

BULLYING

SECTION 1 - Policy Statement

The District is committed to maintaining a constructive, safe, and bullying-free school climate that is conducive to all students' educational opportunities and which fosters an environment in which all students are treated with respect and dignity. Bullying can inhibit a student's educational opportunities and may also have long-term negative effects on a student. Bullying of students shall not be tolerated and is strictly prohibited. Bullying of students from other schools who are at a District activity, parents, school employees, guests, visitors, volunteers and vendors of the District shall also not be tolerated and is strictly prohibited.

This policy shall not be interpreted or applied to prohibit civil exchange or opinions or debate protected under the state or federal constitutions if the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others. However, conduct which substantially interferes with the work of the school, causes material and substantial interference with school work and discipline, and might reasonably have led school authorities to forecast substantial disruption of or material interference with school activities is not constitutionally protected speech and is therefore prohibited under this policy.

All students, parents, employees, guests, visitors, volunteers and vendors shall conduct themselves in a civil and responsible manner and in a manner consistent with school policies related to student, parent, employee and visitor conduct. This policy prohibiting bullying shall apply to all students, parents, employees, guests, visitors, volunteers and vendors while on school property, while attending or participating in school activities, on school-owned property or on non-school property, while in any school-owned or leased vehicle, while at a school bus stop, or when in a private vehicle located on school property during school hours or during school activities.

The District shall investigate all reported instances involving bullying. Unless a different person is designated by the Superintendent to conduct the investigation, the Principal of the school attendance center where the bullying is alleged to have occurred is responsible for investigating the alleged

bullying. Allegations of bullying may also be reported by the administration to other authorities, including but not limited to law enforcement.

Students who violate this policy shall be subject to appropriate disciplinary action, up to and including expulsion. Employees who violate this policy shall be subject to appropriate disciplinary action, up to and including termination of employment. Parents, guests, visitors, volunteers, and vendors who violate this policy may be prohibited from being on school property.

Pursuant to state law:

- A. Any school district employee, school volunteer, student, or parent who promptly reports in good faith an act of bullying to the appropriate school district official as designated in the school district's policy, and who makes the report in compliance with the provisions of the school district's policy, is immune from any cause of action for damages arising from failure to remedy the reported incident, and
- B. No cause of action is created against the school district, school district employee, school volunteer, student, or parent unless there has been substantial noncompliance with the school district's policy which results in injury to a person.

The District will maintain confidentiality to the maximum extent possible under the circumstances. However, a person reporting bullying conduct must understand that should the administrator who is investigating the report determine there is reasonable cause to suspect that bullying did occur which could result in administrative discipline or a referral to the School Board, the person alleged to have abused the other person may have the right to know the identity of the person(s) making the report in order that he/she may have an opportunity to defend himself/herself.

The District strictly prohibits retaliation against any person because he or she has made a report, testified, assisted, or participated in the investigation of a report of alleged bullying. Retaliation includes, but is not limited to, any form of verbal or physical reprisal or adverse pressure. The person(s) alleged to have bullied another person shall not directly or indirectly (such as through another person) harass, pressure, or retaliate against any other person because of the complaint being reported. A violation of this provision may

lead to separate disciplinary action based on the retaliation. Any person who believes he or she is being subjected to retaliation because of his or her involvement with a bullying report should immediately contact a school administrator.

Complaints against school employees and complaints related to Sexual Harassment are addressed through other school district policies and not through this policy.

SECTION 2 - Bullying Defined

- A. Bullying* is an intentional isolated act or pattern of repeated conduct toward another person that is sufficiently severe and offensive to a reasonable person, and
1. Has the purpose or effect of creating an intimidating, hostile or offensive school environment for one or more students, parents, employees, guests, visitors, volunteers or vendors, and/or
 2. Has the purpose or effect of substantially or unreasonably interfering with a student's educational opportunities (i.e. academic, co-curricular activities, extra-curricular activities, and social opportunities, etc. within the school environment), employee's and volunteer's work environment or performance, or access by parents, guests, visitors or vendors, and/or
 3. Places a person in reasonable fear of harm to his or her person or damage to his or her property, and/or
 4. Causes physical hurt or psychological distress to a person, and/or
 5. Constitutes retaliation against any person for asserting or alleging an act of bullying, and/or
 6. Disrupts the orderly operation of a school.

