

Adopted: 02/11/16

Revised: _____

514 BULLYING PROHIBITION POLICY

[Note: Education Districts are required by statute to have a policy addressing bullying.]

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 a student's ability to learn and/or a teacher's ability to educate in a safe environment. The Education District 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 the Education District and the rights and welfare of its students and is within the control of the Education District in its normal operations, the Education District intends to prevent bullying and to take action to investigate, respond to, and to remediate and discipline for those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the Education District in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental 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 school premises, on Education District property, at school functions or activities, or on school transportation. 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 or other prohibited conduct that interferes with or obstructs the mission or operations of the Education District or the safety or welfare of the student or other students, or 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. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off Education District resources.
- B. No teacher, administrator, volunteer, contractor, or other employee of the Education District shall permit, condone, or tolerate bullying.

- C. Apparent permission or consent by a student being bullied does not lessen or negate 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, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the Education District's policies and procedures, including the Education District's discipline policy (See MSBA/MASA Model Policy 506). The Education District may take into account the following factors:
 - 1. The developmental ages and maturity levels of the parties involved;
 - 2. The levels 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 remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The Education District shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the Education District, and foster student, parent, and community participation.

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 Education District property and events.

- G. The Education District will act to investigate all complaints of bullying reported to the Education District will discipline or take appropriate action against any student, teacher, administrator, volunteer, or other employee of the Education District 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 intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, 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.

The term "bullying," specifically includes cyberbullying as defined in this policy.

- 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. The term applies to prohibited conduct which occurs on school premises, on Education District property, at school functions, or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
- C. "Immediately" means as soon as possible but in no event longer than the following school day.
- D. "Intimidating, threatening, abusive, or harming conduct" 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, 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). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

- E. “On school premises, on Education District property, at school functions or activities, or on school transportation” means all Education District 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 Education District purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. Education District 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, the Education District does not represent that it will provide supervision or assume liability at these locations and events.
- F. “Prohibited conduct” means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.
- G. “Remedial response” means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- H. “Student” means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate Education District official designated by this policy. A person may report bullying anonymously. However, the Education District may not rely solely on an anonymous report to determine discipline or other remedial responses.
- A. The Education District encourages the reporting party or complainant to use the report form available from the principal, or building supervisor of each building or available in the Upper Mississippi Academy District office, but oral reports shall be considered complaints as well.

- C. The building principal, Human Rights Officer, and/or the designee (hereinafter the “building report taker”) is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to an Education District human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the Education District Director or the Education District’s Human Rights Officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the Education District shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

- 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 witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. Education District personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant’s or reporter’s future employment, grades, work assignments, or educational or work environment.
- G. The Education District 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 the Education District’s obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. Education District ACTION

- A. Within three school days of the receipt of a complaint or report of bullying or other prohibited conduct, the Education District shall undertake or authorize an investigation by the building report taker or a third party designated by the Education District.
- B. The building report taker or other appropriate Education District officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the Education District 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 conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. Education District action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable Education District policies; and applicable regulations.
- E. The Education District is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the Education District. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the Education District shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in bullying or other prohibited conduct.

VI. RETALIATION OR REPRISAL

The Education District will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the Education District who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

- A. The Education District shall discuss this policy with school personnel and volunteers and provide appropriate training to Education District personnel regarding this policy. The Education District shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the Education District. The Education District or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.
- B. The Education District shall 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 bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
 - 1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
 - 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
 - 3. Research on prohibited conduct, including specific categories of students at risk or perpetrating or being the target or victim of bullying or other prohibited conduct in school;

4. The incidence and nature of cyberbullying; and
 5. Internet safety and cyberbullying.
- C. The Education District annually will provide education and information to students regarding bullying, including information regarding this Education District policy prohibiting bullying, the harmful effects of bullying and other applicable initiatives to prevent bullying and other prohibited conduct.
- D. The administration of the Education District is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

The administration must establish strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

The administration is encouraged, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:

1. Engage all students in creating a safe and supportive school environment;
2. Partner with parents and other community members to develop and implement prevention and intervention programs;
3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
5. Teach students to advocate for themselves and others;
6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
7. Foster student collaborations that, in turn, foster a safe and supportive school climate.

