, or battery; threat or intimidation; or fighting at school has the opportunity to transfer to another public school with capacity or enroll in an approved private school under the Hope Scholarship. (Section §1002.40, Florida Statute)

Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination on the basis of sex in education programs and activities receiving Federal financial assistance. Sexual harassment of students can be a form of discrimination prohibited by Title IX. The Office for



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Civil Rights (OCR) has long recognized that sexual harassment of students engaged in by school employees, other students, or third parties is covered by Title IX. OCR's policy and practice is consistent with the Congress' goal in enacting Title IX -- the elimination of sex-based discrimination in federally assisted education programs. It is also consistent with United States Supreme Court precedent and well-established legal principles that have developed under Title IX, as well as under the related anti-discrimination provisions of Title VI and Title VII of the Civil Rights Act of 1964.

## II. INVESTIGATION

### A. Where did the alleged incident happen?

- School playground       School restroom       On a school bus       Other school location (please specify) \_\_\_\_\_
- School hallway       School cafeteria       At a school bus stop      \_\_\_\_\_
- School classroom       At a school related/  
sponsored program or activity       Off Campus/Other location (please specify) \_\_\_\_\_

### B. Has this incident or similar related incidents happened before?

- No     Yes. How many times?     Once     Twice     Three or more    By Whom? \* \_\_\_\_\_

\*If you get a name at this point that is different from the alleged accused, please refer to the bolded paragraphs on page one.

### C. Which statement(s) best describe what happened? Choose all that apply.

**Bullying/Harassment**

- Intimidation that involves physical contact or aggression
- Excluding or rejecting
- Enticing another person to hit, harm (verbal or otherwise), or exclude the victim
- Teasing, name-calling, making critical remarks, or threatening, in person or by other means
- The use of demeaning comments or gestures with the intent to make the victim the object of jokes
- The use of demeaning comments or gestures
- Making rude and/or threatening gestures
- Intimidating, extorting or exploiting
- Spreading hurtful rumors or gossip
- Electronic communication (specify format, location, and obtain and attach copies of these communications to this form) \_\_\_\_\_
- This behavior was repeated**
- There was an imbalance of power**
- This behavior was purposeful in nature**

**Dating Violence/Abuse**

- In a current relationship with the alleged accused
- In a past relationship with the alleged accused
- Insults
- Coercion
- Social sabotage
- Sexual harassment
- Stalking
- Threats and/or acts of mental, physical or sexual abuse
- Pattern of demeaning, coercive, abusive actions that amount to emotional or psychological abuse
- Abuse, harassment, and/or stalking via electronic devices
- Harassment through a third party
- Did this occur on school ground, at a school event/activity, on a school bus or at a school bus stop**

**Sexual Harassment**

- Sexual advances
- Requests for sexual favors
- Sexual touching
- Sexual verbal comments
- Sexual written comments
- Sexual pictures or other visuals
- Sexual online/cyber interaction
- The conduct was unwelcome**

**Discrimination**

- Sex (including sexual harassment, sexual orientation, transgendered status, or gender identity)
- Religion       Race
- Color       Age
- Disability       Pregnancy
- National origin or ancestry
- Did this occur on school ground, at a school event/activity, on a school bus or at a school bus stop?**



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**D. What actions were taken to investigate this incident?** *Choose all that apply and attach all forms documenting what was said during the interviews.*

- **ALL ALLEGATIONS OF SEXUAL ABUSE MUST BE REPORTED TO DCF**
- **All allegations of dating violence and abuse must be reported to Law Enforcement.**

- |   |  |
|---|--|
| <input type="checkbox"/> Interviewed the alleged victim separately  | <input type="checkbox"/> Interviewed teachers and/or school staff      |
| <input type="checkbox"/> Interviewed alleged accused separately     | <input type="checkbox"/> Interviewed alleged victim's parent/guardian  |
| <input type="checkbox"/> Interviewed witnesses separately           | <input type="checkbox"/> Interviewed alleged accused's parent/guardian |
| <input type="checkbox"/> Witness statements collected in writing    | <input type="checkbox"/> Examined physical evidence                    |
| <input type="checkbox"/> Interviewed school nurse                   | <input type="checkbox"/> Conducted student record review               |
| <input type="checkbox"/> Reviewed any medical information available | <input type="checkbox"/> Notified law enforcement/DCF                  |
| <input type="checkbox"/> Other (specify): _____                     |  |

**E. What remediation steps were taken in this case?** *Choose all that apply.*

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Student warning         | <input type="checkbox"/> Letter of apology        | <input type="checkbox"/> Student conference   |
| <input type="checkbox"/> Counseling – victim     | <input type="checkbox"/> Counseling – perpetrator | <input type="checkbox"/> Safety Plan for victim (must be developed and document if RIP) |
| <input type="checkbox"/> Other (describe): _____ |   |   |

**F. What corrective action(s) was/were taken?** *Choose all that apply.*

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Detention                     | <input type="checkbox"/> In-school suspension      | <input type="checkbox"/> Out-of-school suspension                            |
| <input type="checkbox"/> 10-days Pending Investigation | <input type="checkbox"/> Report to law enforcement | <input type="checkbox"/> Stay Away contract (6 <sup>th</sup> grade or older) |
| <input type="checkbox"/> Student Schedule Change       | <input type="checkbox"/> Other (describe): _____   |  |

**G. Why did the bullying or harassment occur (alleged motives)?** *Choose all that apply.*

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Because of race                            | <input type="checkbox"/> Because of religion            | <input type="checkbox"/> Because of national origin |
| <input type="checkbox"/> Because of disability                      | <input type="checkbox"/> Because of physical appearance | <input type="checkbox"/> Because of gender          |
| <input type="checkbox"/> To impress others                          | <input type="checkbox"/> Just to be mean                | <input type="checkbox"/> The reason is unknown      |
| <input type="checkbox"/> Because of another reason (specify): _____ |   |   |



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III. INVESTIGATION OUTCOME

A. From Section II, Subsection C on Page two. Check one (1) box below for each area, as applicable, with the investigation outcome.

Table with 4 columns: Bullying/Harassment, Sexual Harassment, Dating Violence/Abuse, Discrimination. Each column contains checkboxes for N/A, Substantiated, Unsubstantiated, and a Summary of Decision (Why/Why Not) section with multiple lines for text entry.

B. This investigation outcome, substantiated or not substantiated, must be documented in AS400.

Relevant local or SESIR codes added to AS400: [ ] Yes [ ] No If no, please write explanation: \_\_\_\_\_

Three horizontal lines for writing the explanation.

Incident Number from AS400: \_\_\_\_\_

C. Outcome of Investigation Letter mailed.

- [ ] Alleged Victim (Mailed on \_\_\_\_\_) [ ] Alleged Accused (Mailed on \_\_\_\_\_)
[ ] HOPE Scholarship Notification Form Provided to Parent of Victim (Provided on \_\_\_\_\_)

D. A copy of all forms and documentation obtained during the investigation has been sent to:

- [ ] the assigned Director in the Office of Leading & Learning; via [ ] courier or [ ] email
AND
[ ] to Risk Management via [ ] courier or [ ] email

ORIGINAL DOCUMENTS MUST BE MAINTAINED AT THE SCHOOL.

Signature of person conducting investigating

Print Name of person conducting investigating

Job Title of person conducting investigating

Date