*For the purpose of this policy, the following definition of bullying was utilized to craft BSD BOE policy JFCD: Bullying is a pattern of repeated conduct that causes physical hurt or psychological distress on one or more students that may include threats, intimidation, stalking as defined in chapter 22-19A, physical violence, theft, destruction of property, any threatening use of data or computer software, written or verbal communication, or conduct directed against a student that: (1) Places a student in reasonable fear of harm to his or her person or damage to his or her property; and either, (2) Substantially interferes with a student's educational performance; or (3) Substantially disrupts the orderly operation of a school. For the purposes of §§ 13-32-14 to 13-32-19, inclusive, bullying also includes retaliation against a student

for asserting or alleging an act of bullying. This definition stems from SDCL: 13-32-15.

B. Bullying conduct includes threats, intimidation, physical violence, theft, destruction of property, hazing, stalking (SDCL 22-19A-1), harassment (SDCL 22-19A-4), and threatening or harassing contact by telephone or other communication devices, commonly referred to as cyber bullying (SDCL 49-31-31). Neither the physical location nor the time of day of any incident involving the use of computers or other electronic devices is a defense to any disciplinary action taken by the School District for conduct determined to meet the definition of bullying in SDCL 13-32-15.

1. Hazing defined: any verbal or physical act or acts done on school property or at a school activity which is directed toward another person and done for the purpose of initiation into any group, regardless of whether the group is a school sanctioned organization, when the act or acts causes or may create a reasonable risk of causing mental, emotional or physical harm to the person who is the recipient of the act or acts.
2. Stalking defined: willfully, maliciously, and repeatedly following or harassing another person; making a credible threat to another person with the intent to place that person in reasonable fear of death or great bodily injury; or willfully, maliciously, and repeatedly harassing another person by means of any verbal, electronic, digital media, mechanical, telegraphic, or written communication.
3. Harass defined: a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses the person, and which serves no legitimate purpose.
4. Threatening or harassing contacts by telephone or other electronic communication device defined: using or knowingly permitting a telephone or other electronic communication device under his or her control for any of the following purposes:
 - (1) To contact another person with intent to terrorize, intimidate, threaten, harass or annoy such person by using obscene or lewd language or by suggesting a lewd or lascivious act;
 - (2) To contact another person with intent to threaten to inflict physical harm or injury to any person or property;
 - (3) To contact another person with intent to extort money or other things of value;

- (4) To contact another person with intent to disturb that person by repeated anonymous telephone calls or intentionally failing to replace the receiver or disengage the telephone connection.

SECTION 3 - Reporting Procedure

Any individual who believes that he or she has been or is being subjected to bullying or has reason to suspect another person has been or is being subjected to bullying should immediately report it to a teacher or school administrator. The report may be made verbally or in writing. A report may be made anonymously, although disciplinary action may not be based solely on an anonymous report. If disciplinary action is being requested, the individual reporting the bullying will be asked to either submit a signed written complaint or sign a completed Bullying Report Form, Exhibit JFCD-E(1), verifying the accuracy of its contents. The written complaint or Bullying Report Form must include the following:

- The date the written complaint was filed or the Bullying Report Form was completed.
- The school employee receiving the complaint (if applicable).
- The name of the person reporting the bullying.**
 - o **Not applicable if the report is anonymous
- The address/phone # of the person reporting the bullying.
- The specific conduct or nature of the bullying complaint including the person(s) alleged to have bullied the complaining party or another person, the date(s) and location where the conduct occurred, witnesses, etc.
- The date the school employee completed the form (if applicable).
- The date and signature of the person reporting the bullying.

If the signed written complaint was given to a teacher, or if the Bullying Report Form was completed by a teacher, the teacher shall forward the complaint or Bullying Report Form to the teacher's building principal. The reporting procedures if any alleged incident of bullying committed against a child while the child is aboard a school bus, at a school bus stop, or at a school-sponsored event. Regardless of location, the District will conduct a prompt investigation.

