

## **514 BULLYING PROHIBITION POLICY**

### **I. PURPOSE**

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying behavior is conduct that interferes with a student's ability to learn and/or a teacher's ability to educate students in a safe environment. Cannon River STEM School (CRSS) cannot monitor the activities of students at all times and eliminate all incidents of bullying behavior between students, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the Cannon River STEM School and the rights and welfare of its students and is within the control of the CRSS in its normal operations, Cannon River STEM School intends to prevent bullying behavior and to take action to investigate, respond to, and to remediate and discipline for those acts of bullying behavior which have not been successfully prevented. The purpose of this policy is to assist the Cannon River STEM School in its goal of preventing and responding to acts of bullying behavior, including intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental behavior.

### **II. GENERAL STATEMENT OF POLICY**

- A. An act of bullying behavior, by either an individual student or a group of students, is expressly prohibited on school premises, on Cannon River STEM School property, at school functions or activities, or on school transportation. This policy applies not only to students who directly engage in an acts of bullying behaviors but also to students who, by their indirect behavior, condone or support another student's act of bullying behavior. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying behavior.
- C. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of bullying behavior is prohibited.
- E. False accusations or reports of bullying behavior against another student are prohibited.
- F. A person who engages in an act of bullying behavior, reprisal, retaliation, or false reporting of bullying behavior or permits, condones, or tolerates bullying behavior shall be subject to discipline or other remedial responses for that act in accordance with the CRSS's policies and procedures, including CRSS's discipline Policy 506). Cannon River STEM School may take

into account the following factors:

1. The developmental ages and maturity levels of the parties involved;
2. The levels of harm, surrounding circumstances, and nature of the behavior;
3. Past incidences or past or continuing patterns of behavior;
4. The relationship between the parties involved; and
5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying behavior may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. Cannon River STEM School shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, that apply throughout CRSS, and that foster student, parent, and community participation.

Consequences for employees who permit, condone, or tolerate bullying behavior or engage in an act of reprisal or intentional false reporting of bullying behavior may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of bullying behavior may include, but not be limited to, exclusion from CRSS property and events.

- G. Cannon River STEM School will act to investigate all complaints of bullying behavior reported to CRSS and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

### **III. DEFINITIONS**

For purposes of this policy, the definitions included in this section apply.

- A. “Bullying” means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct and the conduct is repeated or forms a pattern; or
  2. materially and substantially interferes with a student’s educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

Cannon River STEM School implements the Olweus Bully Prevention Program. CRSS does not believe in labeling children, therefore CRSS is intentional about referring to the bullying behavior, rather than the blanket term of bullying.

The term, “bullying behavior,” specifically includes cyberbullying behavior as defined in this policy.

- B. “Cyberbullying behavior” means bullying behavior using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a

computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.

- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. “Intimidating, threatening, abusive, or harming conduct” means, but is not limited to, conduct that does the following:
  - 1. Causes physical harm to a student or a student’s property or causes a student to be in reasonable fear of harm to person or property;
  - 2. Under Minnesota common law, violates a student’s reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
  - 3. Is directed at any student or students, including those based on a person’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 any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.
- E. “On school premises, on CRSS property, at school functions or activities, or on school transportation” means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. CRSS property also may mean a student’s walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying behavior at these locations and events, Cannon River STEM School does not represent that it will provide supervision or assume liability at these locations and events.
- F. “Prohibited conduct” means bullying behavior or cyberbullying behavior as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying behavior.
- G. “Remedial response” means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- H. “Student” means a student enrolled in Cannon River STEM School.

#### **IV. REPORTING PROCEDURE**

- A. Any person who believes he or she has been the target or victim of bullying behavior or any person with knowledge or belief of conduct that may constitute bullying behavior or prohibited

conduct under this policy shall report the alleged acts immediately to the Executive Director or identified Executive Director designee. A person may report bullying behavior anonymously. However, Cannon River STEM School may not rely solely on an anonymous report to determine discipline or other remedial responses.

- B. CRSS encourages the reporting party or complainant to use the report form available in the school office or on the CRSS website, but oral reports shall be considered complaints as well. CRSS staff should use the TIES Behavior Module for filing a referral, as well as notify the Executive Director via phone or email that a referral has been filed.
- C. The Executive Director, the Executive Director designee, (hereinafter the “report taker”) is the person responsible for receiving reports of bullying behavior or other prohibited conduct. If the complaint involves the Executive Director, the complaint shall be made or filed directly with the CRSS Board of Directors Chairperson.

