

BULLYING POLICY

Descriptor Code: ACEA

REQUIRED

Definitions

For the purpose of this policy:

Bullying is defined as:

- a. Conduct that occurs in a public school, on school district premises, in a district owned or leased bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event and which:
 1. Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities;
 2. Places the student in actual and reasonable fear of harm;
 3. Places the student in actual and reasonable fear of damage to property of the student; or
 4. Substantially disrupts the orderly operation of the public school; or
- b. Conduct that is received by a student while the student is in a public school, on school district premises, in a district owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event and which:
 1. Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities;
 2. Places the student in actual and reasonable fear of harm;
 3. Places the student in actual and reasonable fear of damage to property of the student; or
 4. Substantially disrupts the orderly operation of the public school

Conduct includes the use of technology or other electronic media_

Protected classes are classifications/characteristics protected from discrimination by NDCC 14-02.4-01 and federal law. The following classes are protected: race, color, religion, sex, national origin, age, disability (physical or mental) and status with regard to marriage or public assistance.

School property or the term on-campus refers to all property owned or leased by the District, school buses and other vehicles, or any school district sponsored or school-sanctioned activity.

School-sanctioned activity is defined as an activity that:

- a. Is not part of the district's curricular or extracurricular program;
and
- b. Is established by a sponsor to serve in the absence of a district program
and
- c. Receives district support in multiple ways (i.e., not school facility use alone)
and
- d. Sponsors of the activity have agreed to comply with this policy; and
- e. The District has officially recognized through board action as a school-sanctioned activity.

School-sponsored activity is an activity that the District has approved through policy or other board action for inclusion in the district's extracurricular program and is controlled and funded primarily by the District.

School staff include all employees of the Langdon Area School District, school volunteers, bus drivers and sponsors of school-sanctioned activities.

True threat is a statement that, in light of the circumstances, a reasonable person would perceive as a serious expression of an intent to inflict harm.

Prohibitions

While at a public school, on school district premises, in a district-owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event a student may not:

1. Engage in bullying;
2. Engage in reprisal or retaliation against:
 - a. A victim of bullying
 - b. An individual who witnesses an alleged act of bullying;
 - c. An individual who reports an alleged act of bullying; or
 - d. An individual who provides information/participates in an investigation about an alleged act of bullying.
3. Knowingly file a false bullying report with the District;

Off-campus bullying that is received on school property is also prohibited.

The District has limited disciplinary authority to respond to such forms of bullying.

Reporting Procedures for Alleged Policy Violations:

Reporting requirements for school staff: Any school staff member with knowledge or suspicion of a violation of this policy or who has received an oral or written report of a violation of this policy from a student, community member, or anonymously shall contact the building principal to inform him/her as soon as possible. If the alleged violation implicates the building principal, the school staff member shall report it to the Superintendent. If the alleged violation implicates the Superintendent, the school staff member shall file it with the Board President.

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Should school administration determine that a school staff member knew of or suspected a violation of this policy and failed to report it in accordance with the procedure above, the staff member may be subject to disciplinary consequences or, for sponsors of school-sanctioned activities, other corrective measures.

Reporting options for students and community members: Students and community members (including parents) may report known or suspected violations of this policy using any of the following methods.

1. Completing a written complaint form: A complainant will have the option of including his/her name on this form or filing it anonymously. The District will place the form near or in the office in both school buildings. The form may be returned to any school staff member, filed in a school building's main office, or placed in a designated drop box located in each school.
2. Print, complete and return a form found on the school's website. The complainant will have the option of including his/her name on the form or submitting it anonymously.
3. File an oral report with any school staff member.

A complaint filed anonymously may limit the district's ability to investigate and respond to the alleged violations.

Reporting to Law Enforcement & Others Forms of Redress

Anytime a school staff member has reasonable suspicion that a bullying incident constituted a crime, she/he shall report it to law enforcement. Also, nothing in this policy shall prevent a victim/his/her family from seeking redress under state and federal law.

Documentation & Retention

The District has developed a form to report alleged violations of this policy.

The form should be completed by school staff when they:

1. Initiate a report of an alleged violation of this policy; or
2. Receive an oral report of an alleged violation of this policy.

The form should be completed by an administrator when she/he:

1. Initiates a report of an alleged violation of this policy; or
2. Receives an oral report of an alleged violation of this policy.

All written reports of an alleged violation of this policy received by the District shall be forwarded to the appropriate school administrator for investigation and retention.

Report forms and all other documentation related to an investigation of an alleged violation of this policy shall be retained by the District for six years after a student turns 18 or graduates from high school whichever is later. If a student does not graduate from the District, such reports and investigation material shall be retained for six years after the student turns 18.

Investigation Procedures

School administrators (i.e., a principal, an assistant superintendent, or the Superintendent) are required to investigate violations of this policy (as prescribed under Prohibitions), when in receipt of actual notice of an alleged violation. Actual notice of an alleged violation occurs when alleged bullying, reprisal, retaliation, or false reporting is reported using the applicable method(s) prescribed in the reporting section of this policy.

Upon receipt of a report of an alleged policy violation, the designated administrator shall first determine if the alleged policy violation is based on a protected class-- whether actual or perceived. Reports involving a protected class shall be investigated in accordance with the district's harassment/discrimination policy, including the timelines contained therein.