SECTION 4 - Procedure for Addressing Bullying Complaints

STEP 1: Principal

Should there be a report which alleges a District student, parent, employee, guest, visitor, volunteer or vendor has been subjected to bullying, an investigation into the alleged bullying will be initiated. The District's investigation may include, but is not limited to, such things as interviewing individuals with actual or possible knowledge regarding the conduct in question, identifying facts related to the conduct in question, identifying when and over what period of time the conduct is to have occurred, determining whether the conduct negatively affects the educational opportunities or employment condition of the victim, identifying prior history of a similar nature by any of the individuals involved, and attempting to obtain possible verification from other persons. The investigation shall be conducted promptly and completed in a reasonable time frame given the nature of the complaint.

The person alleged to have bullied another person will be notified that a complaint has been filed pursuant to this policy and that the complaint is being investigated. The name of the person making the complaint will not be disclosed to the person alleged to have violated this policy unless and until the investigation results in a determination that there is reasonable cause to suspect that bullying did occur.

Upon reasonable suspicion by the school administrator responsible for the investigation that the allegation of bullying may be true, the employee, student or other person accused of bullying conduct shall be notified in writing that reasonable suspicion exists that the complaint may be valid, including a statement of the facts supporting the determination that reasonable suspicion exists, and the name of the alleged victim.

The person alleged to have bullied another person in violation of this policy shall be afforded an opportunity to respond to the allegation of bullying but is not required to submit a response.

Pending the outcome of the investigation the school administrator responsible for conducting the investigation may take such action consistent with school policy and state law as deemed appropriate in order to facilitate the investigation and protect the rights of all persons involved. If there is

reasonable suspicion to believe that a person bullied another person while at school or at a school activity on non-school property in violation of this policy, the administration may prohibit that person from being on school property or at school activities.

Upon reasonable suspicion by the school administrator responsible for the investigation that the allegation of bullying may be true, the employee, student or other person accused of bullying conduct shall be notified in writing that reasonable suspicion exists that the complaint may be valid, a statement of the facts supporting the determination that reasonable suspicion exists, and the name of the alleged victim and complaining individual(s).

The person alleged to have bullied another person in violation of this policy shall be afforded an opportunity to respond in writing to the notification of alleged bullying but is not required to submit a written response.

At the conclusion of the investigation, the Principal shall make a determination as to whether bullying did occur or whether the facts are insufficient to determine that bullying occurred. The complainant and the person alleged to have bullied another person will receive written notice of the Principal's determination. Should the Principal conclude that bullying did occur, the Principal shall take such action as deemed appropriate, which may include imposing disciplinary consequences on the person found to have violated this policy prohibiting bullying.

STEP 2: Appeal to the Superintendent

The following procedure shall be used to address an appeal of the Principal's decision in Step 1 to the Superintendent:

1. If either party is not satisfied with the Principal's decision, or if the Principal does not render a written decision within fourteen (14) calendar days of the request for a decision on the merits of the complaint, that party may appeal to the Superintendent by filing form JFCD-E(2). The appeal must be filed within ten (10) calendar days of receipt of the Principal's written decision, or ten (10) days of the deadline for the Principal's written decision, whichever comes first. The appealing party must attach the Principal's written decision.

2. Within fourteen (14) calendar days from the date the appeal was filed, the Superintendent shall render a decision in writing. All parties shall receive copies of the decision. The Superintendent shall uphold, reverse or modify the Principal's decision, or the Superintendent may refer the matter back to the Principal for further investigation and supplemental decision, which decision may restate, modify or reverse the Principal's initial decision. A supplemental decision by the Principal after a referral back to the Principal is subject to appeal to the Superintendent. The time frame for rendering a decision by the Superintendent may be extended by the Superintendent for good cause and upon written notification to all parties, which notification shall identify the reason for the extension and the date on or before which the decision shall be rendered.

STEP 3: Appeal to the Board

If either party is not satisfied with the Superintendent's decision, or if the Superintendent does not render a written decision within fourteen (14) calendar days of the receipt of the appeal, that party may appeal to the School Board by filing with the Business Manager using Form JFCD-E(3) within ten (10) calendar days of receipt of the Superintendent's written decision, or within ten (10) calendar days of the deadline for the Superintendent's written decision, whichever comes first. The appeal shall be in writing and the appealing party must attach to the appeal the Principal's written decision, the appeal to the Superintendent, and the Superintendent's written decision or notice of the Superintendent's failure to render a written decision.

