

Effective Date: 7/9/02	500-15 Bullying Prevention and Response Policy
Revision Date: 6/26/06, 6/19/14, 11/18/14, 8/17/21	Approved by: DPSA Board
Last Review Date 8/12/21	

I. STATEMENT OF POLICY

DPSA (“School”) is committed to making DPSA schools 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 (even when disciplining) in order to provide positive examples for student behavior.

II. DEFINITIONS

A. The term “bullying” means intimidating, threatening, abusive, or harming conduct by a student or group of students against another student or group of students 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.

B. The term “cyberbullying” means bullying 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.

C. Intimidating, threatening, abusive, or harming conduct 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. 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 chapter 363A.

D. The term “remedial response” means 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.

III. THE SCOPE OF THIS POLICY

A. This policy applies to school related bullying that occurs:

1. on the school premises, at the school functions or activities, or on the school transportation;
2. by use of electronic technology and communications on the school premises, during the school functions or activities, on the school transportation, or on the school computers, networks, forums, and mailing lists;
3. 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.

B. A school-aged child who voluntarily participates in a [School Name] activity, such as a co curricular or extracurricular activity, is subject to the same student bullying policy provisions applicable to the [School Name] students participating in the activity.

IV. STUDENT EXPECTATIONS

DPSA students must not bully or cyberbully others or condone or support another student’s act of bullying by their indirect behavior. [SCHOOL NAME] students 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.

V. SCHOOL PERSONNEL AND VOLUNTEER EXPECTATIONS

School personnel and volunteers at DPSA 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. make reasonable efforts to address and resolve bullying, cyberbullying, retaliation for asserting, alleging, reporting or providing information about such conduct or knowingly making a false report about bullying when the teacher, staff, or volunteer witnesses the conduct or possess reliable information that would lead a reasonable person to suspect that a student is a target of the conduct;
- D. respond quickly and sensitively to bullying reports using an appropriate response process;
- E. report bullying to the building's principal/academy director or their designee ("primary contact person") or the Head of Schools;
- F. notify the Head of Schools when efforts to address the bullying prove unsuccessful;
- G. contribute to building up a school culture of respect and kindness by modeling and fostering these traits.

VI. REPORTING PROCEDURES

- A. The primary contact person is the person responsible for receiving reports of bullying or other prohibited conduct. Any person may report bullying or other prohibited conduct directly to the Head of Schools. If the complaint involves the primary contact person, the complaint shall be made or filed directly with the Head of Schools by the reporting party or complainant.
- B. Any person may report bullying or other prohibited conduct anonymously. DPSA will not, however, rely solely on an anonymous report to determine discipline.

VII. DPSA ACTION, REMEDIAL RESPONSES, AND CONSEQUENCES

- A. DPSA Action.
 - 1. All reports of prohibited conduct under this policy shall be investigated within three school days of the report. The primary contact person shall be responsible for the investigation or a third party designated by DPSA. The primary contact person shall be responsible

for any resulting record and for keeping and regulating access to any record.

2. The alleged actor shall be allowed in an investigation of conduct prohibited by this policy to present a defense.

3. DPSA shall inform affected students and their parents of their rights under state and federal data practices laws to obtain access to data related to the incident and their right to contest the accuracy or completeness of the data.

4. Where appropriate for a child with a disability to prevent or respond to conduct prohibited by this policy, allow the child's individualized education program or section 504 plan to address the skills and proficiencies the child needs to respond to or not engage in prohibited conduct.

5. DPSA Shall employ research-based, developmentally appropriate best practices that include preventive and remedial measures and effective discipline for deterring policy violations; apply throughout the school; and foster active student, parent, and community participation.

6. The primary contact person shall ensure this policy and its procedures including restorative practices, consequences, and sanctions are fairly and fully implemented, and serve as the primary contact on policy and procedural matters.

7. The primary contact person shall provide information about available community resources to the target, actor, and other affected individuals of the bullying or other prohibited conduct, as appropriate.

B. Remedial Responses. Remedial responses taken shall be tailored to the particular incident and nature of the conduct and the student's developmental age and behavioral history.

C. Consequences.

1. Student Consequences. DPSA action taken for violation of this policy will be consistent with the requirements of applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy and other applicable school district policies; and applicable regulations.