- F. The Education District may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- G. The Education District shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The Education District may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

VIII. NOTICE

- A. The Education District will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy or a summary thereof must be conspicuously posted in the administrative offices of the Education District and the office of each school.
- C. This policy must be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with the Education District.
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.
- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the Education District's or a school's website.
- F. The Education District shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

IX. POLICY REVIEW

To the extent practicable, the school board shall, on a cycle consistent with other Education District policies, review and revise this policy. The policy shall be made consistent with Minn. State & 121A.031 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Legal References:

- Minn. Stat. Ch 13 (Minnesota Government Data Practices Act)
- Minn. Stat. & 120A.05, Subds. 9, 11, 13, and 17
Definition of Public School)
- Minn. Stat. & 120B.232 (Character Development Education)
- Minn. Stat. & 121A.03 (Sexual, Religious and Racial Harassment
Violence)
- Minn. Stat. & 121A.031 (School Student Bullying Policy)
- Minn. Stat. & 121A.0311 (Notice of Rights and Responsibilities
Of Students and Parents under the Safe and Supportive
Minnesota Schools Act)
- Minn. Stat. &&1221A.40-1221A.56 (Pupil Fair Dismissal Act)
- Minn. Stat. & 121A.69 (Hazing Policy)
- Minn. Stat. & 124D.10 (Charter School)
- Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
- 20 U.S.C. & 123g *et seq.* (Family Educational Rights and
Privacy Act)
- 34 C.F.R. && 99.1 – 99.67 (Family Educational Rights and Privacy)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and
and Dismissal Of Education District Employees)

MSBA/MASA Model Policy 413 (Harassment and Violence)

MSBA/MASA Model Policy 414 (Mandated Reporting of
Child Neglect or Physical or Sexual Abuse)

MSBA/MASA Model Policy 415 (Mandated Reporting of
Maltreatment of Vulnerable Adults)

MSBA/MASA Model Policy 423 (Employee-Student Relationships)

MSBA/MASA Model Policy 501 (School Weapons Policy)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 507 (Corporal Punishment)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil
Records)

MSBA/MASA Model Policy 521
(Student Disability Nondiscrimination)

MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)

MSBA/MASA Model Policy 524 (Internet Acceptable Use and
Safety Policy)

MSBA/MASA Model Policy 525 (Violence Prevention)

MSBA/MASA Model Policy 526 (Hazing Prohibition)

MSBA/MASA Model Policy 529 (Staff Notification of Violent
Behavior by Students)

MSBA/MASA Model Policy 709 (Student Transportation Safety
Policy)

MSBA/MASA Model Policy 711 (Video Recording on School
Buses)

MSBA/MASA Model Policy 712 (Video Surveillance Other Than
On Buses)

**Upper Mississippi Academy
Education District**

426 Osceola Ave. S.
St. Paul, MN 55012
Ph. (651) 528-8091

BULLYING PROHIBITION REPORT FORM

General Statement of Policy Prohibiting Bullying

The Upper Mississippi Academy Education District maintains a firm policy prohibiting bullying conduct that interferes with a student's ability to learn and/or a teacher's ability to educate students. Bullying or cyberbullying by a student against another student is strictly prohibited and will not be tolerated.

Reporter: _____
Home address: _____
Work address: _____
Home Phone _____ Work Phone _____ Cell Phone _____

Date of alleged incident(s) _____
Name of student(s) to whom bullying was directed _____
Name of student(s) who engaged in bullying _____
Where did the alleged incident(s) occur? _____
List any witnesses that were present _____

Describe what happened as clearly as possible, including details such as what was said and who made the statements, whether anyone made a threat or demand for something and what threat or demand was made, whether physical contact happened (i.e.: hitting, punching, throwing an item, etc.), whether anyone was injured or property was damaged, the ages or grades of the students, if known, etc. Attach additional pages if necessary.

