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**RICHFIELD PUBLIC SCHOOLS**  
**BULLYING PROHIBITION POLICY**

**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 students' ability to learn and teachers' ability to educate students in a safe environment. Richfield Public Schools 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 District and the rights and welfare of its students and is within the control of the District in its normal operations, it is the District'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 the District 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 repeated behavior by a student or a group of students that is intended to cause or is perceived as causing another student or a group of students to feel frightened, threatened, intimidated, humiliated, shamed, disgraced, ostracized, or physically abused. The bullying that is addressed in this policy is that which substantially interferes with the targeted student's or students' educational benefits, opportunities, or performance. Bullying implies an imbalance in real or perceived physical, social or psychological power. Bullying can occur via physical, verbal, social/relational, electronic or other forms of interactions or communication. Bullying includes, but is not limited to, repeated conduct by a student against another student or a group of students that a reasonable person under the circumstances knows or should know has the effect of:

1. Hurting another physically by hitting, kicking, tripping, or pushing;
2. Stealing or damaging another person's property;
3. Ganging up on another person;

- 1 4. Teasing another person in a hurtful way;
- 2
- 3 5. Calling another person hurtful names;
- 4
- 5 6. Using put-downs, such as insulting another person's race,
- 6 making fun of another person because of their
- 7 characteristics related to gender, or denigrating another
- 8 person for other personal characteristics;
- 9
- 10 7. Isolating a person;
- 11
- 12 8. Spreading rumors or untruths about another person.
- 13
- 14 9. Intimidating a student or group of students.
- 15
- 16 The term "bullying" specifically includes cyberbullying, malicious
- 17 and sadistic conduct, and sexual exploitation.
- 18
- 19 B. "Cyberbullying" means bullying using technology or other electronic
- 20 communication, including, but not limited to, a transfer of a sign,
- 21 signal, writing, image, sound, or data, including a post on a social
- 22 network internet web site or forum, transmitted through a computer,
- 23 cell phone, or other electronic device.
- 24
- 25 C. "Immediately" means as soon as possible but in no event longer
- 26 than 24 hours.
- 27
- 28 D. "Malicious and sadistic conduct" means creating a hostile learning
- 29 environment by acting with the intent to cause harm by intentionally
- 30 injuring another without just cause or reason or engaging in
- 31 extreme or excessive cruelty or delighting in cruelty.
- 32
- 33 E. "On District property or at school-related functions" means all
- 34 District buildings, school grounds, and school property or property
- 35 immediately adjacent to school grounds, school bus stops, school
- 36 buses, school vehicles, school contracted vehicles, or any other
- 37 vehicles approved for District purposes, the area of entrance or
- 38 departure from school grounds, premises, or events, and all
- 39 school-related functions, school-sponsored activities, events, or
- 40 trips. District property also may mean a student's walking route to
- 41 or from school for purposes of attending school or school-related
- 42 functions, activities, or events. While prohibiting bullying at these
- 43 locations and events, the District does not represent that it will
- 44 provide supervision or assume liability at these locations and
- 45 events.
- 46
- 47 F. "Prohibited conduct" means bullying, cyberbullying, malicious and
- 48 sadistic conduct, sexual exploitation, or retaliation or reprisal for
- 49 asserting, alleging, reporting, or providing information about such
- 50 conduct or knowingly making a false report about prohibited

1                                   conduct.  
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4       **III.       GENERAL STATEMENT OF POLICY**

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6       An act of bullying, by either an individual student or a group of students, is  
7       expressly prohibited on District property or at school-related functions.  
8       This policy applies not only to students who directly engage in an act of  
9       bullying but also to students who, by their indirect behavior, condone or  
10      support another student's act of bullying. This policy also applies to any  
11      student whose conduct at any time or in any place constitutes bullying that  
12      interferes with or obstructs the mission or operations of Richfield Public  
13      Schools or the safety or welfare of the student, other students, or  
14      employees. The misuse of technology including, but not limited to,  
15      teasing, intimidating, defaming, threatening, or terrorizing another student,  
16      teacher, administrator, volunteer, contractor, or other employee of the  
17      District by sending or posting e-mail messages, instant messages, text  
18      messages, digital pictures or images, or website postings, including blogs,  
19      also may constitute an act of bullying regardless of whether such acts are  
20      committed on or off District property and/or with or without the use of  
21      District resources. This policy also applies to sexual exploitation.

22  
23      A.      Malicious and sadistic conduct involving race, color, creed, national  
24      origin, sex, age, marital status, status with regard to public  
25      assistance, disability, religion, sexual harassment, and sexual  
26      orientation and gender identity as defined in Minnesota Statutes,  
27      chapter 363A is prohibited. This prohibition applies to students,  
28      independent contractors, teachers, administrators, and other  
29      school personnel.

30  
31                                   Malicious and sadistic conduct and sexual exploitation by a District  
32                                   or school staff member, independent contractor, or enrolled student  
33                                   against a staff member, independent contractor, or student that  
34                                   occurs as described in Article II.A above is prohibited.

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37      B.      No teacher, administrator, volunteer, contractor, or other employee  
38      of the District shall permit, condone, or tolerate bullying.

