

*La Crescent Montessori & STEM School*  
**POLICY 514: BULLYING, HARASSMENT, INTIMIDATION AND  
DISCRIMINATION**

Proposed 8/23/99, Adopted 8/23/99, Reviewed 10/20/08, Updated 6/9/10, Revised 8/21/13,  
Updated 2/19/15, Updated 4/21/16, updated 8/17/18, reviewed 7/15/2021, revised 7/10/23,  
reviewed 7/25/24

**Purpose**

***State Law 121A.031 prohibits intimidation and bullying.***

***State Law 363A prohibits malicious and sadistic conduct.***

***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.

LMSS 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 cause physical, psychological, and emotional harm to students. It interferes with their ability to learn and grow as individuals. It is the goal of LMSS 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 (LMSS) is committed to providing all employees regardless of employment status (full-time vs. part-time etc.) and independent contractors a healthy and safe work environment. Bullying, harassment, intimidation, and discrimination cause physical, psychological, and emotional harm to employees.

LMSS will ensure that procedures exist to allow complaints of bullying, harassment, intimidation, and discrimination to be dealt with and resolved within LMSS, without limiting any person's entitlement to pursue resolution of their complaint with the relevant statutory authority. LMSS is committed to the elimination of all forms of bullying, harassment, intimidation, and discrimination.

LMSS prohibits malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status regarding public assistance, disability, religion, sexual harassment, sexual orientation, and gender identity. LMSS prohibits sexual exploitation.

This policy applies to all employees, students, board members, independent contractors, and volunteers of LMSS. 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 against 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, independent contractors, 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 the transmission of electrical devices regardless of ownership of said devices.

### **Definitions**

*Bullying:* 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.

*Cyber-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.

(1) Intimidating, threatening, abusive, or harmful conduct may involve, but is not limited to, conduct that 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; 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; 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 concerning public assistance, age, or any additional characteristic defined in chapter 363A. However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or chapter 363A.

*Harassment:*

(1) a single incident of physical or sexual assault, a single incident of stalking under section 609.749, subdivision 2, clause (8), a single incident of nonconsensual dissemination of private

sexual images under section 617.261, or repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target;

(2) targeted residential picketing; and

(3) a pattern of attending public events after being notified that the actor's presence at the event is harassing another.

*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.

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

*Retaliation*: any form of intimidation, reprisal, or harassment directed against a student who: reported any action or lack of action in opposition to 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 oppositional 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, learn 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.

*Malicious and sadistic conduct*: creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.

### **Intervention of Bullying, Harassment, Intimidation and/or Discrimination**

All LMSS 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 or 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 HOS. 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 the 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/Contractor Violation**

- 1) The Head of School or designee, employed by the school to perform the investigation
- 2) An 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 the school board if updates or new safety plans are required

- e. When appropriate, prepare 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 the report is filed, the HOS or designee shall report to all involved parties (including any parents/guardians of any student), 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 parties (including any parents/guardians of any student) 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 HOS/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), the perpetrator(s), and families of any programs or resources in the community.

### **Imposing Consequences**

Many peer conflicts can be resolved immediately and do not require reporting or the 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. When an incident involves a student(s), we must consider 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 LMSS 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 employee's record to determine appropriate discipline. Volunteers in violation of this policy will 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 school's 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.

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For Office Use Only:

Date of submission: \_\_\_\_\_

Investigator assigned: \_\_\_\_\_