

LIONSGATE ACADEMY

903 ANTI-BULLYING

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I. PURPOSE

Lionsgate Academy strives to provide safe, secure and respectful learning environments for all students in school buildings, on school grounds, school buses and at school-sponsored activities. Bullying, like other disruptive or violent behavior, is conduct that interferes with a student's ability to learn and a teacher's ability to educate.

This policy protects students against bullying and harassment including but not limited to the following bases: actual or perceived race, ethnicity, color, creed, 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, status with regard to public assistance, age, military status, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic defined in Chapter 363A. This policy also protects any student who voluntarily participates in any Lionsgate Academy function or activity, whether the student is enrolled in the Lionsgate Academy or not.

II. DEFINITIONS

- A. Prohibited conduct ("bullying") means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, where there is an actual or perceived imbalance of power between the student engaging in the prohibited conduct and the target of the behavior and the conduct is repeated or forms a pattern; 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:
 - i. Placing the student in reasonable fear of harm to the student's person or property.
 - ii. Causing a substantially detrimental effect on the student's physical or mental health.
 - iii. Substantially interfering with the student's educational opportunities and performance.
 - iv. Substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.
 - v. Bullying may take various forms, including without limitation, one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation,

destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

- B. "Cyberbullying" means using electronic information and communication technologies to bully. This may include, but is 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.
- C. "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. Remedial response also means a measure to stop and correct retaliation for asserting, alleging, reporting or providing information about prohibited conduct (retaliation) or knowingly making a false report about prohibited conduct (false report), prevent retaliation or false reports from recurring and protect, support and intervene on behalf of the student who is the target of the prohibited conduct.
- D. "Immediately" means as soon as possible but in no event longer than 24 hours.
- E. "Lionsgate Academy employee" includes board members, administrators, educators, educational assistants, support service personnel, nurses and other school-based/linked medical providers/health professionals, extracurricular activities advisors, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of Lionsgate Academy and its students.

III. PROHIBITIONS

Bullying of a student or group of students is prohibited:

- A. During any school-sponsored or school-sanctioned programs, activities, events or trips.
- B. In school buildings, school property, on school buses or other Lionsgate Academy-provided transportation, and at designated locations for students to wait for buses and other Lionsgate Academy-provided transportation.
- C. Through the transmission of information from a Lionsgate Academy computer or computer network, or other electronic school equipment.
- D. Off campus communication and use of electronic technology which seriously disrupts any student's education.

Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited. False accusations or reports of bullying against another student are also prohibited.

IV. INITIAL RESPONSE AND REPORTING

- A. School Principal: School principal or designee ("principal/designee") is the person responsible for receiving reports of bullying at the school level. The principal/designee will ensure this policy and its procedures are fairly and fully implemented and serve as the primary person to address policy and procedural

matters. If the complaint involves the principal/designee, the complaint shall be made to the executive director. If the complaint involves the executive director/designee, the complaint shall be made to the board chair.

- B. Students: Students who believe that they have been bullied or have witnessed bullying are strongly encouraged to bring their concerns to the principal/designee but may bring their concerns to any school employee.
- C. School Employees: Any employee who witnesses an incident or who possesses reliable information that would lead a reasonable person to believe that bullying has occurred shall:
 - i. Immediately intervene to protect the safety of the student subjected to the incident and other students involved, as appropriate to the context.
 - ii. Make reasonable efforts to address and resolve the incident, including reporting the incident to the principal/designee, as deemed appropriate.
 - iii. Cooperate fully in any investigation and resolution of the bullying incident.
- D. Independent Contractors/Volunteers: Any independent contractor or volunteer who witnesses bullying or who possesses reliable information that would lead a reasonable person to believe that bullying has occurred shall report the bullying incident to the principal/designee or any school employee and cooperate fully in any investigation and resolution of the bullying incident.
- E. Anonymous reports will be accepted by the principal/designee. However, no disciplinary action will be determined solely on the basis of an anonymous report.

V: INVESTIGATION

Information Pertaining to Bullying Incidents:

- A. The use of, access to, and disclosure of information pertaining to reports and investigations of prohibited conduct are subject to state and federal data practices laws. Lionsgate Academy will notify affected individuals, including students and parents, of their rights related to information provided to and obtained by the school, in accordance with the Lionsgate Academy legal obligations. Information you provide to Lionsgate Academy is subject to the Minnesota Government Data Practices Act. This law classifies certain information as available to the public on request.

Procedure:

- A. Investigation of an alleged bullying incident shall be initiated as soon as possible, but in no instance after more than three school days of receipt of a report, and completed in a timely manner. Investigative records shall be maintained and regulated by the principal/designee.
- B. The investigation should determine whether the reported incident constitutes a case of bullying. The determination should take into consideration the totality of the facts and circumstances surrounding the incident, including, but not limited to:
 - i. The developmental ages and maturity levels of the parties involved.
 - ii. The level of harm, surrounding circumstances, and nature of the behavior.
 - iii. Past incidences or past or continuing patterns of behavior.

- iv. The relationship between the parties involved.
 - v. The context in which the alleged incidents occurred.
- C. In all cases, the alleged actor will be entitled to raise a defense and any other recourse in the district discipline policy.

VI: REMEDIAL RESPONSE

- A. The principal/designee shall design and implement remedial measures to correct and prevent further prohibited conduct, protect and provide support for the target of the bullying, and take corrective action for documented systemic problems related to bullying.
- B. Many student conflicts can be resolved immediately and do not require reporting or creation of an incident report. Schools must respond to bullying 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 prohibited conduct and performance.
- C. When a student engages in bullying, a school should use multi-tiered levels of response that are individualized, consistent, reasonable, fair, age-appropriate, and should match the severity of the student's behavior and developmental age.
- D. When appropriate, the school district shall provide the target, actor, and other affected individuals with information about available community resources to aid in the remedial process.

VII. PROFESSIONAL DEVELOPMENT AND EDUCATION

- A. School Employees: The school district shall require employees to receive ongoing professional development training to build their skills to implement this policy. Training will be required for new employees and on a training cycle that does not exceed once every three years for all employees who regularly interact with students. The content of the training will include, but not be limited to:
 - i. Strategies to prevent, intervene and effectively stop bullying in a manner developmentally appropriate to the context of an incident.
 - ii. Information about the complex interaction and power differential that can take place between and among an actor, target, and witness to bullying.
 - iii. Research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk and any specific interventions that may be particularly effective for addressing bias-based bullying.
 - iv. Information about Internet safety issues as they relate to bullying.
 - v. A review of the district's reporting requirements related to bullying.
- B. Students: The school will encourage character development and other

developmentally appropriate programmatic instruction to help students identify, prevent, and reduce bullying and create a safe learning environment. The executive director or designee shall determine the scope and duration of the units of instruction and topics covered, but the training shall include evidence-based, social-emotional learning to prevent and reduce discrimination and other improper conduct and to engage all students in creating a safe and supportive school environment.

C. Where appropriate for a child with a disability, as determined by the child's 504 or Individualized Education Program (IEP) team, the school district shall allow the child's IEP or section 504 plan to address the skills and proficiencies the child needs to respond to or not engage in bullying.