The following procedure shall be used by the Board to address an appeal of the Superintendent's decision on the merits related to a bullying complaint:

1. Upon receipt by the Board President/Chairperson of an appeal by the Complainant, a copy of the appeal shall be given to the person alleged to have violated the bullying policy.
2. Upon receipt of an appeal, the Board shall at its next meeting schedule a date, time and location for the appeal hearing.

3. The following procedure shall be applicable at the appeal hearing before the Board:
 - A. The Board shall appoint a board member or a person who is not an employee of the school district as the hearing officer;
 - B. Within thirty (30) calendar days of an appeal being filed with the Board, the Board shall conduct a hearing in executive session;
 - C. The Complainant, person alleged to have violated the bullying policy, and the Superintendent each have the right to be represented at the hearing;
 - D. The Board shall make a verbatim record of the hearing by means of an electronic or mechanical device or by court reporter. This record and any exhibits must be sealed and remain with the hearing officer until the appeal process has been completed;
 - E. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified;
 - F. All parties shall be given the opportunity to make an opening statement, with the appealing party being given the first opportunity, followed by the other party, and then the Superintendent;
 - G. The appealing party shall present his or her case first, and the other party shall then present his or her case. Both parties shall have the opportunity to ask questions of the other's witnesses. The hearing officer and board members may ask questions of any witness;
 - H. The Superintendent shall present the basis of his/her decision which lead to the appeal. Both parties shall have the opportunity to ask the Superintendent questions. The hearing officer and board members may also ask questions of the Superintendent;
 - I. Unless a witness is a party to the appeal, witnesses may be present only when testifying unless the hearing officer rules otherwise. All witnesses must take an oath or affirmation administered by the School Board president, hearing officer or other person authorized by law to take oaths and affirmations;
 - J. The hearing officer shall admit all relevant evidence. The hearing officer may limit unproductive or repetitious evidence. The strict rules of evidence do not apply. *Moran v. Rapid City Area School Dist., 281 N.W.2d 595.602 (S.D. 1979)*;
 - K. All parties shall be given the opportunity to make a closing statement, with the appealing party having the first opportunity, followed by the other party, and then

- the Superintendent. The appealing party shall be given the opportunity for a brief rebuttal;
- L. After the evidentiary hearing, the Board shall continue to meet in executive session for deliberations. No one other than the hearing officer may meet with the Board during deliberations. The Board may seek advice during deliberation from an attorney who has not represented any of the parties to the hearing. Consultation with any other person during deliberation may occur only if a representative of both parties and the Superintendent are present. The Board may, in its sole discretion, continue the proceedings and make a final decision on the appeal at a later date;
 - M. Within twenty (20) calendar days of the hearing, the Board shall render its decision and issue its written Findings of Fact, Conclusions of Law and Decision. The time frame for rendering a decision may be extended by the Board President for good cause and upon written notification to both parties and the Superintendent, and the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered;
 - N. The decision of the School Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The Board will convene in open session and a motion to uphold, reverse, or modify the Superintendent's decision shall be made and voted upon. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion shall be in writing and approved by the Board. Both parties, the Principal and the Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the Board;
 - O. Following the Board hearing, should the Board determine there has been a violation of this policy prohibiting bullying, Board action may include but is not limited to the following:
 - (1) Suspend or expel a student from any or all school programs, including but not limited to classes, extracurricular activities, or attendance at school activities;
 - (2) Pursuant to statute, reprimand, suspend without pay, or terminate the contract of an employee, or
 - (3) Prohibit a person from being on school property or at school activities for such time as may be determined by the Board.

P. If either party is dissatisfied with the Board's decision, that party may appeal the decision by filing an appeal to circuit court pursuant to SDCL 13-46-1.

