



Approved: January 14, 2019

## **NEW MILLENNIUM ACADEMY POLICY No. 506**

### **BULLYING PREVENTION AND RESPONSE**

#### **I. PURPOSE**

It is the goal of the Board, Administration, Staff and Teachers at New Millennium Academy (NMA) to create an environment where every one treats every other one, and themselves, with respect. The purpose of this policy is to enunciate clearly that bullying is not an acceptable behavior; to clarify and define what constitutes bullying; to define clearly the school's response, procedures and interventions to allegations of bullying; and finally to provide the potential consequences to individuals in the event bullying behavior is established.

#### **II. POLICY STATEMENT**

Bullying or other prohibited conduct under this policy is expressly forbidden. NMA is committed to making our school a respectful, safe and caring environment for us all - students and others. We treat each other with respect and do not tolerate bullying. We will do our best to be kind and respectful in our interactions with others. This Policy is not intended to abrogate the legitimate rights of any person.

#### **III. DEFINITIONS**

A. "Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:

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

B. "Cyberbullying" means bullying using technology or other electronic communication, including but not limited to a transfer of a sign, signal, 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.

C. Intimidating, threatening, abuse or harming conduct may involve, but is not limited to conduct that:

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;
3. Is directed at a 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 characteristics defined in chapter 363A. However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or chapter 363A.

D. "Prohibited conduct" means bullying or cyberbullying as defined under this subdivision, or retaliation for asserting, alleging, reporting or providing information about such conduct or knowingly making a false report about bullying.

E. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of the student who is the target of the prohibited conduct.

#### **IV. THE SCOPE OF THIS POLICY**

A. This policy applies to school related bullying wherever it occurs, including:

1. On NMA grounds immediately before or during school hours, immediately after school hours, or at any other time when the school is being used by a school group;
2. At a school activity, function, or event, including field trips and other school activities which take place off of school grounds;
3. Traveling to or from school or a school activity, function or event; or
4. On school computers or other equipment.



B. Off campus student behavior, including behavior on computers, cell phones, or other electronic devices whether at home or in other places is subject to consequences under this policy if the behavior substantially disrupts or interferes with the educational process at school for one or more students.

## **V. STUDENT EXPECTATIONS**

NMA students must not bully others, must not be a bystander to bullying, and must report bullying to an adult. Students are expected to do the following:

- A. Treat others with respect;
- B. Refuse to bully others or join in and participate when someone is being bullied;
- C. Refuse to watch, laugh or encourage the bully when someone is being bullied, or to ridicule, insult or otherwise demean the person(s) being bullied;
- D. Encourage everyone to participate in activities; and
- E. Report bullying to an adult.

## **VI. STAFF EXPECTATIONS**

Teachers and staff at NMA are expected to do use appropriate judgment to intervene in the following ways, among others, to prevent bullying and help children feel safe at school:

- A. Closely supervise students in all areas of the school and grounds; and
- B. Watch for signs of bullying and intervene in appropriate ways to stop it when it happens; and
- C. Respond quickly and sensitively to bullying reports using the appropriate response process provided in this policy; and
- D. Make reasonable efforts to address and resolve the prohibited conduct when the teacher or staff member witness prohibited conduct or has reliable information that would lead a reasonable teacher of staff member to suspect a student is a target of prohibited conduct;
- E. Report bullying to the Business Director and Impact Coach.



- F. Complete and submit the appropriate Incident Report in sufficient detail to allow effective review by staff, administration and Board of Directors, if appropriate.
- G. Help create a school culture of respect and kindness by modeling and fostering these traits.

## **VII. EXPECTATIONS FOR SCHOOL ADMINISTRATORS**

NMA administrators are expected to foster a school culture of respect and kindness by modeling these qualities. Administrators are expected to oversee, at a minimum, the following:

- A. Ensure that the topic of bullying prevention is addressed on a regular basis at staff meetings.
- B. Create a reporting and investigation procedure for reports of prohibited conduct.
- C. Identify and schedule appropriate staff training opportunities on the topic of bullying and bullying prevention.
- D. Provide appropriate training for all school personnel to prevent, identify, and respond to prohibited conduct. NMA will establish a training cycle, not to exceed a period of three school years, for school personnel under this paragraph. Newly employed school personnel must receive training within the first year of their employment.
- E. Use annual parent surveys and/or other appropriate methods to obtain from stakeholders input relevant to the topic of bullying prevention at NMA.
- F. Ensure that this policy is annually disseminated to all NMA staff, students, and parents, along with a statement explaining that it applies to all applicable acts of bullying that occur on school property, at school-sponsored functions, on a school bus, and to off campus behavior if that behavior substantially interferes with the educational process for one or more students at school.
- G. Ensure that this policy appears on NMA's website, in the languages appearing on NMA's website.
- H. Ensure that this policy is included in the student handbook on school policies.
- I. Post a summary form of this policy conspicuously in the administrative offices of NMA.
- J. Make reasonable efforts to address and resolve the prohibited conduct when the administrator witnesses prohibited conduct or has reliable information that would lead a reasonable person to suspect a student is a target of prohibited conduct.



