



State of Washington

Office of
Superintendent of Public Instruction

OSPI

Harassment, Intimidation & Bullying Investigations Guidance

FAQs

Learning and Teaching Support

The School Safety Center

<http://www.k12.wa.us/SafetyCenter/default.aspx>



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: What is the state's definition of HIB?

ANSWER:

Harassment, intimidation, or bullying is an intentional electronic, written, verbal or physical act that

- Physically harms a student or damages the student's property; **or**
- Has the effect of substantially interfering with a student's education; **or**
- Is so severe, persistent or pervasive that it creates an intimidating or threatening educational environment; **or**
- Has the effect of substantially disrupting the orderly operation of the school.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: What do we need to know before we begin?

ANSWER:

Remember, the RCW covers harassment, intimidation and bullying. People often use the word “**bullying**”, but *not all negative, aggressive behavior* is , in fact, **bullying**:

It may be intimidation.

It may be harassment.

It may be something else – like a fight.

It may or may not even rise to the level of requiring disciplinary action.

It is important that everyone understand the terms.

it is important that disciplinary action be appropriate.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: Does the policy give special protection to any particular group?

ANSWER:

No. However, certain groups experience higher levels of HIB than others. These groups are named and protected by the policy & procedures.

In addition, some investigations may determine that the “bullying” is some form of harassment. Be sure that everyone in the investigation process understands this.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: Can we talk about the Incident Reporting Form?

ANSWER:

Yes. There is a sample on the OPSI Safety Center web site:

<http://www.k12.wa.us/safetycenter/bullyingharassment/default.aspx>

This may be modified to suit the district or school, but not so much that it inhibits actual reporting.

All students, parents (and staff) should know where to easily find the form, how to complete it and where to return the it to report HIB.

NB: Don't be locked into using "The Form" before you investigate.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: Does *every* instance of *bullying* require an Incident Reporting Form?

ANSWER:

No: In a school with a *well-implemented* bullying prevention program and a *well-trained* staff, incidents of severe and persistent bullying may not arise or may be very rare.

Every staff member will know how to:

- recognize and intervene in HIB,
- support targeted students and
- and take appropriate actions.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: When is the principal or his/her designee responsible for handling Incident Reporting Forms?

ANSWER:

If situations are severe, persistent, and can't be resolved,
or
the staff person doesn't know what to do next,
then...

the incident and the Incident Reporting Form should
be referred to the principal/designee.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: When is the principal or his/her designee responsible for handling Incident Reporting Forms?

ANSWER:

If a parent or guardian submits a Form or otherwise informs the schools of a situation, **assume that it is severe, persistent, and hasn't been resolved.**

The incident should be referred to the principal/designee for investigation.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: Can you speak to new timelines around the investigation of a bullying incident?

ANSWER:

When a principal/designee receives an Incident Report Form that has reached the unresolved/severe/persistent threshold, and ***it requires an investigation:***

The principal/designee then has **12 school days** to respond:

- **2 school days** – to contact families to let them know;
- **5 school days** – from initial complaint or Incident Report Form to complete the investigation;
- **2 school days** - after the completed investigation to contact families and inform them of the outcome, and
- **within 5 more school days**, implement whatever corrective actions are warranted.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: Can you speak to new timelines around the investigation of a complex bullying incident?

ANSWER:

If the investigation is long and complex, it might take more than 5 days. If that's the case, then the district will:

- provide weekly updates for the target family;
- take "reasonable measures" to ensure student safety;
- if necessary, develop a safety plan for the targeted student, and
- ensure that there is no retaliation against him/her.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: Can you speak to new timelines around the investigation of a bullying incident?

ANSWER:

When a principal/designee receives an Incident Report Form that has reached the unresolved/severe/persistent threshold that requires an investigation:

the principal/designee then has **12 school days** to respond.

On the other hand, not all investigations will take 12 days! Some may only take a short time.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: How do we conduct an investigation?