The report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The report taker or a third party designated by CRSS shall be responsible for the investigation. The report taker shall provide information about available community resources to the target or victim of the bullying behavior or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying behavior or other prohibited conduct shall make reasonable efforts to address and resolve the bullying behavior or prohibited conduct and shall inform the report taker immediately. CRSS personnel who fail to inform the report taker of conduct that may constitute bullying behavior or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying behavior or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying behavior or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying behavior or other prohibited conduct will not affect the complainant’s or reporter’s future employment, grades, work assignments, or educational or work environment.
- G. Cannon River STEM School will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the CRSS’s obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

## **V. CANNON RIVER STEM SCHOOL ACTION**

- A. Within three school days of the receipt of a complaint or report of bullying or other prohibited conduct, the Cannon River STEM School shall undertake or authorize an investigation by the report taker or a third party designated by the CRSS.

- B. The report taker or other appropriate CRSS officials may take immediate steps, at their discretion, to protect the target or victim of the bullying behavior or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying behavior or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying behavior shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying behavior has occurred, CRSS will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying behavior or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. CRSS action taken for violation of this policy will be consistent with the requirements of applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; CRSS Student Discipline Policy 506 and other applicable CRSS policies; and applicable regulations.
- E. Cannon River STEM School is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying behavior or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying behavior or other prohibited conduct who have been involved in a reported and confirmed bullying behavior incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or respond to bullying behavior or other prohibited conduct committed by or directed against a child with a disability, CRSS shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in bullying behavior or other prohibited conduct.

## **VI. RETALIATION OR REPRISAL**

Cannon River STEM School will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying behavior or prohibited conduct, who provides information about bullying behavior or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying behavior or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

## **VII. TRAINING AND EDUCATION**

- A. Cannon River STEM School shall discuss this policy with school personnel and volunteers and provide appropriate training to CRSS personnel regarding this policy. CRSS shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. CRSS or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.
- B. Cannon River STEM School shall require ongoing professional development, consistent with Minn. Stat. § 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying behavior and other prohibited conduct. Such professional development includes, but is not limited to, the following:
1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
  2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
  3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying behavior or other prohibited conduct in school;
  4. The incidence and nature of cyberbullying behavior; and
  5. Internet safety and cyberbullying behavior.
- C. CRSS annually will provide education and information to students regarding bullying behavior, including information regarding this school district policy prohibiting bullying behavior, the harmful effects of bullying behavior, and other applicable initiatives to prevent bullying behavior.
- D. The administration of Cannon River STEM School is directed to implement programs and other initiatives to prevent bullying behavior, to respond to bullying behavior in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying behavior.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying behavior, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying behavior, and to make effective prevention and intervention programs available to students.

CRSS will implement Responsive Classroom, Developmental Designs, and Olweus Bullying Prevention programs, or establish other strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

The administration is encouraged, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:

1. Engage all students in creating a safe and supportive school environment;
  2. Partner with parents and other community members to develop and implement prevention and intervention programs;
  3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
  4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
  5. Teach students to advocate for themselves and others;
  6. Prevent inappropriate referrals to special education of students who may engage in bullying behavior or other prohibited conduct; and
  7. Foster student collaborations that, in turn, foster a safe and supportive school climate.
- F. CRSS may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- G. CRSS shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See CRSS Policy 515) in the CRSS office or on the CRSS website: [www.cannonriverstemschool.org](http://www.cannonriverstemschool.org).

## **VIII. NOTICE**

- A. CRSS will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy or a summary thereof must be conspicuously posted in the CRSS office.
- C. This policy must be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the CRSS Policy 506: Student Discipline distributed to parents at the beginning of each school year in the student handbook.
- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the CRSS website.
- F. Cannon River STEM School shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

## **IX. POLICY REVIEW**

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minn. Stat. § 121A.031 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definition of Public School)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 121A.0311 (Notice of Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.69 (Hazing Policy)  
Minn. Stat. § 124D.10 (Charter School)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)  
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

**Cross References:** CRSS Policy 413 (Harassment and Violence)  
CRSS Policy 501 (School Weapons Policy)  
CRSS Policy 506 (Student Discipline)  
CRSS Policy 515 (Protection and Privacy of Pupil Records)  
CRSS Policy 522 (Student Sex Nondiscrimination)  
CRSS Policy 524 (Internet Acceptable Use and Safety Policy)  
CRSS Policy 526 (Hazing Prohibition)  
CRSS Policy 709 (Student Transportation Safety Policy)

# Bullying and Harassment Incident Intake Form

NOTE: Please return completed form to CRSS Executive Director.

