

A PARENT’S GUIDE TO UNDERSTANDING THE NEW ANTI-BULLYING POLICY

New Anti-Bullying Initiative

The Safe and Supportive Schools Act (“Act”), widely known as the anti-bullying law, recently was passed by the Minnesota legislature. The Act requires public schools to begin implementing new policies and procedures beginning with the 2014-2015 school year. As a result, we are implementing a new bullying prohibition policy from the MN School Boards Association. Students will receive information in school as to their obligation under this new policy and its procedures. As a parent or guardian, you can help your child understand these expectations and the reporting procedure.

What are the Behavioral Expectations For My Child?

Under the policy, students are prohibited from engaging in any act of bullying on school premises, school district property, at school functions or activities, or on school transportation. School policy also applies to an act of cyberbullying that occurs on school premises or through the use of school resources as well as cyberbullying that occurs off school premises to the extent such acts substantially and materially disrupt student learning or the school environment. Retaliation for asserting, alleging reporting or providing information about an act of bullying or cyberbullying, as well as knowingly making a false report of bullying are also prohibited.

What is Bullying?

Per Minnesota law, bullying is defined as: Intimidating, threatening, abusive, or harming conduct that is objectively offensive and:

1. There is an actual or perceived imbalance of power between the students engaging in the prohibited conduct and the target of the prohibited conduct and the conduct is repeated or forms a pattern.
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.

What Conduct is considered to be Intimidating, Threatening, Abusive, or Otherwise Harming?

“Intimidating, threatening, abusive, or harming conduct” that constitutes bullying 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). Prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

What is Cyberbullying?

"Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, 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, network, forums, and mailing lists, or off school premises to the extent that is substantially and materially disrupts student learning or the school environment.

What Happens if My Child is Accused of Bullying?

If there is a report that your child allegedly engaged in conduct that may be bullying under the above definitions, we will take the following actions:

1. We will investigate the report;
2. While the investigation is pending, intermediate steps may be taken to protect the alleged victim, the reporter as well as your child including, but limited to, separating the parties involved and increasing supervision when the parties may be together (lunch, recess).
3. Your child will be informed of the complaint and allowed to tell his or her side of the story both during the investigation and if disciplinary action is taken, before such action is taken.
4. When a bullying incident is confirmed, depending upon the circumstances, parent/guardians will be given notice of the alleged bullying conduct to the extent permitted by data privacy laws.
5. If your child is determined to have engaged in an act of bullying, he or she may be disciplined as set forth in the school code of conduct. A copy of the Student Discipline Policy may be found in the district office.

What Happens if My Child is the Victim of Bullying?

If you, your child, or anyone else reports that your child may be the victim of bullying under the above definitions, we will take the following actions:

1. We will investigate the report.
2. While the investigation is pending, intermediate steps may be taken to protect your child and any other students who may have witnessed or reported the incident such as separating the parties involved and increasing supervision when the parties may be together (lunch, recess).
3. We will ask to speak with your child to determine what conduct did or did not occur.
4. Parent/guardians will be given notice of the alleged bullying conduct to the extent permitted by data privacy laws.
5. We will take action to address a confirmed report of bullying including any actions listed in the Bullying Prohibition Policy and/or the Student Discipline Policy. A copy of the Student Discipline Policy may be found in the district office. To the extent permitted by state and federal privacy laws, we will inform you of the remedial actions taken in response to the report.

What Can I do as a Parent to Help My Child with Bullying?

Parents can help their children by being informed as to the behavioral expectations their child must meet at school and assisting their children in understanding the need to treat others with respect. Parents can also be alert to warning signs of bullying and talk to their children if they suspect bullying may be occurring.

Finally, we can all address and prevent bullying by communicating with each other. If you know or suspect bullying is occurring in school, whether it involves your child or another student, it is important that school officials receive that information as soon as possible. Valuable information can be lost when investigations are delayed and action cannot be taken to address the situation if we do not know that an incident occurred.

What Resources on Bullying are Available to Parents?

Many resources on bullying can be found through the Minnesota Department of Education (“MDE”) at [http://education.state.mn.us/MDE/Just Parent/BullySafeSch](http://education.state.mn.us/MDE/Just%20Parent/BullySafeSch). Resources recommended by MDE include the following:

<http://MNParentsKnow.info>

<http://www.shoulderstoshoulderminnesota.org>

<http://stopbullyingnow.hrsa.gov/>

<http://www.netsmartz.org/netteens.htm>

<http://prevnet.ca/Home/tabid/36/Default.aspx>

<http://www.pacerteensagainstbullying.org/#/home>

<http://www.apa.org/helpcenter/bullying.aspx>

<http://www.stopbullying.gov/>

http://www.violencepreventionworks.org/public/bullying_warning_signs.page

In addition to these resources, school officials are always willing to help and answer any questions you may have on this topic. We encourage you to contact your building principal or school counselor for assistance.