K. Require ongoing professional development, consistent with Minn. Stat. § 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address prohibited conduct. The professional development includes, but is not limited to information about:

1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
2. The complex dynamics affecting an actor, target, and witnesses to prohibited conduct;
3. Research on prohibited conduct, including specific categories of students at risk for prohibited conduct in school;
4. The incidence and nature of cyberbullying; and
5. Internet safety and cyberbullying.

## **VIII. MONITORING OF STUDENT INTERNET USE, RECORDS, AND FILES**

A. Students have a limited expectation of privacy on NMA's internet system computer, or any other electronic device owned by NMA. Students will be informed to expect, and staff and technical support will conduct, routine maintenance and monitoring.

B. An individual search of a person's internet use, a computer or other electronic device records may be conducted by administration if there is a reasonable suspicion that the student has engaged in prohibited conduct or violated NMA's policies. A search may include a student's personal computer, smartphone, or other electronic device to the extent permitted by law when there are reasonable grounds the electronic device contains evidence of prohibited conduct.

## **IX. REPORTING PROCEDURE**

A. Any person who believes he or she is or has been a victim of bullying or other conduct prohibited by this policy, or has any knowledge of bullying or other such prohibited conduct toward another, shall immediately report such information to the appropriate person; and as promptly as reasonably possible shall complete and submit the appropriate Incident Report.

B. The CEO or the Business Director will be the primary contact person to receive the oral report and the written Incident Report, of prohibited conduct. S/he will ensure this Policy and the procedures provided, including restorative practices, consequences, and sanctions, are fairly and



fully implemented, and will also serve as the primary contact person on policy and procedural matters implicating both NMA and the MN Department of Education.

C. A report of bullying or other prohibited conduct may be anonymous. NMA will not determine any discipline based solely on an anonymous report.

## **X. NMA'S ACTIONS**

A. Within three school days of the receipt of a complaint or report of bullying or other prohibited conduct, NMA shall undertake or authorize an investigation by the building report taker or a designated third party.

B. Reasonable steps will be taken by NMA to preserve any evidence of bullying or other prohibited conduct.

C. Depending on the severity and nature of the bullying or other prohibited conduct, NMA will take one or more of the following actions, as appropriate:

1. Intervention, Warning, and Redirection. A teacher, impact coach, or staff member will ensure that the immediate behavior stops and reinforce to the student that bullying will not be tolerated. The staff member will redirect the student and may help the student identify better choices the student can make in the future.

2. Notification of Parents. School staff will notify the parents of involved students and inform affected students and parents of their rights under state and federal data practices law to obtain access to data related to the incident and their right to contest the accuracy or completeness of the data. The parents may be asked to meet with the CEO, Business Director or other members of the school staff, including the student's teacher and/or the impact coach.

3. Opportunity to Present Defense. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to speak and to present a defense including mitigating circumstances, during the process of investigation, and imposition of discipline or other remedial responses, if any.

4. Resolution with the Target of the Bullying. A student who is found to have violated this policy may be required to participate in appropriate resolution, including restorative justice activities.



5. Referral to Professional School Support Staff. A student who violates this policy may be asked to meet with a school counselor or other staff to work on positive behavioral interventions to help prevent future violations.
6. Loss of School Privileges. The student may lose school privileges, or be suspended, as appropriate.
7. Suspension/ Expulsion. In cases of severe or repeated bullying, the student may be suspended or expelled.
8. Staff Consequences. A NMA employee who fails to immediately and appropriately address bullying may be asked to participate in additional staff training or may be mentored. A staff member's repeated failure to address bullying behavior may result in discipline up to and including discharge, as appropriate.
9. Community Resources. NMA may provide information about available community resources to the target, actor, or other affected individuals.
10. Student with a Disability. The Student's Individualized Education Program or section 504 plan may be used to address the skills and proficiencies the student needs to respond to or correct attitudes and behavior so as not to engage in the prohibited conduct.
11. If the bullying or prohibited conduct violates the law or any other school rules or policy, additional actions, including but not limited to referral to outside agencies, may be taken by NMA against the student for the violation as appropriate.

## **XI. RETALIATION PROHIBITED**

Retaliation or reprisals against any person who reports an act of bullying or harassment or cooperates in an investigation is prohibited. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation will be determined after consideration of the nature, severity, and circumstances of the act.

## **XII. FALSE REPORTS AS A MEANS OF BULLYING PROHIBITED**

No person may falsely accuse another as a means of bullying. The consequences and appropriate remedial action for a school student found to have falsely accused another as a means of bullying may include any of the actions pursuant to Article X of this policy, as appropriate.



**NMA**  
NEW MILLENNIUM ACADEMY  
STUDENTS • PARENTS • STAFF • SUCCESS

Minn. Stat. § 121A.0311 (Notice of the Rights & Responsibilities of Students & Parents under the Safe & Supportive Minnesota Schools Act)

Minn. Stat. § 120B.232 (Character Development Education)

Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dis