Date: \_\_\_\_\_

Name of person writing this report: \_\_\_\_\_

Check whether you are the:  Target of the behavior  Reporter (not the target)

Check whether you are a:  Student  Staff member (specify role): \_\_\_\_\_  Parent  Administrator  
 Other (specify): \_\_\_\_\_

Name of student bullied/harassed (target): \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

Name(s) of students exhibiting bullying behavior: \_\_\_\_\_  
\_\_\_\_\_

Description of incident(s) (answer who, what, where, when, how) (use back or another sheet if necessary):

Where did the incident happen? Check all that apply:

- |                                       |   |
|---------------------------------------|---|
| <input type="checkbox"/> Bus          | <input type="checkbox"/> Internet/Social Media              |
| <input type="checkbox"/> Cafeteria    | <input type="checkbox"/> Locker Room                        |
| <input type="checkbox"/> Classroom    | <input type="checkbox"/> Restroom                           |
| <input type="checkbox"/> Gym          | <input type="checkbox"/> School sponsored activity or event |
| <input type="checkbox"/> Hallway      | <input type="checkbox"/> To/from school                     |
| <input type="checkbox"/> Bathroom     | <input type="checkbox"/> Recess Area                        |
| <input type="checkbox"/> Other: _____ |   |

Name(s) of witnesses (teachers, staff, other students): \_\_\_\_\_  
\_\_\_\_\_

Has this kind of incident happened to the target before?  Yes  No

If yes, how many times? \_\_\_\_\_ When? \_\_\_\_\_

Has this kind of incident happened to anyone else?  Yes  No

If yes, who? \_\_\_\_\_

Has this kind of incident happened involving bully behavior before?  Yes  No

*Continued on back*

Circle all behaviors that apply.

**PHYSICAL CONDUCT -- Harm to another's body or property**

- |                              |               |                                  |                 |
|------------------------------|---------------|----------------------------------|-----------------|
| -Threatening physical harm   | -Scratching   | -Biting                          | -Extortion      |
| -Making threatening gestures | -Hair pulling | -Hitting                         | -Sexual assault |
| -Starting a fight            | -Spitting     | -Punching                        | -Arson          |
| -Cornering or blocking       | -Slapping     | -Destroying or defacing property | -Homicide       |
| -Pushing                     | -Kicking      | -Theft                           |                 |
| -Pinching                    | -Tripping     | -Assault with a weapon           |                 |

**EMOTIONAL CONDUCT -- Harm to another's self-worth**

- |                                |  |   |
|--------------------------------|--|---|
| -Threatening to secure silence | -Taunting                                      | -Harassing and/or frightening phone calls, emails, text or phone messages |
| -Challenging in public         | -Racial, ethnic or religious slurs or epithets | -Unwanted sexually suggestive remarks, images or gestures                 |
| -Insulting gestures            | -Insulting remarks                             |   |
| -Dirty looks                   | -Defacing or falsifying schoolwork             |   |
| -Insulting remarks             | -Insulting/degrading graffiti                  |   |
| -Name Calling                  |  |   |

**RELATIONAL CONDUCT -- Harm to another through damage (or threat of damage) to relationship or feelings of acceptance, friendship or group inclusion**

- |   |                                       |                                      |
|---|---------------------------------------|--------------------------------------|
| -Using negative body language or facial expressions | -Playing mean tricks                  | -Undermining other relationships     |
| -Threatening to end a relationship                  | -Insulting publicly                   | -Passively not including in group    |
| -Gossiping  | -Ruining a reputation                 | -Exclusion                           |
| -Starting/spreading rumors                          | -Ignoring someone to punish or coerce | -Ostracizing / total group rejection |
|   |                                       | -Arranging public humiliation        |

**Describe any physical evidence that exists related to the incident (including physical marks, video/audio, printouts/screenshots of social media and other websites, emails, photos, text messages, etc.) Be advised that photos should be taken and printed off for all evidence contained on cellphones (i.e. text messages, photos, social media activity.):** \_\_\_\_\_

**\*\*Where possible, please attach copies of all evidence information to this report. \*\***

This form is for reporting purposes only and not to be used to interview or interrogate an individual. Any and all information contained in this report is to remain confidential, and is not to be shared with any outside party. Anyone who wishes to make a report of bullying behavior may use this form as an initial step in the process. Other methods of reporting include contacting the Executive Director.

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a CRSS investigation regarding bullying behavior shall be subject to appropriate disciplinary action.

The Cannon River STEM School prohibits retaliation (i.e. threats, rumor spreading, ostracism, assault, destruction of property, etc.) by a student or CRSS employee against any person who makes a report of bullying behavior in good faith, serves as a witness, or participates in an investigation.

**Additional comments:**

\_\_\_\_\_  
Signature of person making the report

\_\_\_\_\_  
Date

Form given to: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_