Anti-Bullying Student & Parent Fact Sheet for the Beresford School District

Purpose: We are committed to providing a caring, friendly and safe environment for all of our students so they can learn in a relaxed and secure atmosphere. It is essential to provide all learners with social and emotional assistance. Bullying of any kind is unacceptable at our school. If bullying does occur, all learners should be able to tell and know that incidents will be dealt with promptly and effectively. We are a TELLING school district -this means that *anyone* who knows that bullying is happening is expected to tell a staff member. Students, parents, and teachers can also complete an online bullying report form (Link: <https://forms.gle/ZgLxG7ZPuhpcmGzW6>).

Bullying -Simplified: When someone with MORE power unfairly hurts someone with LESS power over and over again. Power may be physical strength, social interaction, verbal ability, or another advantage.

Is it Bullying?

- When someone says or does something *unintentionally* hurtful, and they do it once, that's RUDE.
- When someone says or does something *intentionally* hurtful, and they do it once, that's MEAN.
- When someone says or does something *intentionally* hurtful, and they *keep doing it* - even when you tell them to stop or show them that you're upset - that's BULLYING.

Direct or Indirect Bullying can be:

- Emotional- being unfriendly, excluding, tormenting (threatening gestures hiding books)
- Physical- pushing, kicking, hitting, punching, or any use of violence
- Racist- racial taunts, graffiti, gestures
- Sexual- unwanted physical contact or sexually abusive comments
- Homophobic- because of, or focusing on the issue of sexuality
- Verbal- name-calling, sarcasm, spreading rumors, teasing

- Cyber- all areas of the internet, such as email, chat rooms, mobile threats misuse of technology, camera and video facilities

Characteristics of Bullies:

- Are excited by their bullying behavior
- Thrive on feelings of dominance and power
- Have low empathy and low compassion
- Enjoy causing pain
- Are very calm with a flat affect
- Are impulsive
- Blame the victims
- Interpret ambiguous acts as hostile
- In general, are average learners
- Are not anxious or insecure
- Contrary to common belief - Do not have low self-esteem
- Usually have a small network of friends
- Are successful at hiding their behavior
- Are excited by the reactions of their victims (such as fighting back)

After telling, what happens next?

- After telling a trusted adult (or completing the online form), the building principal (or assistant principal) at each school completes an investigation of the report. The investigation will determine what needs to be done next to see that the undesirable behaviors stop and those involved receive the support required to be successful in the Beresford School District.

Board Policy & Disclaimer:

- The Beresford School District has board policy [JFCD: Bullying](#) that addresses the policy statement, bullying defined, the reporting procedure, and the procedure for addressing complaints (e.g., including due process rights and appeal processes). This fact sheet is designed for students, staff, and parent review regarding what constitutes bullying, and what should be done if someone feels that bullying is taking place at the Beresford School District.

Policy Statements:

- [JFCD: Bullying](#)
- [JFCD-E \(1\): Bullying Report Form](#)
- [JFCD-E \(2\): Bullying Complaint -Appeal to the Superintendent](#)

- [JFCD-E \(3\): Bullying Complaint -Appeal to the School Board](#)
 - [JFCE: Retaliation](#)
 - [JFCE: Retaliation Form](#)
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Frequently Asked Questions (FAQs):

How does the Beresford School District inform students and parents of its bullying policy, procedures, programming, and expectations? The Beresford School District communicates bullying information through board policy, student handbooks (posted online for instant access), staff training sessions (face-to-face or virtual), student informational sessions, assemblies, school counselor programming, teacher-led conversations, and building-level leader informational updates. Through District-level training experiences, the Beresford School District trains staff members about bullying, reporting procedures, and general building-level expectations concerning student safety and well-being. Students in grades 6-12 have ready access to the included infographic resources posted throughout the building. The bullying content from these resources is derived from JK-5 materials utilized at Beresford Elementary School. Through our committee work, we felt that it is imperative to have a common language that is kid-friendly across the Beresford School District.

What happens when someone tells? Why is telling important?

Telling is reporting. Reporting helps the Beresford School District investigate and determine the next best steps. Individuals who report bullying should not expect to be subjected to retaliation from the offender. Retaliation is not accepted and will result in disciplinary action.

What Kids Can Do (from stopbullying.gov)?

