Investigation and Reporting of Bullying Incidents

P.L. 285-2013 includes a number of statutory requirements pertaining to the reporting of bullying incidents by school employees and the subsequent investigation of the incidents by school officials. See below for the section of P.L. 285-2013 outlining these requirements. It is recommended that schools give careful consideration to the flow of information within their building that begins with the initial observation and reporting of a bullying incident by an employee, student, or parent or a report of bullying communicated through the state mandated anonymous reporting protocols required of each school corporation. Timetables that are well articulated should be established and communicated to all staff. These timetables should hold staff accountable for reporting each bullying incident in a manner that allows for an expedited investigation of the incident by school administrators. P.L. 285-2013 mandates that each school corporation policy contain disciplinary provisions for any employee who fails to report an incident within the established timetable.

Once a reported incident has been investigated and determined to be a bullying incident, schools are required through components of P.L. 285-2013 to report the incident to the parents of both the targeted student and the bully in an expedited manner. Current research underscores the importance of this expedited reporting, especially to the parents of the targeted students. Through communication with parents of the targeted student, school can expand the network of support for the student and help avoid any instances of suicide ideation, suicide attempts or other forms of self harm that sometimes can be a factor in the aftermath of a student being bullied.

Protocols established for the reporting and investigation of bullying incidents should include upward communication and reporting of incidents to the school corporation superintendent. This will allow corporations to monitor the frequency of incidents within their schools and continually reevaluate the effectiveness of the established reporting and investigation protocols. When the nature of a bullying incident is determined to qualify as an illegal act, the incident should be reported to the appropriate local law enforcement agency.

Please note that P.L. 285-2013 requires school corporations to report the frequency of bullying incidents under the four established categories of (1) Verbal Bullying, (2) Physical Bullying, (3) Social/Relational Bullying and (4) Electronic or Written Communication Bullying to the Indiana Department of Education. For additional information, please refer to the State Reporting Guidelines page of this website.

The outline below is a sample reporting protocol with established timetables.

**HEA1423**

SECTION 6. IC 20-33-8-13.5, AS AMENDED BY P.L.180-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 13.5. (a) Discipline rules adopted by the

governing body of a school corporation under section 12 of this chapter must:

(1) prohibit bullying; and

(2) include:

**(A)** provisions concerning education, parental involvement, reporting, investigation, and intervention;

**(B) a detailed procedure for the expedited investigation of incidents of bullying that includes:**

**(i) appropriate responses to bullying behaviors, wherever the behaviors occur;**

**(ii) provisions for anonymous and personal reporting of bullying to a teacher or other school staff;**

**(iii) timetables for reporting of bullying incidents to the parents of both the targeted student and the bully, in an expedited manner;**

**(iv) timetables for reporting of bullying incidents to school counselors, school administrators, the superintendent, or law enforcement, if it is determined**

**that reporting the bullying incident to law enforcement is necessary;**

**(v) discipline provisions for teachers, school staff, or school administrators who fail to initiate or conduct an investigation of a bullying incident; and**

**(vi) discipline provisions for false reporting of bullying; and**

**(C) a detailed procedure outlining the use of follow-up services that includes:**

**(i) support services for the victim; and**

**(ii) bullying education for the bully.**

**Sample** Protocol and Timetable for the Reporting and Investigation of Alleged Bullying Incidents

1. Employees are required to make a report (verbally or by completed report form) **within the same day** that they have observed or become aware of an alleged incident of bullying. If the incident was verbally reported, the verbal report should be followed up with a completed bullying incident report form, completed by the same employee **within one school day**.
2. Once a referral has been received from an employee or through anonymous reporting protocols, the principal (or designee) will initiate an investigation of the alleged bullying incident within **one school day** from when the initial written report was first received.
3. Once the incident is determined to be a bulling incident and investigation is completed, appropriate disciplinary response and follow up services for both the targeted student and the bully are determined. The nature of the incident, disciplinary response and proposed follow up services are to be communicated to the parent/guardian of targeted student(s) and perpetrator(s) as allowed by law, **no later than two school days** from the initiation of the investigation.
4. Law enforcement will be contacted if the nature of the bullying incident rises to the level of a criminal offense.
5. The investigating staff member will complete the necessary bully incident report form and maintain a record of the incident for mandated state reporting.
6. The reporting staff member should be notified of the results of the investigation once it is closed.
7. The Superintendent will receive periodic reports from each school of all bullying incidents reported by type, location, and consequence on a **monthly basis.**

1. The School Board will receive reports of bullying incidents on a **quarterly basis**.
2. Extreme incidents of bullying should be reported to Superintendent immediately.