

St. Odilia School Policy and Information Manual

5142.2 Bullying

1.0 Policy Statement

- 1.1 The purpose of this policy is to assist St. Odilia School in its goal of preventing and responding to acts of bullying.
- 1.2 St. Odilia School recognizes the negative impact that bullying has on student health, welfare, safety and on the learning environment of the school. St. Odilia School recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence.
- 1.3 St. Odilia School cannot monitor all activities and eliminate all incidents of bullying between students, particularly when one or more of the students involved are not on school property, at school-related functions, and/or under the direct supervision of school personnel.
- 1.4 It is understood that this policy is part of the Discipline Policy (see Policy No. 5144) for the school, and as such, progressive consequences will be used to improve behavior.
- 1.5 This policy applies to students who directly engage in an act of bullying and to students who, by indirect behavior, condone or support another student's act of bullying.

2.0 Definitions

- 2.1 Aggressor – is the student who engages (or is believed to have engaged) in bullying of a student.
- 2.2 Bullying – is where one or more Aggressors, **intentionally and repeatedly** use power with the aim of hurting a Targeted Student(s) (*where a reasonable person under the circumstances knows or should know is the improper use of power*).
- 2.2.1 Bullying as described in Minnesota Statutes, Chapter 363A (commonly referred to as the Minnesota Human Rights Act) can be, but need not be, based on an individual'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, status with regard to public assistance, age, or any additional characteristic defined in the statute listed above. Bullying in this policy includes "cyberbullying," as defined below.
 - (1) "Cyberbullying" is bullying that occurs when an electronic device, including, but not limited to, a computer or cell phone, is used to transfer a sign, signal, writing, image, sound or data and includes a post to a social network, Internet website or forum.

Bullying is generally characterized by the following three (3) criteria:

- (1) Intentional misuse of power causing physical or emotional pain without provocation and can take the form of:
 - (a) Written or electronic communication, including e-mails with the student's St. Odilia School account or on St. Odilia owned devices;
 - (b) Verbal expressions (e.g., name calling, teasing, taunting, slurs, gossiping, spreading rumors, derogatory terms, ridiculing, threatening); and/or
 - (c) Physical or psychological acts or gestures where:
 - (i) The conduct is intended to cause (or is perceived to cause) emotional or physical distress to one or more Targeted Students (e.g., creating a hostile educational environment, placing a student in reasonable fear of harm to his or her person or property).
 - (ii) The distress significantly interferes with the Targeted Student's, educational benefits, opportunities and/or performance.
 - (iii) The student's property is damaged.
 - (iv) The student is intentionally excluded.
- (2) It is carried out repeatedly and consistently over time, and
- (3) It occurs within an interpersonal relationship where there is an imbalance of power or a clear attempt to create an imbalance of power (e.g., one (1) person is physically larger, stronger, mentally quicker or socially more powerful).

2.3 Bystander – is a person who witnesses or has knowledge or belief of conduct which may be considered bullying.

2.4 Retaliation – is when a student takes an adverse action, such as additional bullying, against a Targeted Student or Bystander. Retaliation includes, but is not limited to, any form of intimidation, or harassment.

2.5 Targeted Student – is the student against whom bullying has allegedly been perpetrated.

3.0 Procedure

3.1 **This policy will only be enforced during regular school hours, on St. Odilia owned devices, during school provided transportation, and/or during school sponsored functions and events, held at the school or other locations.**

3.2 Complaint Procedure

3.2.1 Step 1: Reporting

- (1) Targeted Student who believes s/he has been subjected to bullying should immediately report incidents verbally or in writing to any staff member. The Targeted Student should also report events of Retaliation, if any.
- (2) A Bystander in the school community who observes or receives notice that a student has or may have been a target of bullying should immediately report incidents verbally or in writing to a staff member.
- (3) False accusations or false reports of bullying against another student are subject to appropriate disciplinary action (see No. 5144).
- (4) Appropriate disciplinary action will be taken against any student who retaliates against a Bystander(s) that reports alleged bullying, or any person(s) who testifies, assists, or participates in an investigation related to bullying.

3.2.2 Step 2: Investigation

- (1) The Principal will investigate alleged acts of bullying in a timely manner.
- (2) At the discretion of the Principal, the Principal will inform the allegation (and impending investigation) of bullying to the Aggressor and his/her parent(s)/guardian(s). The Principal will also warn against acts of retaliation toward the Targeted Student, Bystander(s), and their family.

The Principal will also inform the Targeted Student and his/her parent(s)/guardian(s) of the impending investigation.

- (3) The investigation may evaluate the following:
 - (a) the nature of the behavior;
 - (b) the relationship between the parties involved;
 - (c) the identity of the Aggressor, including whether the individual was in a position of power over the Targeted Student;
 - (d) the number of Aggressors;
 - (e) the age of the Aggressor(s);
 - (f) where the alleged bullying may have occurred;
 - (g) whether there have been other incidents in the school involving the same or other students;
 - (h) whether the conduct is considered Bullying per 2.2; and
 - (i) the context in which the alleged incidents occurred.

3.2.3 Step 3: Action

- (1) The Principal will inform the Aggressor, the Targeted Student, and their parent(s)/guardian(s) of the results of the investigation.
- (2) The Principal may direct, one or more of the following consequences, if it is determined that bullying has occurred:
 - (a) Meeting with parent(s)/guardian(s), student and Principal.
 - (b) Detention
 - (c) Service to the School
 - (d) Temporary Suspension
 - (e) Expulsion
 - (f) Counseling for all parties involved.
 - (g) Development of a positive behavior support plan.
 - (h) A letter written by the Aggressor is provided to the Targeted Student. This letter outlines their understanding of how their behavior hurt the student and made them feel.
- (3) Due to data privacy laws, the Principal is not at liberty to discuss the consequence (i.e., disciplinary action) for the Aggressor to the parent(s)/guardian(s) of the Targeted Student. However, the general outcome of the investigation will be provided to the parent(s)/guardian(s) of the Targeted Student and school personnel involved in the student's education.
- (4) Safety Planning
 - (a) A safety plan should be considered in instances where the Targeted /Person Student is known to have (or is having) difficulty accessing the educational programs at the school as a result of bullying.
 - (b) A safety plan may include such measures as:
 - (i) Selecting a staff member to check in with the Targeted Student on a regular basis and his/her parent(s)/guardian(s) as necessary.
 - (ii) Selecting a staff member as a safe in-school person for the Targeted Student to seek out when s/he feels threatened;
 - (iii) Informing teachers to pay particular attention to interactions / dynamics between identified students;
 - (iv) Providing additional supervision in areas ordinarily subject to lesser supervision.

- (v) Separate the students into different classes/sections of classes assuming the same course is offered. This is at the Principal's discretion.
- (5) The Principal will document when all involved parties satisfactorily resolve the complaint.
- (6) Parent(s)/Guardian(s), student(s) and staff will continue to monitor the situation.

3.2.4 Step 4: Unsatisfactory Resolution (see Policy No. 5145)

3.3 St. Odilia School will provide bullying training (at an age appropriate level) to both staff and students. Training will include, but is not limited to:

- (1) The details of this Policy and the Discipline Policy.
- (2) Curriculum intended to raise awareness and promote understanding of bullying behavior for students and staff, and to assist with maintaining a safe, healthy learning environment.