- Treat Everyone with Respect. Nobody should be mean to others. Stop and think before you say or do something that could hurt someone. If you feel like being mean to someone, find something else to do. Play a game, watch TV, or talk to a friend. Talk to an adult you trust. They can help you find ways to be nicer to others. Keep in mind that everyone is different. Not better or worse. Just different. If you think you have bullied someone in the past, apologize. Everyone feels better.

- What to Do if You Are Bullied There are things you can do if you are being bullied: Look at the kid bullying you and tell him or her to stop in a calm, clear voice. You can also try to laugh it off. This works best if joking is easy for you. It could catch the kid bullying you off guard. If speaking up seems too hard or not safe, walk away and stay away. Don't fight back. Find an adult to stop the bullying on the spot. There are things you can do to stay safe in the future, too. Talk to an adult you trust. Don't keep your feelings inside. Telling someone can help you feel less alone. They can help you make a plan to stop the bullying. Stay away from places where bullying happens. Stay near adults and other kids. Most bullying happens when adults aren't around.
- Protecting Yourself from Cyberbullying Bullying does not always happen in person. Cyberbullying is a type of bullying that happens online or through text messages or emails. There are things you can do to protect yourself. Always think about what you post. You never know what someone will forward. Being kind to others online will help to keep you safe. Do not share anything that could hurt or embarrass anyone. Keep your password a secret from other kids. Even kids that seem like friends could give your password away or use it in ways you don't want. Let your parents have your passwords. Think about who sees what you post online. Complete strangers? Friends? Friends of friends? Privacy settings let you control who sees what. Keep your parents in the loop. Tell them what you're doing online and who you're doing it with. Let them friend or follow you. Listen to what they have to say about what is and isn't okay to do. They care about you and want you to be safe. Talk to an adult you trust about any messages you get or things you see online that make you sad or scared. If it is cyberbullying, [report it](#).
- Stand Up for Others (Be an Upstander) When you see bullying, there are safe things you can do to make it stop. Talk to a parent, teacher, or another adult you trust. Adults need to know when bad things happen so they can help. Be kind to the kid being bullied. Show them that you care by trying to include them. Sit with them at lunch or on the bus, talk to them at school, or invite them to do something. Just hanging out with them will help them know they aren't alone. Not saying anything could make it worse for everyone. The kid who is bullying will think it is ok to keep treating others that way.
- Get Involved You can be a leader in preventing bullying in your community. Find out more about where and when bullying

happens at your school. Think about what could help. Then, share your ideas. There is a good chance that adults don't know all of what happens. Your friends can go with you to talk to a teacher, counselor, coach, or parent and can add what they think. Talk to the principal about getting involved at school. Schools sometimes give students a voice in programs to stop bullying. Be on a school safety committee. Create posters for your school about bullying. Be a role model for younger kids. Write a blog, a letter to the editor of your local newspaper, or a tweet about bullying.

CONSEQUENCES: What action steps does the Beresford School District take when bullying occurs?

When investigating a bullying report, the Beresford School District may take the following actions (e.g., because each case/scenario is unique, each response is unique to the situation and may include multiple responses): Student-principal meeting and identification of situation and next steps, Principal-parent visit, Student-counselor session (e.g., conflict resolution, social skill-set building, etc.), Police contact, Referral to counseling (within District and outside of District), Altered or adjusted classroom schedules, Enrollment switch -face-to-face to online learning via BHOLC, District-conducted threat assessments (e.g., building-level leaders and school counselors -usually two internal threat assessments), Non-district threat assessments (e.g., required by the District before individual returns to school), Suspension (in-school, out-of-school), and Long-term suspension/expulsion. Substantiated cases of retaliation result in a student suspension.

How does the Beresford School District track bullying?

The Beresford School District tracks bullying formally and informally. Formal tracking involves submitting disciplinary actions into our student management system. Informal tracking resides within our online bullying report form. On the administrative side of the form, district administrators can see and review submitted forms -including administrative actions taken specifically to each submitted bullying report. Bullying report forms can be submitted by staff members, students, and administrators on behalf of victims of bullying.

How does the Beresford School District handle threats?