Circle each that apply if the bullying was directed at another student due to the student's actual or perceived: race \ ethnicity \ color \ creed \ religion \ national origin \ Immigration status \ sex \ marital status \ familial status \ socioeconomic status \ physical appearance \ sexual orientation \ gender identity and expression \ Academic status related to student performance \ disability \ status with regard to public assistance \ age.

Was the bullying conduct in retaliation for a student's conduct and if yes, please describe:

Did the bullying occur through an electronic communication (i.e. Facebook, Twitter, email, etc.) and if so, identify the form of communication? (If available, attach a copy of the communication.)

This complaint is filed based on my honest belief that _____ has bullied me or another person. I certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

_____ Dated:_____

Complainant Signature

_____ Dated:_____

Complaint Received By

**Upper Mississippi Academy
Education District**

426 Osceola Ave. S.
St. Paul, MN 55012
Ph. (651) 528-8091

BULLYING INCIDENT INVESTIGATION FORM

Building Report Taker: _____ Date: _____

REPORT INFORMATION

Name of reporter: _____

Date of report: _____

List whether report was oral/written/anonymous: _____

Name of report taker: _____

(Attach a copy of the report.)

REPORTED TARGET INFORMATION

Target's name: _____ Age: _____ Grade: _____

Parent(s): _____

Teacher(s): _____

Does the student have an IEP *(Attach a copy)*? _____

Does the student have a Section 504 Plan *(Attach a copy)*? _____

If the student has an IEP/504 Plan, list the name of the Case Manager: _____

List the date the Case Manager was notified of the incident or an explanation as to why no referral was made: _____

If the student belongs to a protected classification, identify: _____

ACTOR INFORMATION

Actor's Name: _____ Age: _____ Grade: _____

Parent(s): _____

Teacher(s): _____

Does the Student have an IEP? (*Attach a copy?*) _____

Does the Student have a Section 504 Plan? (*Attach a copy?*) _____

List the date the Case Manager was notified of the incident or an explanation as to why no referral was made:

If the Student belongs to a protected classification, identify? _____

(Attach additional pages if necessary for additional actors)

DOCUMENTATION

Were any documents received? (*Attach copies*): _____

Describe any documents received: _____

Describe any other sources of evidence obtained (i.e. video tape, handwriting analysis, etc.):

INCIDENT INFORMATION

Date of incident(s): _____ Time: _____

Location(s) of incident(s) _____

Identify all witnesses: _____

Identify all staff members, volunteers, contractors to who the incident was reported:

Did any Actor engage in similar prohibited conduct before this incident and if so, describe the nature of the conduct, date it occurred, students involved and action taken:

Was any Target the previous recipient of prohibited conduct before this incident and if so, describe the nature of the conduct, date it occurred, students involved and action taken:

Circle whether any of the following apply and then describe the nature of the conduct:
Physical contact / Offensive Language / Damage to Property / Threats / Defamation/
Invasion of Privacy / Intimidation / Bullying based on a protected classification / Other

If the incident requires a maltreatment of minors report, list the date a report to authorities was made, the identity of the agency to whom the report was made and the disposition of the report, if known:

If an incident resulted in a report to law enforcement authorities, other than in the case of potential maltreatment of minors, list the date a report to authorities was made, the identity of the agency to whom the report was made and the disposition of the report, if known:

IMMEDIATE RESPONSE

List the immediate responses of school personnel to the incident: _____

List any additional intermediate action taken during the course of the investigation and date(s) action was taken: _____

Did report evidence that alleged conduct related to conduct based upon a protected classification?
_____ If yes, list the date when a referral also was made to the Human Rights Officer
_____.

