

## Bullying Prevention and Response

Board Approved: 7.24.14

Board Amended:

Policy Number: 516

### **POLICY PURPOSE**

The purpose of this policy is to prevent and prohibit student bullying.

### **GENERAL STATEMENT**

Spectrum High School is committed to making school a safe and caring environment for all students. We will treat each other with respect and refuse to tolerate bullying of any kind. We will endeavor to be kind and respectful in our interactions with others. It is especially important for adults to model these behaviors in order to provide positive examples for student behavior.

### **DEFINITIONS**

The term “bullying” means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:

1. There is an actual or perceived imbalance of power between the student engaging in prohibited conduct and the target of the behavior 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.

The term “bullying” includes cyber bullying, i.e., bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data transmitted through the use of internet, cell phone, or other electronic device.

Conduct that is intimidating, threatening, abusive, or harming may involve, but is not limited to, conduct that:

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. violates a student’s reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress as these are delineated in Minnesota common law; 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 Acts, Chapter 363.

Bullying also includes, but is not limited to, conduct that is or is likely to be reasonably perceived as being intimidating, mocking, belittling, hostile, humiliating, threatening, or is otherwise likely to evoke fear of physical harm or emotional distress. Examples of bullying include, but are not limited to:

1. Hurting another physically by hitting, kicking, tripping, or pushing;
2. Stealing or damaging another person's things;
3. Ganging up on another person;
4. Teasing another person in a hurtful way;
5. Calling another person hurtful names;
6. Using put-downs, such as insulting another person's race, making fun of another person because of their characteristics as a boy or girl, or denigrating another person for other personal characteristics;
7. Isolating a person;
8. Spreading rumors or untruths about another person.

## **THE SCOPE OF THIS POLICY**

- A. This policy applies to school related bullying wherever it occurs, including:
1. On Spectrum High School grounds;
  2. At a school activity, function, or event, including field trips and other school activities which take place off of school grounds;
  3. Traveling to or from school or a school activity, function or event;
  4. Conduct off the school premises to the extent such behavior substantially and materially disrupts student learning or the school environment;
  5. On school computers, networks, forums, and mailing lists;
  6. By use of electronic technology and communications on the school premises; or
  7. By use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.



## STUDENT EXPECTATIONS

Spectrum High School students must not bully others, must not be a bystander to bullying, and must report bullying to an adult. Students are expected to do the following:

- A. Treat others with kindness and respect;
- B. Refuse to bully others;
- C. Refuse to let others be bullied;
- D. Refuse to watch, laugh, or join in when someone is being bullied;
- E. Try to include everyone in activities, especially those who are often left out;
- F. Report bullying to an adult.

## STAFF EXPECTATIONS

Teachers and staff at Spectrum High School are expected to do the following things to prevent bullying and help children feel safe at school:

- A. Closely supervise students in all areas of the school and playground;
- B. Watch for signs of bullying and stop it when it happens;
- C. Respond quickly and sensitively to bullying reports using an appropriate response process;
- D. Report bullying to the School Dean;
- E. Notify the Executive Director when efforts to address the bullying prove unsuccessful;
- F. Help create a school culture of respect and kindness by modeling and fostering these traits.

## VOLUNTEER EXPECTATIONS

Volunteers at Spectrum High School are expected to do the following things to prevent bullying and help children feel safe at school:

- A. Watch for signs of bullying and stop it when it happens;

- B. Respond quickly and sensitively to bullying reports using an appropriate response process;
- C. Report bullying immediately to the School Dean;
- D. Help create a school culture of respect and kindness by modeling and fostering these traits.

#### **EXPECTATIONS FOR SCHOOL ADMINISTRATORS**

Spectrum High School administrators are expected to foster a school culture of respect and kindness. The Executive Director is expected to oversee the following, at a minimum:

- A. Ensure that the topic of bullying prevention is addressed on a regular basis at staff meetings;
- B. Provide staff training for all school personnel on this policy and on preventing, identifying, and responding to bullying. The training cycle must not exceed a period of three school years. Newly employed school personnel must receive the training within the first year of their employment.
- C. Require ongoing professional development to build the skills of all school personnel who regularly interact with students, to identify, prevent, and appropriately address bullying. The professional development must include, but is not limited to, information about: 1) developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop bullying; 2) the complex dynamics affecting actor, target and witness to bullying; 3) research on bullying, including specific categories of students at risk of bullying in school; 4) the incidence and nature of cyber bullying; and 5) Internet safety and cyber bullying.
- D. Establish strategies for creating a positive school climate and the use of evidence-based social-emotional learning to prevent and reduce bullying and discrimination.
- E. Use parent surveys or other appropriate methods to obtain from stakeholders input relevant to the topic of bullying prevention at Spectrum High School;
- F. Ensure that this policy is annually discussed with students, school personnel, and volunteers.
- G. Conspicuously post this policy in the administrative offices of the school (may be posted in summary form).
- H. Give this policy to each employee, volunteer, and independent contractor (if the contractor regularly interacts with students), at the start of employment/work with the school.
- I. Include this policy in the student handbook.
- J. Include this policy on the school's website alongside other school board policies.

