

## **WOODBURY LEADERSHIP ACADEMY**

*Adopted: June 10, 2014*

*Amended: June 7, 2022*

*Board Approved: June 22, 2022*

### **514 BULLYING PROHIBITION POLICY**

#### **I. PURPOSE**

A safe and civil environment is needed for students to learn and attain high academic standards and 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. Woodbury Leadership Academy (WLA) 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 WLA and the rights and welfare of its students and is within the control of WLA in its normal operations, it is WLA'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 Woodbury Leadership Academy in its goal of preventing and responding to acts of bullying, intimidation, violence, and other similar disruptive behavior.

#### **II. DEFINITIONS**

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

- A. "Bullying" means intimidating, threatening, abusive, or harmful conduct that is objectively offensive and:
  - a. 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
  - b. 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 devices. The term applies to prohibited conduct that occurs on school premises, on school property, at school functions or activities, on school transportation, on

school computers, networks, forums, and mail 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.
- D. “Intimidating, threatening, abusive, or harming conduct” means, but is not limited to, the following:
  - a. causes physical harm to a student or a student’s property or causes a student to be in reasonable fear of harm to a person or property,
  - b. under Minnesota common law, violates a student’s reasonable expectation of privacy, defames a student, constitutes intentional infliction of emotional distress against a student; or
  - c. 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, including 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 WLA property, at school functions or activities, or on school transportation” means all WLA buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, the school contracted vehicles, or any other vehicles approved for WLA purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. WLA 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, WLA 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 under this subdivision or retaliation 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 the student who is the target of the prohibited conduct.
- H. “Student” means a student enrolled at WLA.

### **III. 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 WLA property, at school functions or activities, or on school

transportation. This policy also applies to any student whose conduct constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of WLA 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 the act of cyberbullying.

- B. No teacher, administrator, volunteer, contractor, or other employee of Woodbury Leadership Academy 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. WLA will take appropriate action against any student or employee who engages in retaliation.
- E. False accusations or reports of bullying are prohibited.
- F. A person who engages in an act of bullying, reprisal, retaliation, or knowingly making a false report of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school's policies and procedures, including WLA's discipline policy. WLA may take into account the following factors:
  - a. The developmental and maturity levels of the parties involved;
  - b. The levels of harm, surrounding circumstances, and nature of the behavior;
  - c. Past incidences or past or continuing patterns of behavior;
  - d. The relationship between the parties involved; and
  - e. The context in which the alleged incidents occurred.
- G. Consequences for:
  - a. students who commit prohibited acts of bullying may range from remedial response or positive behavioral interventions up to and including suspension and/or expulsion, in line with Policy 506.
  - b. 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.
  - c. Other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school property and events and/or termination of services and/or contract.
- H. Woodbury Leadership Academy will act to investigate all complaints of bullying reported to WLA staff members and will discipline or take appropriate action against any student, teacher, administrator, volunteer, parent, contractor, or other employee of WLA who is found to have violated this policy.

#### **IV. REPORTING PROCEDURE**

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge of belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school official. -A person may report bullying anonymously. However, the school district may not rely solely on anonymous reports to determine discipline or other remedial responses.
- B. Woodbury Leadership Academy encourages the reporting party or complainant to submit the report in writing or orally to any WLA staff member. Staff members will attempt to handle the report, then will give the report to the Executive Director or their designee if it is unable to be resolved.
- C. The Executive Director or their designee 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 the Executive Director or their designee. If the complaint involves the Executive Director or their designee, the complaint shall be made or filed directly with the board chair by the reporting party of the complainant.

The Executive Director or their designee 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 Executive Director or their designee or a third party designated by WLA shall be responsible for the investigation. The Executive Director or their designee 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 Executive Director or their designee immediately. School personnel, who fail to inform the Executive Director or their designee 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 Executive Director or their designee, 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 will not affect the complainant's or reporter's future employment, grades, or work assignments, or educational or work environment.

**V. SCHOOL ACTION**

- A. Within three school days of the receipt of a complaint or report of bullying or other prohibited conduct, WLA shall undertake or authorize an investigation by the Executive Director or their designee or a third party designated by WLA.
- B. The Executive Director or their designee 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, WLA will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge, in line with Policy 506. 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 this policy. WLA action taken for violation of this policy will be consistent with the requirements of applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy and other applicable WLA policies; and applicable regulations.
- E. WLA is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of WLA. 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, WLA 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 AND REPRISAL**

WLA will discipline or take appropriate action against any student, teacher, administrator, volunteer, parent, contractor, or other employee of WLA 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.

## **VII. TRAINING AND EDUCATION**

- A. WLA shall discuss this policy with students, school personnel, and volunteers and provide appropriate training for all school personnel to prevent, identify and respond to prohibited conduct. WLA staff members shall review this policy annually. This policy shall be provided in employee and family handbooks and training materials.
- B. WLA will provide professional development, consistent with Minnesota law, to 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:
  - a. developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
  - b. the complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
  - c. research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
  - d. the incidence and nature of cyberbullying; and
  - e. Internet safety and cyberbullying.
  - f. how to teach students self-advocacy skills
- C. The administration of WLA is directed to implement programs and other initiatives to prevent bullying, respond to bullying in a manner that does not stigmatize the target or victim, and make resources or referrals to resources available to targets or victims of bullying.
- D. WLA may implement violence prevention and character development education programs to

prevent and reduce policy violations.

#### **VIII. NOTICE**

- A. Woodbury Leadership Academy will give notice of this policy to students and staff shall appear in the family handbook.
- B. This policy or a summary thereof shall be available to all parents and other school community members in an electronic format in the language appearing on WLA's website.
- 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 WLA.

#### **VIV. FAMILY RESOURCES**

- A. <https://www.stopbullying.gov/>
- B. <https://www.parentcenterhub.org/bullying/>
- C. <https://www.pacer.org/bullying/parents/helping-your-child.asp>