

Swan River Montessori Charter School

Adopted: 8.29.05

Reviewed: 11.17.20

BULLYING PROHIBITION POLICY

I. PURPOSE

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with students' ability to learn and teachers' ability to educate students in a safe environment. Swan River Montessori Charter Montessori School (SRMCS) cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of SRMCS and the rights and welfare of its students and is within the control of the SRMCS in its normal operations, it is SRMCS's intent to prevent bullying and to take action to investigate, respond, remediate, and discipline those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist SRMCS in its goal of preventing and responding to acts of bullying, intimidation, violence, and other similar disruptive behavior.

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on SRMCS property or at school-related functions. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying that interferes with or obstructs the mission or operations of SRMCS or the safety or welfare of the student, other students, or employees.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- C. Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.

- F. A person who engages in an act of bullying, reprisal, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline for that act in accordance with SRMCS's policies and procedures. SRMCS may take into account the following factors:
1. The developmental and maturity levels of the parties involved;
 2. The level(s) of harm, surrounding circumstances, and nature of the behavior;
 3. Past incidences or past or continuing patterns of behavior;
 4. The relationship between the parties involved; and
 5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from positive behavioral interventions up to and including suspension and/or expulsion. Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge. Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from SRMCS property and events and/or termination of services and/or contracts.

- G. SRMCS will act to investigate all complaints of bullying and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of SRMCS who is found to have violated this policy.

III. DEFINITIONS

For purposes of this policy, the definitions included in this section apply.

- A. "Bullying" means any written or verbal expression, physical act or gesture, or pattern thereof, by a student that is intended to cause, or is perceived as causing, distress to one or more students and which substantially interferes with another student's or students' educational benefits, opportunities, or performance. Bullying includes, but is not limited to, conduct by a student against another student that a reasonable person under the circumstances knows or should know has the effect of:
1. Harming a student or a group of students;
 2. Damaging a student's or a group of students' property;
 3. Placing a student or a group of students in reasonable fear of harm to person or property;

4. Creating a hostile educational environment for a student or group of students;
 5. Intimidating a student or group of students.
- B. “Immediately” means as soon as possible but is no longer than 24 hours.
- C. “On SRMCS property or at school-related functions” means all SRMCS buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for SRMCS purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. SRMCS property also may mean a student’s walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, SRMCS does not represent that it will provide supervision or assume liability at these locations and events.

IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the victim of bullying, or any person with knowledge or belief of conduct that may constitute bullying, shall report the alleged acts immediately to an appropriate official SRMCS designated by this policy. A student may report bullying anonymously. However, SRMCS’s ability to take action against an alleged perpetrator based solely on an anonymous report may be limited.
- B. SRMCS encourages the reporting party or complainant to provide a written statement detailing the alleged acts, but oral reports shall be considered complaints as well.
- C. The Director is the person responsible for receiving reports of bullying. Any person may report bullying directly to the Director.
- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who receives a report of, observes, or has other knowledge or belief of conduct that may constitute bullying shall inform the Director immediately.
- E. Reports of bullying are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- F. Submission of a good faith complaint or report of bullying will not affect the complainant’s or reporter’s future employment, grades, or work assignments, or educational or work environment.

- G. SRMCS will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with SRMCS' obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Upon receipt of a complaint or report of bullying, SRMCS shall undertake or authorize an investigation by SRMCS officials or a third party designated by SRMCS.
- B. SRMCS may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of bullying, consistent with applicable law.
- C. Upon completion of the investigation, SRMCS will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. SRMCS action taken for violation of this policy will be consistent with applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act and SRMCS policies and regulations.
- D. SRMCS is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of SRMCS. School officials will notify the parent(s) or guardian(s) of students involved in a bullying incident and the remedial action taken, to the extent permitted by law, based on a confirmed report.

VI. REPRISAL

SRMCS will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of SRMCS who retaliates against any person who makes a good faith report of alleged bullying or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists, or participates in a proceeding or hearing relating to such bullying. Retaliation includes, but is not limited to, any form of intimidation, harassment, or intentional disparate treatment.

VII. TRAINING AND EDUCATION

- A. SRMCS annually will provide information and any applicable training to SRMCS staff regarding this policy.

- B. SRMCS may provide education and information to students regarding bullying, including information regarding this SRMCS policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying.
- C. The administration of SRMCS may implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the victim, and to make resources or referrals to resources available to victims of bullying.

VIII. DISSEMINATION OF POLICY

This policy will be made available to all SRMCS students, parents/guardians, employees, and the general public via the school's web site. Hard copies are also available in the school's main office upon request.