## DESIGNATION OF PRIMARY CONTACT PERSON

The Dean of the school is designated as the primary contact person in the school building to receive reports of bullying, ensure that this policy is fairly and fully implemented, and serve as the primary contact with the Minnesota Department of Education regarding matters under this policy

## CONSEQUENCES

The Dean is to conduct or ensure the following:

- a) Intervention, Warning, and Redirection. A teacher, principal, or staff member will take appropriate steps to ensure that the immediate behavior stops and reinforce to the student that bullying will not be tolerated. The staff member will redirect the student and may help the student identify better choices the student can make in the future. Each response should be tailored to the individual incident, and the individual students involved.
- b) Investigation. The Dean will begin to investigate reports of bullying within three school days of the report, and will be responsible for keeping and regulating access to the resulting record.
  1. The alleged actor of the prohibited conduct may present a defense.
  2. The Dean must allow anonymous reporting but must not rely solely on an anonymous report to determine discipline.
  3. Notification of Parents. If an incident of bullying is identified, the Dean will notify the parent of the student who was bullied and the student who did the bullying. However, the Dean has the discretion to override the presumption of notification and withhold parental notification if the Dean determines that withholding notification would be in the best interest of the child. The parent may be asked to meet with the Dean or other members of the school staff, including the student's teacher and/or the school counselor. This will be done at the Dean's discretion and must be consistent with state and federal data practices law.
  4. The Dean will provide or arrange remedial responses and ensure that the responses are tailored to the particular incident and nature of the conduct and the student's developmental age and behavior history.
  5. The Dean will inform the affected students and their parents of their rights under state and federal data practices laws to obtain access to data on related to the incident (to the extent permitted by data privacy law) and their right to contest the accuracy of the data.
  6. The Dean will inform the target, the actor engaged in bullying, and those who report or provide information related to bullying, that reprisals or retaliation is prohibited and the Dean will establish and enforce appropriate consequences for a person who engages in reprisal or retaliation.

- c) Referral to Professional School Support Staff. A student who violates this policy may be asked to meet with a school counselor or other staff to work on positive behavioral interventions to help prevent future violations.
- d) Referral to available Community Resources. The involved students and their parents will be given references to community resources and support, as it is appropriate;
- e) Where appropriate for a child with a disability to prevent or respond to prohibited conduct, the child's Individualized Education Program or Section 504 plan may address the skills and proficiencies the child needs to respond to or not engage in the prohibited conduct;
- f) Loss of School Privileges. The student may lose recess for one or more days, may lose school privileges, or be suspended, as appropriate.
- g) Suspension/ Expulsion. In cases of severe or repeated bullying, the student may be suspended or expelled.
- h) Staff Consequences. A Spectrum High School employee who fails to immediately and appropriately address bullying may be asked to participate in additional staff training or may be mentored. A staff member's repeated failure to address bullying behavior may result in discipline up to and including discharge, as appropriate.

#### **RETALIATION IS PROHIBITED**

The school board prohibits reprisal or retaliation for asserting, alleging, reporting, or providing information about bullying. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation will be determined by the school Dean after consideration of the nature, severity, and circumstances of the act.

#### **FALSE REPORTS AS A MEANS OF BULLYING PROHIBITED**

- A. The school board prohibits any person from falsely accusing another as a means of bullying. The consequences and appropriate remedial action for a student found to have falsely accused another as a means of bullying may range from positive behavioral interventions up to and including suspension or expulsion.
- B. A school employee found to have falsely accused another as a means of bullying is subject to appropriate discipline ranging from a letter of reprimand up to including discharge, as appropriate.

In the event that policies adopted by the School are in conflict with then applicable Minnesota law, the provisions of the law will apply.

**Legal References:** Minn. Stat. §124D.10 (Charter School Law)  
Minn. Stat. §121A.031(Student Bullying Policy Legislation)  
Minn. Stat. §120B.232 (Character Development Education)  
Minn. Stat. §§121A.40-121A.56 (Pupil Fair Dismissal Act)