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40      C.      Apparent permission or consent by a student being bullied does not  
41      lessen the prohibitions contained in this policy.

42  
43      D.      Retaliation against a victim, good faith reporter, or a witness of  
44      bullying is prohibited.

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46      E.      False accusations or reports of bullying against another student are  
47      prohibited.

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49      F.      A person who engages in an act of bullying, reprisal, or false  
50      reporting of bullying or permits, condones, or tolerates bullying

1 maybe subject to discipline for that act in accordance with District's  
2 policies and procedures. The District may take into account the  
3 following factors in determining whether discipline is required and if  
4 so, the type and extent of discipline:

- 5
- 6 1. The developmental and maturity levels of the parties  
7 involved;
  - 8
  - 9 2. The levels of harm, surrounding circumstances, and nature  
10 of the behavior;
  - 11
  - 12 3. Past incidences or past or continuing patterns of behavior;
  - 13
  - 14 4. The relationship between the parties involved; and
  - 15
  - 16 5. The context in which the alleged incidents occurred.
  - 17

18 Consequences for students who commit prohibited acts of bullying  
19 may range from positive behavioral interventions up to and  
20 including suspension and/or expulsion. Consequences for  
21 employees who permit, condone, or tolerate bullying or engage in  
22 an act of reprisal or intentional false reporting of bullying may result  
23 in disciplinary action up to and including termination or discharge.  
24 Consequences for other individuals engaging in prohibited acts of  
25 bullying may include, but not be limited to, exclusion from District  
26 property and events and/or termination of services and/or  
27 contracts.

- 28
- 29 G. The District will act to investigate all complaints of bullying and will  
30 discipline or take appropriate action against any student, teacher,  
31 administrator, volunteer, contractor, or other employee of the  
32 District who is found to have violated this policy.
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#### 35 **IV. REPORTING PROCEDURE**

- 36
- 37 A. Any person who believes they have been the victim of bullying or  
38 any other person (e.g. witness, parent, colleague) with knowledge  
39 or belief of conduct that may constitute bullying is encouraged to  
40 report the alleged acts immediately to an appropriate District official  
41 designated by this policy. A person may report conduct they believe  
42 to be bullying even if more than 24 hours have passed. A person  
43 may report bullying anonymously. However, the District's ability to  
44 take action against an alleged bully based solely on an anonymous  
45 report may be limited.
  - 46
  - 47 B. The District encourages the reporting party or complainant to use  
48 the report form available from the principal of each building or  
49 available from the District office, but oral reports shall be  
50 considered complaints as well.

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- C. The building principal, the principal's designee, or the building supervisor (hereinafter Building Report Taker) is the person responsible for receiving reports of bullying at the building level. Any person may report bullying directly to a 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 superintendent or the District human rights officer by the reporting party or complainant.
- 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 receives a report of, observes, or has other knowledge or belief of conduct that may constitute bullying shall inform the Building Report Taker immediately. District personnel who fail to inform the Building Report Taker of conduct that may constitute bullying in a timely manner may be subject to disciplinary action.
- E. Reports of bullying are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- 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.
- G. The 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 District's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

**V. STAFF EXPECTATIONS**

Teachers and staff at Richfield Public Schools are expected to take the following actions in order to prevent bullying and help students feel safe at school:

- A. Closely supervise students in all areas of the school and playground;
- B. Watch for signs of bullying and stop it when it happens;
- C. Respond quickly and sensitively to bullying reports using an appropriate response process;
- D. Report bullying to the Building Report Taker;

- 1 E. Notify the Building Report Taker when efforts to address the
- 2 bullying prove unsuccessful;
- 3
- 4 F. Help create a school culture of respect and kindness by modeling
- 5 and fostering these traits.
- 6
- 7

8 **VI. INVESTIGATION**

- 9
- 10 A. Upon receipt of a complaint or report of bullying, the District shall
- 11 undertake or authorize an investigation by District officials or a third
- 12 party designated by the District within three school days of the
- 13 report. This process is overseen by the Building Report Taker.
- 14
- 15 B. The Building Report Taker may take immediate steps, at their
- 16 discretion, to protect the complainant, reporter, students, or others
- 17 pending completion of an investigation of bullying, consistent with
- 18 applicable law.
- 19

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21 **VII. DISTRICT ACTION**

- 22
- 23 A. Upon completion of the investigation, the District will take
- 24 appropriate action. Such action may include, but is not limited to,
- 25 warning, suspension, exclusion, expulsion, transfer, remediation,
- 26 termination, or discharge. The primary purpose of such action is to
- 27 protect the student(s) who have been the target of bullying behavior
- 28 and to deter the prohibited behavior in the future. District action
- 29 taken for violation of this policy will be consistent with the
- 30 requirements of applicable collective bargaining agreements;
- 31 applicable statutory authority, including the Minnesota Pupil Fair
- 32 Dismissal Act; District policies; and regulations.
- 33
- 34 B. The District is not authorized to disclose to a victim private
- 35 educational or personnel data regarding an alleged bully who is a
- 36 student or employee of the District. School officials will notify the
- 37 parent(s) or guardian(s) of students involved in a bullying incident
- 38 of the incident and of action taken, to the extent permitted by law.
- 39
- 40 C. Referral to Professional School Support Staff. A student who
- 41 violates this policy may be asked to meet with a school counselor
- 42 or other staff to work on positive behavioral interventions to help
- 43 prevent future violations.
- 44
- 45 D. Referral to available community resources. The involved students
- 46 and their parents will be given references to community resources
- 47 and support, as it is appropriate.
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- 49 E. Individualized Education Plans or Section 504 Plans may address
- 50 the skills and proficiencies needed for students with disabilities to

1 engage in positive behaviors and respond appropriately to  
2 prohibited conduct.