In all other cases, administration shall determine the level of investigation necessary based on the nature of the alleged violation of this policy after considering factors such as, but not limited to the victim/alleged perpetrator; the ages of the parties involved; the detail, content, and context of the report; whether this report is the first of its type filed against the alleged perpetrator. Based on the level of investigation the administrator deems necessary, investigations may include any or all of the following steps or any other investigator steps that the administrator deems necessary.

1. Identification and collection of necessary and obtainable physical evidence (NOTE: In some cases physical evidence may be unobtainable, e.g., a private social networking profile). Law enforcement officials may be summoned.
2. Interviews with the complainant, the victim, and/or the alleged perpetrator. At no time during an investigation under this policy shall the victim/complainant be required to meet with the alleged perpetrator;
3. Interviews with any identified witnesses;
4. A review of any mitigating or extenuating circumstances;
5. Final analysis and issuance of findings in writing to the victim and bully and if applicable, implementation of victim protection measures and disciplinary measures under this or other applicable policies.

Investigations shall be completed within 60 days unless the administrator documents good cause for extending this deadline. Such documentation shall be sent to the victim and alleged perpetrator during the investigation.

Disciplinary & Corrective Measures

Students that the District has found to have violated this policy shall be subject to disciplinary consequences and/or corrective measures. When determining the appropriate response to violations of this policy, administration shall take into account the totality of circumstances surrounding the violation. Penalties may range from a warning to expulsion. Students violating this policy may be referred to the juvenile authorities. If the misconduct does not meet this policy's definition of bullying, it may be addressed under other district disciplinary policies.

For bullying initiated off campus and received on campus (e.g. cyber bullying), the District only has authority to impose disciplinary measures if the bullying substantially disrupted the educational environment or posed a true threat.

If the perpetrator is a school staff member, the District shall take appropriate disciplinary action including, but not limited to: a reprimand, modification of duties (only if allowed by applicable policy, the negotiated agreement and/or the individual's contract), suspension, or a recommendation for termination/discharge in accordance with any applicable law.

Victim Protection Strategies

When the District confirms that a violation of this policy has occurred, it should notify the victim's parents and shall implement victim protection strategies. These strategies shall be developed on a case-by-case basis after administration has reviewed the totality of the circumstances surrounding the bullying incident(s) or other violations of this policy. Strategies may include, but not be limited to, the following:

1. Additional training for all students and applicable staff on implementation of this policy and/or bullying prevention.
2. Notice to the victim's teachers and other staff to monitor the victim and his/her interaction with peers and/or the assignment of a staff member to escort the student between classes.
3. Assignment of district staff to monitor more recent areas in the school where bullying has occurred.
4. Referral to counseling services for the victim and perpetrator.
5. Modification of the perpetrator's schedule and other appropriate measures imposed on the perpetrator (not the victim) to minimize the perpetrator's contact with the victim.

Prevention Programs & Professional Development Activities

In accordance with law, the District shall develop and implement bullying prevention programs for all students and staff professional development activities.

BULLYING POLICY ADOPTION & DISSEMINATION CHECKLIST**Adoption Procedure**

Identify parents, school district employees, volunteers, students, school district administrators, law enforcement personnel, domestic violence sexual assault organizations as defined by subsection 3 of section 14-07.1-01, and community representatives to be involved in policy development. **NOTE: Law requires that each of the parties be involved in policy development.**

Methods to involve the above groups in the bullying policy development will be as follows: Administrators will send the proposed bullying policy to these groups and ask for their written or oral input by a specific deadline. The date that each group was contacted to participate in the bullying policy development will be noted and any group that could not or did not participate will be documented.

Parents: Tiffany Hetletved
Date contacted: 3/5/2012
Provided input: Yes
If yes, Date(s): 3/8/2012

School Employees: Curt Kram, Amy Freier, Marnie Thielbar & Angie Sanders
Date contacted: 3/5/2012
Provided input: Yes
If yes, Date(s): 3/8/2012

Volunteers: Sue Bata
Date contacted: 3/5/2012
Provided input: Yes
If yes, Date(s): 3/8/2012

Students: Matt Gapp and Abbey Braaten
Date contacted: 3/5/2012
Provided input: Yes
If yes, Date(s): 3/8/2012

School Administrators: Mitch Jorgensen, Daryl Timian, & Rich Rogers
Date contacted: 3/5/2012
Provided input: Yes
If yes, Date(s): 3/8/2012

Law enforcement: Paul Podhradsky
Date contacted: 3/5/2012
Provided input: Yes
If yes, Date(s): 3/8/2012

Domestic violence sexual assault organizations: Michele Gratton & Jolene Halldorson
Date contacted: 3/5/2012
Provided input: Yes
If yes, Date(s): 3/8/2012

Community representatives: Scott Stewart
Date contacted: 3/5/2012
Provided input: Yes
If yes, Date(s): 3/8/2012

EXHIBIT

Descriptor Code: ACEA-E1

Have the Board perform a first and second reading of bullying policy at a regular or special meetings.

Date of first reading: 3/12/2012

Date of second reading: 4/12/2012