

## **Minnesota Valley Education District Harassment/Bullying/Hazing**

Minnesota Valley Education District strictly prohibits harassment, intimidation and/or bullying of any student sexually, racially, religiously or in any form including hazing and cyberbullying through any and all means including through acts, threats, written and oral communication or electronic forms and forms involving the Internet. This is further defined under Minnesota law and supported by Minnesota Valley School to include: Intimidating, threatening, abusive, or harming 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 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 a student or students based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, age, marital status, familial status, socioeconomic status, physical appearance, sexual orientation, including gender identity and expression, academic status related to student performance, disability, or status with regard to 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.

### A. Sexual Harassment: Definition-

1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication (including the use of electronic technology/communications) of a sexual nature when:
  - a. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining an education; or
  - b. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education; or
  - c. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's education or creating an intimidating, hostile or offensive educational environment.
2. Sexual harassment may include, but is not limited to:

- a. Unwelcome verbal harassment or abuse;
- b. Unwelcome pressure for sexual activity;
- c. Unwelcome, sexually motivated or inappropriate patting, pinching or physical contact, other than necessary restraint of students by teachers, administrators or other school personnel to avoid physical harm to persons or property;
- d. Unwelcome sexual behavior in words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's educational status;
- e. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's educational status; or
- f. Unwelcome behavior or words directed at an individual because of gender.

**B. Racial Harassment: Definition-**

Racial harassment consists of physical or verbal conduct relating to an individual's race when the conduct:

- 1. Has the purpose or effect of creating an intimidating, hostile or offensive academic environment.
- 2. Has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
- 3. Otherwise adversely affects an individual's academic opportunities.

**C. Religious Harassment: Definition-**

Religious harassment consists of physical or verbal conduct which is related to an individual's religion when the conduct:

- 1. Has the purpose or effect of creating an intimidating, hostile or offensive academic environment.
- 2. Has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
- 3. Otherwise adversely affects an individual's academic opportunities.

**D. Hazing: Definition-**

Hazing is the practice of [rituals](#) and other activities involving [harassment](#), [abuse](#) or [humiliation](#) used as a way of [initiating](#) a person into a [group](#).

**E. Bullying: Definition-**

Intimidating, threatening, abusive or harming conduct that is objectively offensive and there is an actual or perceived imbalance of power between the student engaging in prohibited conduct and that 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.

F. Cyberbullying: Definition-

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 Web site or forum, transmitted through a computer, cell phone, or other electronic device such as content that contains obscene words or images, advocates illegal conduct, or otherwise materially and substantially disrupts the learning environment.

Any person who believes he/she has been the victim of sexual, racial or religious harassment, hazing or bullying by a pupil, teacher, administrator or other school personnel of Minnesota Valley Education District, or any person with knowledge or belief of conduct which may constitute harassment should report the information immediately to an appropriate MVED official designated by this policy.

Upon receipt of a report of bullying and/or harassment, the Harassment Officer will investigate and/or designate another qualified person to investigate the claim thoroughly by interviewing all parties involved and gathering any relevant collateral information. Anonymous reports will be reviewed and may be, however, determinations will not be made solely on information reported anonymously.

The MVS will discipline or take appropriate action against any student or adult who retaliates against a person who makes a good faith report of alleged harassment. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment. MVS' Code of Conduct indicates that students and staff will respect the rights and needs of others and respect the learning of others. Bullying and Harassment violate that Code of Conduct and the following actions will be taken, based upon the frequency, duration and severity of the offense:

Level I Behaviors (Including, but not limited to: Initial incidents of harassment or bullying against peers and reported to the Harassment Officer)

1. The completion of a Thinking Report or other processing sheet
2. A Commitment Statement is created and read to the victim

3. Education about what bullying/harassment is and consequences if such behavior continues (see Level II and III Behaviors)
4. Documentation of the behavior
5. Parent/Guardian contact of both the perpetrator and the victim

Level II Behaviors (Including, but not limited to: Second reports of harassment or bullying against peers or more serious initial reports of harassment)

1. The completion of a Thinking Report or other processing sheet
2. A Commitment Statement is created and read to the victim
3. Mediation is offered to the victim if appropriate
4. Documentation of the behavior
5. Parent/Guardian contact of both the perpetrator and the victim
6. A minimum of 60 minutes of additional skills training to address the proficiencies the student needs to not engage in the prohibited conduct
7. An Individual Education Planning meeting will also be convened and additional consequences may be determined at that meeting

Level III Behaviors (Including, but not limited to any subsequent reports of bullying and/or harassment)

1. The completion of a Thinking Report or other processing sheet
2. Documentation of the behavior
3. Parent/Guardian contact of both the perpetrator and the victim
4. Additional consequences can include and are not limited to:
  - a. In School Suspension
  - b. Out of School Suspension
  - c. Additional/Ongoing skills training and education: Including, but not limited to- Essay writing, journaling, direct skills training, etc.
  - d. Referral additional mental health services in school (Individual, group and/or family therapy and/or skills)
  - e. Referral for additional mental health services outside of school (Children's Mental Health Case Management, Diagnostic Assessment, etc.)
  - f. Referral to Law Enforcement for charges
  - g. Changes to a student's Individual Education Plan (IEP) and/or Positive Behavior Support Plan (PBSP) that include a change in

interventions and/or more restrictive services (residential placement, home-based services, one-to-one paraprofessional, etc.)