ANSWER:

The appropriate investigator is **the principal** or his/her designee

- maybe an AP, counselor, prevention specialist....
- possibly a school HIB or disciplinary team....

This is the principal's decision. However, whoever does the investigation should understand HIB.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: How do we conduct an investigation?

ANSWER:

Establish your site-based investigation protocol:

- What documentation do you want / need?
- What questions do you ask?
- Who will be present?
- Where will the investigation take place?
- Remember: the targeted student may be very uncomfortable, and reluctant to talk.
- Remember: **home contact is required.**
- Document, document, document.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: How do we conduct an investigation?

ANSWER:

Identify the people to be involved:

- the identified targeted student(s),
- the alleged aggressor(s)
- witnesses / bystanders
- teacher(s), counselors, other staff,
- possibly parents
- others?

Interview them **separately**.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: How do we conduct an investigation?

ANSWER:

With the Incident Report as the starting point:

- determine what happened
- gather the details
- determine the impact of the targeted student(s)
- determine the impact on the overall environment.
- Determine if there is a need to contact the police.

Document, document, document.

Compare stories.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: How do we conduct an investigation?

ANSWER:

With the Incident Report as the starting point:

- Ask open questions. For example:..
 - What happened....?
 - When / where did this take place?
 - Were others involved....? Who was involved....? Witnesses....?
 - Has anything like this happened before...?
 - Can you tell me more....? Why....?

Document, document, document.

Compare stories.

School Safety Center: <http://www.k12.wa.us/SafetyCenter/default.aspx>



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: How do we conduct an investigation?

ANSWER:

Determine if there was an HIB violation.

- If so, what will the consequences be?
- Who oversees any disciplinary action?
- Will there be a need for a **Targeted Student Safety Plan**?

If there was no HIB violation:

- What did happen? Is there a teachable moment, perhaps?
- Is there need for a *different* disciplinary response?

Remember to **contact the family with the results of the investigation.**



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: Once an aggressor has been disciplined, is the school done?

ANSWER:

No. The procedure also calls for:

- **support** for the targeted student,
- **interventions** to change the negative behavior of the aggressor, and
- **restoration** of a positive school climate.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: What is the HIB appeals process for the *targeted student*?

ANSWER:

There is an appeals process for *disciplined* students in WAC 392.400.235.

The HIB appeals process is for the *targeted* student.

If the **target student's family disagrees** with the findings of the principal/designee's investigation, they can appeal that decision to the **superintendent** and the **school board**.

This is entirely different from the discipline appeals process.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: Parents of the target students often ask about discipline for the aggressor?
What can we say? What can we not say?

ANSWER:

Tell them that you are doing / have completed an investigation;
the situation has been dealt with and
that you are continuing to monitor all students involved.

Also remind them that all students have a right to privacy and you can not at liberty to share more.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: What if we are reluctant to contact the family about the bullying incident?

ANSWER:

The safety of the child is paramount!

There may be rare situations where contacting home may threaten the health and safety of the student.

If this is the case:

- consult with other appropriate staff such as
- counselors, psychologists, or social workers.
- Determine what is in the best interest of the child.
- You may be able to involve the family at a later time.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: What is the role of the Compliance Officer in an HIB investigation?

ANSWER:

There may be times when the Compliance Officer receives the Incident Reporting form, directly.

If that is the case, then he or she will start the investigation process.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: What is the role of the Compliance Officer in an HIB investigation?

ANSWER:

Otherwise, the Compliance Officer should collect copies of the Incident Reporting Forms, whether they result in an investigation or not.

At the district's discretion, the Compliance Officer might also gather other, related information such as:

- climate data, staff feedback data,
- anonymous complaints,
- resolved complaints, etc.



State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

QUESTION: Are there any final questions?





State of Washington

Office of
Superintendent of Public Instruction

OSPI

HIB FAQ

For More Information and Resources

Please visit

The School Safety Center Web Page

<http://www.k12.wa.us/SafetyCenter/default.aspx>

<http://www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx>

Or contact:

Mike Donlin

mike.donlin@k12.wa.us