



# PROCESSING CRIME AND PUNISHMENT

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# PROCESSING CRIME AND PUNISHMENT

- **AC - PROHIBITION AGAINST DISCRIMINATION, HARASSMENT AND RETALIATION – Missouri Human Rights Act, Title VII, Title IX, ADEA, ADA, Section 504, State and Federal Constitutions**
- **JFCF – BULLYING – House Bill No. 1583, passed in 2016**
- **JGF - DISCIPLINE REPORTING AND RECORDS – Safe Schools Act, as amended by subsequent legislation**
- **JHDF – SUICIDE AWARENESS AND PREVENTION – House Bill No. 1583, passed in 2016**

# BULLYING, AND SUICIDE AWARENESS AND PREVENTION

- **Bullying, and Suicide Awareness and Prevention**
  - **In 2016, the General Assembly passed and the Governor signed House Bill No. 1583, which was encoded in Sections 160.775, 170.047, and 170.048 of the Missouri Revised Statutes**

# BULLYING - POLICY JFCF

- **New Definition of “Bullying”**

**Intimidation, unwanted aggressive behavior, or harassment that is repetitive, or is substantially likely to be repeated, and (1) causes a reasonable student to fear for his or her physical safety or property; (2) substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or (3) substantially disrupts the orderly operation of the school**



# BULLYING - POLICY JFCF

- **New Definition (cont'd)**

**May consist of physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting of such acts**

**Bullying of students is prohibited on school property, at any school function, or on a school bus.**

# BULLYING - POLICY JFCF

- **New Definition (cont'd)**

**“Cyberbullying” means bullying as defined in this subsection through the transmission of communication including, but not limited to – a message, text, sound, or image by means of an electronic device including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.**

# BULLYING - POLICY JFCF

- **Bullying Policy**

- **Must treat all students equally and shall not include specific lists of protected classes of students who are to receive special treatment**
- **Policy must be included in student handbook, and must include – at a minimum, the following:**

## BULLYING - POLICY JFCF

- Statement prohibiting bullying, defined as no less inclusive than the new definition**
- Statement requiring school employees who witness bullying to report the incident within two school days**



# BULLYING - POLICY JFCF

- **Reporting Procedure**

- Procedure for reporting bullying
- Designate employee at each school – at “teacher level or above” – to receive reports of bullying

# BULLYING - POLICY JFCF

- **Policy – Investigation Procedure**
  - Requires prompt investigation of reports
  - Must include the following:
    - Principal or designee must initiate investigation within two days of report first being received
    - Principal may appoint other staff to assist
    - Investigation must be completed within ten (10) school days from date of “written report” unless good cause exists to extend timelines

## BULLYING - POLICY JFCF

- Statement that prohibits retaliation against persons who report bullying and consequences and “appropriate remedial action for person who engage in retaliation**
- Statement regarding how the policy will be publicized**

## BULLYING - POLICY JFCF

- Process for training students, employees, and volunteers who have “significant contact” with student regarding the requirements of the policy, which process must include at a minimum, the following:**



# WHAT ARE THE REQUIREMENTS?

- Provide information and appropriate training to staff who have “significant contact with students**
- Give annual notice of the policy to students, parents, guardians, and staff**
- Provide education and information to students regarding the policy prohibiting bullying and –**

# WHAT ARE THE REQUIREMENTS?

- **Harmful effects of bullying**
- **Other initiatives to address bullying, including peer-to-peer initiatives to provide**
  - **Accountability and policy enforcement**
  - **For persons who engage in bullying, reprisal, or retaliation against any person who reports an act of bullying**

# WHAT ARE THE REQUIREMENTS?

- Administration shall instruct specific personnel to educate bullying victims on techniques to overcome negative effects of bullying**
- This includes school counselors, licensed social workers, mental health professionals, and school psychologists**

# WHAT ARE THE REQUIREMENTS?

**–Techniques must include, but are not limited to the following:**

- **Cultivating student self-worth and self-esteem**
- **Teaching students to defend themselves “assertively and effectively”**
- **Helping students develop social skills**
- **Encouraging students to develop “an internal locus of control”**



# WHAT ARE THE REQUIREMENTS?

- **Policy – Training (cont. – 5)**

- The requirements on the preceding slide do not limit other provisions of the new law
- “The administration shall implement programs and other initiatives to address bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying.”