The Beresford School District investigates threats in a manner to determine if the threat is not a threat, transient, serious substantive, or very serious substantive. The Beresford School

District utilizes the [Comprehensive School Threat Assessment Guidelines](#) (2021) to conduct threat investigations. A threat is a communication of intent to harm someone that may be spoken, written, gestured, or expressed in some other form, such as via text messaging, email, or other digital means. An expression of intent to harm someone is considered a threat regardless of whether it is communicated to the intended target(s) and regardless of whether the intended target is aware of the threat. Threats may be implied by behavior that an observer would reasonably regard as threatening, planning, or preparing to commit a violent act. Threats that are not easily recognized as harmless (e.g., an obvious joke that worries no one) should be reported to the school administrator or other staff members. The administrator or another team member makes a preliminary determination of the seriousness of the threat. The student, targets of the threat, and other witnesses should be interviewed to obtain information using this protocol. A transient threat means there is no sustained intent to harm and a substantive threat means the intent is present (or not clear) and therefore requires protective action (School Threat Assessment Consultants, 2021). The threat investigation process involves five steps: 1) Evaluating the threat, 2) Attempting to resolve the threat as transient, 3) Responding to a substantive threat, 4) Conducting a safety evaluation for a very serious substantive threat, and 5) Implementing and monitoring a safety plan (if the case moves beyond steps 3 and 4). Threats to harm self (substantiated) result in a referral to a mental health facility for assessment (including a parent/guardian notification).

What programming does the Beresford School District provide to staff members?

The Beresford School District utilizes internal (yearly) and external (every other year) training modules to educate staff members. External modules via Navigate360 include the following topics: Bullying -Understanding Bullying -Basics, Link Between Parenting Styles & Bullying, Physical Bullying, Relational Bullying, Verbal Bullying, Cyberbullying & Sexting, Bullying as a Catalyst to School Shootings, and Bullying as a Catalyst to Suicide. Internal training efforts pertain to identifying bullying, reporting bullying, and monitoring the environment.

How does the Beresford School District support victims of bullying?

The Beresford School District utilizes school-based interventions to support victims of bullying. Support may include, but is not limited to student-adult check-ins, counseling (internally and externally), ongoing communications,

and evidence-based consequences (action-steps) that limit offender-victim interactions.

What role does the Beresford Police Department play in the process? The Beresford Police Department (BPD) helps the Beresford School District investigate cases that extend beyond the school walls. More so, the BPD maintains a positive presence in the school system with frequent walk-throughs, game supervision assistance, and availability to assist the District.

Learning more about us. During the 2021-2022 school year, we worked to learn more about bullying in our schools by utilizing student focus groups and a parent committee group to help design, review, and craft survey questions about bullying. Furthermore, the Beresford School Board appointed two board members to a Bullying Sub-Committee. Board committee members worked with our parent group (and local law enforcement) to discuss our policy, our implementation of our policy, and our next steps. Student focus group questions pertained to the following: (a) What does bullying look like at our school? (b) What do students do about bullying? (c) What do adults in the school system do about bullying? (d) Where does bullying happen the most? (e) If you see or hear someone who is being bullied, what options do you have to report the bullying? (f) Thoughts about this [linked survey](#)? Through our efforts, we crafted the following BSD Survey: <https://forms.gle/HXsL2dRzxUbLzq3w6>. Yearly, we will administer the survey to track the impact of our efforts (in addition to reviewing bullying report data).

LEGAL REFS.:

- SDCL 13-32-14 (adoption of bullying policy)
- SDCL 13-32-15 (bullying defined)
- SDCL 13-32-16 (bullying policy requirements)
- SDCL 13-32-17 (action for damages from bullying - immunity for reporting)
- SDCL 13-32-18 (incidents involving electronic devices)
- SDCL 13-32-19 (model bullying policy)
- SDCL 22-19A (stalking)
- SDCL 49-31-31 (threatening or harassing contacts by telephone or other electronic communication device)
- Moran vs. Rapid City Area School Dist., 281 N.W.2d 595.602 (S.D. 1979)

[November 2009] [August 2012] {Reviewed April 2013} [August
2015] [December 2019] [December 2022]