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4 F. Staff Consequences. A Richfield Public School employee who fails  
5 to immediately and appropriately address bullying may be asked to  
6 participate in additional staff training, may be mentored, or may be  
7 disciplined. A staff member's repeated failure to address bullying  
8 behavior may result in discipline up to and including termination or  
9 discharge.

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12 **VIII. REPRISAL**

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14 The District will discipline or take appropriate action against any student,  
15 teacher, administrator, volunteer, contractor, or other employee of the  
16 District who retaliates against any person who makes a good faith report  
17 of alleged bullying or against any person who testifies, assists, or  
18 participates in an investigation, or against any person who testifies,  
19 assists, or participates in a proceeding or hearing relating to such bullying.  
20 Retaliation includes, but is not limited to, any form of intimidation, reprisal,  
21 harassment, or intentional disparate treatment.

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24 **IX. TRAINING AND EDUCATION**

- 25  
26 A. The District annually will provide information and any applicable  
27 training to District staff regarding this policy.  
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29 B. The District annually will provide education and information to  
30 students regarding bullying, including information regarding this  
31 District policy prohibiting bullying, appropriate reporting procedures  
32 for reporting bullying, the harmful effects of bullying, and other  
33 applicable initiatives to prevent bullying.  
34  
35 C. The administration of the District is directed to implement programs  
36 and other initiatives to prevent bullying, to respond to bullying in a  
37 manner that does not stigmatize the victim, and to make resources  
38 or referrals to resources available to victims of bullying.  
39  
40 D. The District may implement violence prevention and character  
41 development education programs to prevent and reduce policy  
42 violations. Such programs may offer instruction on character  
43 education including, but not limited to, character qualities such as  
44 attentiveness, truthfulness, respect for authority, diligence,  
45 gratefulness, self-discipline, patience, forgiveness, respect for  
46 others, peacemaking, and resourcefulness.

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49 **X. NOTICE**  
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- 1           A.     The District will give annual notice of this policy to students, parents  
2                     or guardians, and staff, and this policy shall appear in the student  
3                     handbook.
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- 5           B.     This policy must be conspicuously posted throughout each school  
6                     building, in the administrative offices of the District, and in the office  
7                     of each school.
- 8
- 9           C.     This policy must be distributed to each District or school employee  
10                    and independent contractor at the time of hiring or contracting
- 11
- 12          D.     Notice of the rights and responsibilities of students and their  
13                    parents under this policy must be included in the student discipline  
14                    policy distributed to parents at the beginning of each school year.
- 15
- 16          E.     This policy shall be available to all parents and other school  
17                    community members in an electronic format in the language  
18                    appearing on the District's or a school's website.
- 19
- 20          F.     Each school must develop a process for discussing this policy with  
21                    students, parents of students, independent contractors, and school  
22                    employees.
- 23
- 24          G.     The District shall provide an electronic copy of its most recently  
25                    amended policy to the Minnesota Commissioner of Education.
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29     ***Legal References:***

- 30     Minn. Stat. § 120B.232 (Character Development Education)
- 31     Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
- 32     Minn. Stat. § 121A.69 (Hazing Policy)
- 33     Minn. Stat. §121A.031 (School Student Bullying Policy)
- 34     Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
- 35     Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definitions)
- 36     Minn. Stat. § 121A.03 (Model Policy)
- 37     Minn. Stat. § 121A.0312 (Malicious and Sadistic Conduct)
- 38     Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students  
39     and Parents under the Safe and Supportive Minnesota Schools Act)
- 40     Minn. Stat. Ch. 124E (Charter Schools)
- 41     Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
- 42     20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
- 43     34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)
- 44
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46     ***Cross References:***

- 47     Policy 103: Harassment Prohibition
- 48     Policy 108: Hazing Prohibition
- 49     Policy 111: Weapons on School Premises
- 50     Policy 409: Mandated Reporting of Child Neglect or Physical or Sexual Abuse



- 1 Policy 410: Mandated Reporting of Maltreatment of Vulnerable Adults
- 2 Policy 505: Student Disability Nondiscrimination
- 3 Policy 506: Student Sex Nondiscrimination
- 4 Policy 541: Student Behavior
- 5 Policy 581: Protection and Privacy of Pupil Records
- 6 Policy 582: Staff Notification of Violent Behavior by Students
- 7 Policy 742: Student Transportation Services
- 8 Policy 783: Video Surveillance

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