

505.00.01 Bullying Prohibition Reporting Procedures

1. Purpose

The purpose of this procedure is to establish reporting and inquiry procedures for incidents of alleged bullying and to provide guidance as to District action to be taken in the event that a complaint or report of bullying is substantiated.

2. Reporting Procedures

For purposes of this procedure, the term “complaint” means any complaint, report, or other communication alleging “bullying.”

- a. Any person who believes he or she has been the victim of bullying or any person with knowledge or belief of conduct, which may constitute bullying, should report the alleged acts immediately, or as soon after the incident as possible, to the responsible administrator designated by this procedure. Delays in reporting may make inquiries more difficult.
 - i. Complaints of bullying shall be documented using the Form 415.00.1: Report of Discrimination, Harassment, Violence, Bullying and Other Offensive Behavior.
 - ii. Any student, school district personnel, or third party may report alleged bullying behavior anonymously. However, the District’s ability to investigate or take action based on an anonymous report may be limited and disciplinary decisions may not be based solely on an anonymous report.
 - iii. The District will consider all complaints whether written or oral. In the case of an oral report, the responsible administrator will reduce the oral report to writing on the Form 415.00.1. The reporter will attest to the accuracy of the written report.
- b. The responsible administrator in any school building is the building principal, site administrator, or principal’s or site administrator’s designee.
- c. Complaints 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.
- d. Submission of a good faith complaint of bullying will not affect the target’s or reporter’s future employment, grades, work assignments, educational, or work environment.

3. Investigation Procedures

- a. Upon receipt of a complaint of bullying, and within three schools days of receiving the complaint, the responsible administrator will undertake or authorize an investigation to be conducted by the

- responsible administrator or his or her administrative designee.
- b. Pending the completion of the investigation, the District shall take immediate steps to protect the target, reporter, students, bystanders, and others as necessary and consistent with applicable law.
 - c. The responsible administrator or administrative designee will determine whether an investigation is warranted. If an investigation is warranted, the responsible administrator or administrative designee will conduct an investigation and determine, in a reasonable amount of time, whether the report or complaint is substantiated. Additional steps in determining if a complaint is substantiated may include, but are not limited to:
 - i. Gathering information from those involved in the complaint, including the reported actor, target, reporter, and any bystanders; and
 - ii. A search for and review of physical or electronic documents, data, and evidence.

4. District Action and/or Intervention

- a. If the complaint is substantiated, the District will take appropriate action and/or intervention in accordance with the Student Behavior Handbook: Rights and Responsibilities.
 - i. Actions and/or interventions may include, but are not limited to:
 - 1. A verbal warning;
 - 2. Participation in a restorative process;
 - 3. A loss of privilege;
 - 4. Social conferencing;
 - 5. Conferencing with student and parent/guardian;
 - 6. Referral to appropriate student and community support services such as meeting with a counselor, social worker, or PBIS coach;
 - 7. A behavior contract;
 - 8. Suspension;
 - 9. Transfer; and
 - 10. Expulsion.
 - ii. Any action and/or intervention must be consistent with the requirements of applicable statutory administrator, including the Minnesota Pupil Fair Dismissal Act, other applicable laws, and other District policies or procedures.
- b. Where appropriate for a child with a disability to prevent or respond to bullying, the child's individual education program or section 504 plan may address the skills and proficiencies the child needs to respond to or not engage in prohibited conduct.
- c. District action and/or intervention shall be documented on the Form 415.00.1 and entered into SWIS or Campus.
- d. Any District action and/or intervention will be documented in writing.

Written notice of the outcome may be shared with the involved parties in accordance with data privacy laws, policies, and procedures. Students and parent have the right to contest the accuracy and completeness of the data in accordance with applicable laws. In general, copies of written reports and documentation will not be provided to involved parties unless required by law.

- e. After the investigation is complete, the responsible administrator shall provide the area assistant superintendent with a copy of the Form 415.00.1

LEGAL REFERENCES:

Minn. Stat. ch. 13 (Minnesota Government Data Practices Act)

Minn. Stat. § 121A.031 (Safe and Supportive Minnesota Schools Act)

Minn. Stat. § 121A.40-.56 (Pupil Fair Dismissal Act)

CROSS REFERENCES TO DISTRICT POLICIES/PROCEDURES:

304.00.3 Access to Public Data Procedure

304.00.4 Access to Data for Individual Data Subjects Procedure

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FORMS