2. Staff Consequences. A DPSA 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. DPSA action taken for violation of this policy

will be consistent with the requirements of applicable statutory authority, applicable school district policies, and applicable regulations.

3. Volunteer Consequences. DPISA shall take appropriate action against a volunteer who fails to immediately and appropriately address bullying, which could include disallowing that individual from volunteering.

D. Depending on the severity and nature of the bullying, DPISA will take one or more of the following steps, as appropriate:

1. Intervention, Warning, and Redirection. A teacher, principal, staff member, or volunteer will ensure that the immediate behavior stops and reinforce to the student that bullying will not be tolerated. During this meeting with the student, the teacher, principal, staff member, or volunteer will redirect the student and may help the student identify better choices the student can make in the future.

2. Notification of Parents. School staff will notify the parents of involved students consistent with state and federal data practices law governing access to data. The parents may be asked to meet with the principal or other members of the school staff, including the student's teacher and/or the school counselor.

3. Resolution with the Target of the Bullying. A student that violates this policy may be required to participate in appropriate resolution, e.g., writing a letter of apology to the student who was bullied, participating in peer mediation or a restorative conference, etc.

4. Referral to Professional School Support Staff. The student may be asked to meet with the school counselor or other staff to work on positive behavioral interventions to help prevent future violations.

5. Loss of School Privileges. The student may lose recess for one or more days or may lose school privileges, as appropriate.

6. Suspension. In cases of severe or repeated bullying, the student may be suspended or expelled.

VIII. RETALIATION IS PROHIBITED

The School board prohibits reprisal or retaliation against any person for asserting, alleging, reporting, or providing information about conduct prohibited in this policy. The consequences and appropriate remedial action for a person who engages in retaliation will be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

IX. FALSE REPORTS AS A MEANS OF BULLYING PROHIBITED

A. The School board prohibits any person from knowingly making a false report about bullying. The consequences and appropriate remedial action for a School student found to have knowingly made a false report of bullying may range from positive behavioral interventions up to and including suspension or expulsion. The discipline for a school employee found to have knowingly made a false report about bullying may range from a letter of reprimand up to including discharge, as appropriate.

X. TRAINING AND EDUCATION

A. Consistent with its applicable policies and practices, DPSA shall discuss this policy with students, school personnel, and volunteers and provide appropriate training for all school personnel to prevent, identify, and respond to prohibited conduct under this policy.

B. DPSA shall establish a training cycle, not to exceed a period of three school years, for school personnel under this paragraph. Newly employed school personnel shall receive the training within the first year of their employment with DPSA. A DPSA administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance.

C. DPSA shall require ongoing professional development, consistent with section 122A.60, to build the skills of all school personnel who regularly interact with students, including but not limited to educators, administrators, school counselors, social workers, psychologists, other school mental health professionals, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, extracurricular activities advisors, and paraprofessionals to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development, includes, but is not limited to, information about:

1. developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
2. the complex dynamics affecting an actor, target, and witnesses to prohibited conduct;
3. research on prohibited conduct, including specific categories of students at risk for prohibited conduct in school;
4. the incidence and nature of cyberbullying; and
5. Internet safety and cyberbullying.

D. DPSA must establish strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

XI. NOTICE

A. DPSA shall include in the student discipline policy it distributes or otherwise transmits to students and their parents annually at the beginning of each school year notice about the rights and responsibilities of students and their parents under the Safe and Supportive Minnesota Schools Act.

B. The policy or a summary thereof shall be conspicuously posted in the administrative offices of the school.

C. The policy shall be given to each school employee and independent contractor, if a contractor regularly interacts with students, at the time of employment with the district or school.

D. The policy shall be included in the student handbook on school policies.

E. DPSA shall use new employee training materials, the school publication on school rules, procedures, and standards of conduct, and the student handbook on school policies to publicize the policy.

F. The policy shall be available to all parents and other school community members in an electronic format in the languages appearing on the district or school website, consistent with the district policies and practices.

G. DPSA shall submit an electronic copy of this policy to the Commissioner of Education.

XII. POLICY REVIEW

A. DPSA, in consultation with students, parents, and community organizations, to the extent practicable, shall implement and, on a cycle consistent with other district policies, review, and revise where appropriate, this policy. The policy shall conform with the Pupil Fair Dismissal Act.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

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. Ch. 363A (Minnesota Human Rights Act)

20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)