

La Crescent Montessori Academy
Bullying, Harassment, Intimidation, and Discrimination Policy
Proposed 8/23/99, Adopted 8/23/99, Reviewed 10/20/08, Updated 6/9/10, Revised
8/21/13, Updated 2/19/15

Purpose

State Law 121A.0695 prohibits intimidation and bullying.

Title IX of the Educational Amendments Act of 1972 prohibits sex discrimination in education institutions.

Section 504 prohibits discrimination on the basis of disability against students with disabilities.

Therefore, this policy prohibits intimidation, discrimination and bullying in all forms, including, but not limited to, electronic forms and forms involving Internet use.

LMA believes that a safe and civil school environment is necessary for students to learn and achieve high academic standards, as well as to foster healthy relationships. Bullying, harassment, intimidation and discrimination causes physical, psychological and emotional harm to students. It interferes with their ability to learn and grow as individuals. It is the goal of LMA to foster a learning environment where students are protected from bullying, harassment and intimidation so they feel safe and supported in their efforts to succeed academically and grow into whole and unique persons.

La Crescent Montessori & STEM School (LMA) is committed to providing all employees regardless of employment status (full-time vs. part-time etc.) a healthy and safe work environment. Bullying, harassment, intimidation and discrimination causes physical, psychological and emotional harm to employees. LMA will ensure that procedures exist to allow complaints of bullying, harassment, intimidation and discrimination to be dealt with and resolved within LMA, without limiting any person's entitlement to pursue resolution of their complaint with the relevant statutory authority. LMA is committed to the elimination of all forms of bullying, harassment, intimidation and discrimination.

This policy applies to all employees, students, board members and volunteers of LMA. It applies during normal working hours, at work related or sponsored functions, and while traveling on work related business. There will be no recriminations for anyone who in good faith alleges bullying, harassment, intimidation or discrimination.

All students, parents, guardians, and guests are asked to follow the principles listed below that apply to everyone on school grounds and at school related functions:

I will not bully, harass, intimidate or discriminate others

I will try to help anyone I suspect is being bullied, harassed, intimidated or discriminated against,

I will work to include students who might feel left out

If I witness bullying, harassment, intimidation or discrimination I will tell an adult at school and at home

Scope

This policy protects students, volunteers and employees against bullying, harassment, intimidation or discrimination on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, age, marital status, pregnancy diagnosis, medical diagnosis, physical

or mental disability, military status, sexual orientation, gender-related identity or expression, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristics or for no basis at all. Bullying, harassment, intimidation and discrimination are prohibited at all times on, in or around school property. They are prohibited through transmission of electrical devices regardless of ownership of said devices.

Definitions

Bullying: any intentionally, repeated, severe or pervasive conduct (physical, verbal, written), directed toward one or more students, that has or can be reasonably expected to have one or more of the following effects:

- 1) Putting the student in reasonable fear of harm for the person's body or property
- 2) Causes a negative effect on the student's physical or mental health
- 3) Interferes with the student's academic performance; or
- 4) Interferes with the student's ability to participate in activities, services, or privileges provided by the school

Forms of bullying can be, but are not limited too: harassment, threats, intimidation, stalking, physical violence, sexual harassment, gestures, sexual violence, theft, public humiliation, destruction of property, or retaliation of asserting or alleging an act of bullying.

Harassment: the act of unwanted and annoying actions of one party or a group, including threats and demands. Reasons for harassment may include (but are not limited too) prejudice, personal malice, personal gain, revenge or sadistic pleasure.

Intimidation: to make a person feel timid or fearful as if threatened. A person does not need to commit a physical act to be considered threatening intimidation.

Discrimination: the unjust or prejudicial treatment of different categories of people or things.

Retaliation: means any form of intimidation, reprisal or harassment directed against a student who: reported any action or lack of action in opposition of the law or of school policy, provides information during an investigation, witnesses or has reliable information about said action or lack of action.

Peer Conflict: disagreements and appositional interactions that are situational, immediate and developmentally appropriate. When school officials are aware of peer conflict, they are expected to guide students to develop new skills in social competency, learning personal boundaries, and peaceably resolve conflict. Interventions such as these can prevent peer conflict from escalating to bullying, harassment or intimidation.

Threat to Public Safety: when people feel threatened for their persons and/or property.