# WHAT ARE THE REQUIREMENTS?

- **“Notwithstanding any other provision of law to the contrary,” schools may prohibit cyberbullying that originates on school property or at a school activity if the student used the school’s technology or the student’s personal technology, if there is sufficient nexus to the educational environment.**
- **“The school may discipline any student for such cyberbullying to the greatest extent allowed by law.”**

# SUICIDE AWARENESS AND PREVENTION - JHDF

- **Suicide Awareness and Prevention**

- **“Licensed educators” may annually complete up to two hours of training or PD in youth suicide awareness and prevention as part of the PD hours required for certification**
- **DESE shall develop guidelines and materials that may be used for such training**
- **Licensed educators include teachers, administrators, and “other educators” required to hold certificates**

# SUICIDE AWARENESS AND PREVENTION - JHDF

- **Suicide Awareness and Prevention**

- **By July 1, 2018, schools must adopt a policy for youth suicide awareness and prevention, including plans for training and education of school employees**

- **The policy shall include but not be limited to strategies and protocols to –**

- **Help identify students at possible risk of suicide**
    - **Help students at possible risk of suicide**
    - **Respond to a suicide death**



# SUICIDE AWARENESS AND PREVENTION - JHDF

- **Suicide Awareness and Prevention**

- DESE has developed a model policy that schools may adopt, but they may develop their own
- By July 1, 2021, and at least every three years thereafter, DESE shall seek feedback from schools regarding their experience with the suicide awareness and prevention policy
- Student and personnel information obtained during the review process shall remain confidential

# PROCESSING CRIME AND PUNISHMENT

- Demographics of Ozark schools
  - Student enrollment pre K – 12.....6,147
  - School Administrators.....27
  - Number of buildings.....7
  - Number of Discipline events 2016 – 17.....???
  - SROs call for service 2017-18.....1400

# PROCESSING CRIME AND PUNISHMENT

- Situations that lead us to make changes
  - Attended a conference session on student discipline and reporting
  - Attended conference session by Duane Martin on AC compliance issues and reporting
  - Mandated reporting issues
  - Cell phone issue/Social Media
  - Juvenile processes changed
  - Bullying investigating and reporting
  - Student mental health
  - Lack of awareness on what needed to be shared with SROs
- This prompted the need to change our current practices

# PROCESSING CRIME AND PUNISHMENT

- School officials want to do the right thing
  - Efforts to stay in compliance hindered the ability for administrators to do their jobs.
  - Every incident was requiring conversation with district office
  - A process that once seemed manageable now felt ineffective
  - Administrators extremely frustrated due to inability to act in their buildings
- The reporting tasks felt overwhelming



# PROCESSING CRIME AND PUNISHMENT

- Training given by MSBA Attorney Scott Summers, Christian County Prosecuting Attorney Amy Fite, for all Ozark administrators and All SROs also in attendance Juvenile Officials, Chief of Police of Ozark, Christian County Sheriff, Celynda Brasher representing Ozark schools
- This training covered search and seizure, to include cell phone searching, investigation process for school administration and SROs, mandated reporting and internet safety.

# PROCESSING CRIME AND PUNISHMENT

- Created a committee with the intent to solve our reporting issues
  - Members: Executive Director of Operations, Executive Director of Special Services, Director of school police, School administrators from every building
  - Goals:
    - Comprehensive reporting process
    - Enhance working relationships with SROs
    - Legal compliance with regard to AC, JFCF, JGF, and JHDF
    - All while not adding additional work to building administrators

# PROCESSING CRIME AND PUNISHMENT

- Committee developed the following tools
  - Investigating and Reporting process Flow chart
    - Goal to get all 27 administrators on same page
  - Utilizing the Student information system as a process of reporting
    - Utilized Discipline events screen in SIS K-12
      - This tool ties offenders and victims to the same event
      - Able to connect offenders to discipline screen
    - Email sent to key players based on discipline event
  - Who receives email and why

# PROCESSING CRIME AND PUNISHMENT

- Benefits of this program

- This has caused us to slow down and be intentional about each step of the process rather than being overwhelmed by the entire process
- Created a binder based on flowchart
- Allows for better support of victims
- Stream lined discipline process K – 12
- Improved relationships between administrators and SROs – truly a team effort
- Benefits at the District office level
- Video of administrators thoughts