Did report evidence cyberbullying and if so, list the nature of the electronic communication:

If the electronic communication involved social media, list when the identity of the social media site, when the social media cite was requested to remove the offensive content, the date the contact was made and whether and/or when the content was removed:

INTERVIEWS
(Attach copies of interviews)

	Name	Date Contacted	Date Interviewed	Tennessee Warning Provided
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

INVESTIGATION CONCLUSIONS

	<u>Yes</u>	<u>No</u>
Did the Alleged Actor have an opportunity to present a defense?	_____	_____
If the Report was anonymous, is there corroboration?	_____	_____

Determination of Prohibited Conduct

1. Did the conduct occur: Yes No
- a. On school premises, at school functions or activities or on school transportation
 - b. By use of electronic technology and communications on school premises, during school functions or activities, on school transportation, or on school computers, networks forums and mailing lists; or
 - c. By use of electronic technology and communications off school premises to the extent such use substantially and materially disrupted student learning or the school environment (if yes, explain how the use was substantially and materially disruptive)?

IF THE ANSWER TO ANY OF THESE QUESTIONS IS NO, THE CONDUCT IS NOT PROHIBITED CONDUCT PURSUANT TO THE BULLYING PROHIBITION POLICY.

2. Was the conduct prohibited behavior? Yes No
- a. Was there intimidation, threatening, abusive or harming conduct (see Policy definition) and was there an actual or perceived imbalance of power between the student engaging in the conduct and the target of the behavior and the conduct is repeated or forms a pattern
 - b. Was there intimidating, threatening, abusive or harming conduct (see Policy definition) and did the conduct materially and substantially interfere with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services or privileges?
 - c. If the conduct meets the requirements of 1(a) or (b) above, did the bullying occur through the use of technology or other means?
 - d. Was the conduct in retaliation for a student asserting, alleging, reporting or providing information about prohibited conduct
 - e. Did the student make a false report about bullying

IF THE ANSWER TO ANY OF THESE QUESTIONS IS NO, THE CONDUCT IS NOT PROHIBITED CONDUCT PURSUANT TO THE BULLYING PROHIBITION POLICY.

RESPONSES TO PROHIBITED CONDUCT

If appropriate, list the date a notice of confirmed prohibited conduct is sent to the parent(s) of the Target (*Attach a copy of notice*): _____

If appropriate, list the date a notice of confirmed prohibited conduct is sent to the parent(s) of the Actor (*Attach copy of notice*): _____

If notices of confirmed prohibited conduct was not sent to the parents of the Target and/or Actor, set forth the reasons why no notice was provided: _____

Was information about community resources provided to the confirmed Target, Actor or other affected individual: _____

List all remedial action, including disciplinary action, taken in response to the confirmed report of prohibited conduct including the dates such action is taken _____

If restorative practices, consequences and sanctions implemented as a result of a confirmed report of prohibited conduct differ from consequences imposed in similar situations, list the reasons for such deviation: _____

If it is determined that a student knowingly made a false report, list the basis upon which this determination is made _____

RECORD KEEPING

List all requests for access related to this investigation, the date of the request, data provided in response to the request and the basis upon which the request was granted or denied:

Upper Mississippi Academy

Education District

426 Osceola Ave. S.

St. Paul, MN 55012

Ph. (651) 528-8091

DATE INVESTIGATION CLOSED: _____ INITIALS _____

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**NOTICE OF BULLYING INCIDENT INVOLVING SPECIAL EDUCATION OR
SECTION 504 STUDENT**

To: _____

From: _____

Date: _____

Re: _____

A report of conduct prohibited by the School's Bullying Prohibition Policy was received by the School's Primary Contact Person. This report involved a student who receives special education services or accommodations pursuant to Section 504 and for whom you serve as Case Manager. It may be appropriate to address in the student's IEP or 504 Plan the skills and proficiencies of the student in responding to, or in not engaging in, prohibited conduct. For this reason, the following information is being provided to you.

Student: _____

Student was involved as (circle one): Target Actor Bystander

Date of Incident: _____ Place of Incident: _____

Brief Summary of Incident:

Please contact me if you have any questions or require further information in assessing this matter.

Harassment Officer