Intervention of Bullying, Harassment, Intimidation and/or Discrimination

All LMA employees who witness incidents of bullying, harassment, intimidation, discrimination or any kind of violence, or who possess reliable information that would lead a reasonable person to suspect a student is a target of bullying, harassment, intimidation or discrimination must:

- 1) Intervene immediately in an appropriate manner to ensure the safety of all persons involved
- 2) Report the incident to the office as soon as practical, on the form attached to this policy, no more than 24 hours after the incident.
- 3) Cooperate fully in any investigation of the incident(s), and in implementing any safety plan established by the school

Responsibility of Students, Parents, Guardians, Guests, Volunteers and Staff

Any student who witnesses bullying, harassment, intimidation or discrimination may not stand by or participate in the violation, but must notify an adult at the school and an adult at home as quickly as possible. Any parent or guardian who witnesses or is notified of a violation has an obligation to advise office personnel. Reporting violations to office personnel can be accomplished by completing the following form. Anonymous reports will be accepted. No disciplinary action will be taken on the sole basis of an anonymous report.

Investigation of Student Violation

- 1) The Head of School shall select a designee, employed by the school to perform the investigation
- 2) Investigation shall be initiated within three (3) school days of receipt of a report and completed within ten (10) school days, unless a written extension is granted by the DFO. All parties are to be notified in the event of an extension.
- 3) The investigation shall include:
 - a. Identifying the perpetrator(s), target(s) and bystander(s), as well as any adult who witnessed the incident or may have reliable information about it.
 - b. Conducting individual interviews with alleged perpetrator(s) and target(s). The alleged perpetrator(s) and target(s) should never be interviewed together.
 - c. Determining how often the conduct occurred
 - d. Assessing the individual and school wide effects of the incident relating to safety, and advising school board if updates or new safety plans are required
 - e. When appropriate, preparing a recommendation for individual consequences
 - f. Documenting the details of the investigation
 - g. Submitting the report to the office for further reporting duties or filing requirements based on state or federal requirements

Investigation of Employee/Volunteer Violation

- 1) The Head of School shall select a designee, employed by the school to perform the investigation
- 2) Investigation shall be initiated within three (3) school days of receipt of a report and completed within ten (10) school days, unless a written extension is granted by the Head of School. All parties are to be notified in the event of an extension.
- 3) The investigation shall include:
 - a. Identifying the perpetrator(s), target(s) and bystander(s), as well as any adult who witnessed the incident or may have reliable information about it.
 - b. Conducting individual interviews with alleged perpetrator(s) and target(s). The alleged perpetrator(s) and target(s) should never be interviewed together.
 - c. Determining how often the conduct occurred

- d. Assessing the individual and school wide effects of the incident relating to safety, and advising school board if updates or new safety plans are required
- e. When appropriate, preparing a recommendation for individual consequences, taking into account (when appropriate) a child's IEP or 504 plan.
- f. Documenting the details of the investigation

Notification

On the same day report is filed, the DFO or designee shall report to the parent/guardian of all involved students, via telephone, personal conference and/or in writing, the occurrence of any alleged incident of bullying, harassment or intimidation, and shall document these notifications in the incident report. Information will be provided to affected students and their families of their rights to obtain data, and their rights to contest the accuracy or completeness of the data. All information on a report is considered confidential, and will not be disclosed except as permitted by law.

If the investigation results in the imposition of consequences, the DFO/designee may not advise the parent/guardian of students other than the perpetrator of the specific consequences imposed, as that would violate the confidentiality of student information.

Information will be made available to the victim(s), perpetrator(s) and families any programs or resources in the community.

Imposing Consequences

Many peer conflicts can be resolved immediately and do not require reporting or creation of an Incident report. If, however, a conflict is ongoing and meets the definition of bullying, harassment, intimidation or discrimination, the investigation procedures in this policy must be followed.

Schools must respond to bullying, harassment, intimidation and discrimination in a manner tailored to the individual incident, considering the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Appropriate responses and consequences should be tailored to the individual incident. Actions may include, but are not limited to, warning, suspension, expulsion, transfer, remediation, termination or discharge. Any threats that are deemed by LMA to be severe or are threats to public safety, can result in immediate suspension, exclusion or expulsion.

In the event that an employee or volunteer was aware that bullying, harassment, intimidation or discrimination was taking place and failed to report it, they will be in violation of this policy. The School Board will review the employees record to determine appropriate discipline. Volunteers in violation of this policy will be also be reviewed by the board and appropriate discipline will be determined, up to and including termination of volunteer status.

Training/Professional Development

All staff members are trained on this policy and the procedures once a year. This policy is included in student and staff handbooks and will be made available on the schools website.

Incident/Grievance Report Form La Crescent Montessori & STEM School

Victim/Target Information

Name of Victim/Target: _____

Grade/Title: _____

Reporting Information

Name of Person Reporting: _____

Title of Person Reporting: _____

Relationship to Victim/Target: _____

Phone: _____

Email Address: _____

Incident Information

Name of accused perpetrator: _____

OR Description: _____

Location of incident: _____

Date and time of incident: _____

Description of incident: _____

Please submit this report to the Head of School, or any school staff member.

For Office Use Only:

Date of submission: _____

Investigator assigned: _____