

Mounds View Public Schools Ends and Goals Regulation

EG-3107

Minnesota Safe Schools Initiative - Bullying

Mounds View Public Schools will maintain a learning environment that is free from student bullying. Procedures will be developed consistent with Minnesota Statutes 121A.031

It will be a violation of Policy EG-3107 for any pupil engages in bullying or cyber bullying of another student at school or outside of school if that bullying causes a substantial disruption in the normal activities of the school day. Individual schools are charged with educational initiatives which support positive and respectful student conduct that is consistent with this policy and regulation.

Bullying Prevention Standards:

The District prohibits the bullying of any student or group of students

- 1) during any educational program or activity conducted by the District; district property may include a student's walking route to and from school for purposes of attending school or school related functions, activities or events.
- 2) during any school-related or school-sponsored program or activity or on any district property, including district school bus and bus stops.
- 3) through the use of any electronic device, technology or data while on school property, using computer software that is accessed through a district computer, computer system or computer network. If not in conflict with applicable law, the physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated under this policy or regulation.
- 4) by any student who directly engages in an act of bullying, or by indirect behavior, condones or supports another student's act of bullying.
- 5) through an alleged incident of bullying or (cyber bullying) which may occur off school property yet may not entail threats of acts to occur during the school hours, but interferes with or obstructs the mission or operations of the District or the safety and welfare of any student or employees.

Definitions:

Bullying is defined as intimidating, threatening, abusive, or harming conduct that is objectively offensive where

- 1) there is an actual or perceived imbalance of power between the students engaging in prohibited conduct and the target of the behavior and the conduct is repeated and forms a pattern.
- 2) the prohibited conduct materially and substantially interferes with the targeted student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services or privileges.

The definition of cyber bullying which is defined as use of technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, data including a post on as social network Internet Web site or forum, transmitted through a computer, cell phone or other electronic device.

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Intimidating, Threatening, Abusive, or Harming Behavior

May involve, but is not limited to, conduct that causes physical harm to a student or student's property or causes a student to be in reasonable fear of harm to person or property or violates a student's reasonable expectation of privacy as provided by Minnesota law. In addition, it is conduct that defames a student, or constitutes intentional infliction of emotional distress against a student. This type of conduct is specifically prohibited if it is directed at any student or students, including behavior that is based on the student's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation, including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age or an additional characteristics as defined in Minnesota law.

Prohibited Conduct

Bullying or cyber bullying as defined in this regulation or retaliation for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.

Remedial Response

A measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of the student who is the target of the prohibited conduct.

Initiating a report under this policy and regulation:

Each building principal or the principal's designee is the primary contact person for receiving reports of prohibited conduct under this policy and regulation and ensuring the policy and regulation are enforced.

Reports can be made orally or in writing. Form EG-3107 is provided to assist in making a written report. If a report is made verbally, the principal/designee shall reduce the report to writing.

The report can be made to any staff member. A staff member who receives a report, observes, or has other knowledge or belief of conduct that may constitute bullying as defined in this regulation shall inform the building principal or designee within twenty-four (24) hours.

Anonymous reporting is permitted but the District will not rely solely on an anonymous report in making a discipline determination.

Investigation Process:

Investigations will be begun within three school days of the report. If determined appropriate by the school administration, the District will attempt to notify the parent of the reported target and parent of the alleged actor as soon as possible. If appropriate, a school will immediately intervene to protect an alleged target.

Sources of information will be identified, reviewed and documented

Reprisals and retaliation are prohibited toward any individual who alleges prohibited conduct or provides information as part of an investigation into allegations of prohibited conduct.

A written record of the report, investigation and actions taken will be made.

In determining whether alleged conduct constitutes a violation of this policy and regulation, the building principal/designee will consider the totality of circumstances surrounding the allegation. This includes the maturity levels and/or special needs of the students, the nature of the behavior, the frequency of the behavior and past incidents.

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The alleged actor will be allowed to present a defense.

Consequences for a violation of this policy will emphasize remedial responses, but could be varied and consistent with Policy and Regulation EG-3109. In addition, any consequences will reflect the level of understanding of the students involved, their commitment to ending the behavior and their recognition that the behavior engaged in is unacceptable. Any consequences given should be sufficient enough to deter future violations and appropriate account for any behaviors that violate this policy and regulation. Where appropriate for a child with a disability, the child's 504 plan or individualized education program may address the skills and proficiencies the child needs to respond to or not engage in prohibited conduct.

Parties involved will be notified of the disposition of the investigation and next steps. This notification will respect the privacy rights of students and be consistent with federal and state data privacy laws.

Written Notification of Disposition of Report:

If requested, a written notification of the disposition will be provided. However, this notification will not violate other student's privacy rights. Students and parents may have rights under state and federal laws to obtain access to data related to the incident and to contest the accuracy or completeness of the data.

The District will also provide information about available community resources to the target, actor, and other individuals as appropriate.

Policy and Regulation Review

This policy and regulation will be reviewed annually by district administration.

The School District will provide all newly hired staff training on this policy and regulation during their new employee orientation.

Individual schools will train their staff in efforts to prevent bullying and create a positive, respectful school climate. These efforts will be consistent with this policy but may vary depending upon the particular circumstances at that school or building. Training will occur on a cycle not to exceed three school years. Staff are also required to attend ongoing professional development to build skills to identify, prevent and appropriately address prohibited conduct.

All district staff and any independent contractors who regularly interact with students will be provided a copy of this policy and regulation at the time of employment and thereafter annually.

All families will be provided a copy of this policy and regulation annually.

This policy will be posted on the District web page, individual school or program web pages, included in the student handbook, and conspicuously posted in the administrative offices of each school and the District Office.

School principals will gather information annually from students, staff and parents regarding school climate and anti-bullying efforts and report same to the District Office for inclusion and consideration in the annual review of this policy and regulation.

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