

*Adopted: October 23, 2023*

*Revised:*

**AGAMIM CLASSICAL ACADEMY POLICY**  
*Students, No. 506*

**BULLYING PREVENTION & RESPONSE**

**I. PURPOSE**

Agamim Classical Academy is committed to making school a safe and caring environment for all students. We will treat each other with respect and refuse to tolerate bullying of any kind. We will endeavor to be kind and respectful in our interactions with others. It is especially important for adults to model these behaviors in order to provide positive examples for student behavior.

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 a student's ability to learn and/or a teacher's ability to educate students in a safe environment. The school 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 school and the rights and welfare of its students and is within the control of the school in its normal operations, the school intends to prevent bullying and to take action to investigate, respond to, and to remediate and apply necessary discipline for those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the school in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similarly disruptive and detrimental behavior.

**II. GENERAL STATEMENT OF POLICY**

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited:
1. on school premises, at school functions or activities, on school transportation;
  2. by the use of electronic technology and communications on the school premises; during school functions or activities; on school transportation; or on school computers, networks, forums, and mailing lists; or
  3. by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.

- B. A school-aged child who voluntarily participates in an Agamim school activity, such as a cocurricular or extracurricular activity, is subject to the policy provisions applicable to the Agamim students participating in the activity.
  
- C. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school or the safety or welfare of the student or other students, 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. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school property and/or with or without the use of school resources. This policy also applies to sexual exploitation.
  
- D. Malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, chapter 363A is prohibited. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.  
  
Malicious and sadistic conduct and sexual exploitation by a school staff member, independent contractor, or enrolled student against a staff member, independent contractor, or student that occurs as described in Article II.A above is prohibited.
  
- E. No teacher, administrator, volunteer, contractor, or other employee of the school shall permit, condone, or tolerate bullying.
  
- F. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
  
- G. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
  
- H. False accusations or reports of bullying against another student are prohibited.
  
- I. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school's policies and procedures, including the school discipline policy 517. The school may take into account the following factors:

1. The developmental ages and maturity levels of the parties involved;
2. The levels of harm, surrounding circumstances, and nature of the behavior;
3. Past incidences or past or continuing patterns of behavior;
4. The relationship between the parties involved; and
5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The school shall employ developmentally appropriate best practices that include preventive and remedial measures and effective discipline in order to help deter violations of this policy. The school will engage students, families, and/or the community as needed to support this policy's implementation.

Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school property and events.

- J. The school will act to investigate all complaints of bullying reported to the school and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school who is found to have violated this policy.

### **III. DEFINITIONS**

For purposes of this policy, the definitions included in this section apply.

- A. "Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
  1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, 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.

The term, “bullying,” specifically includes cyberbullying, malicious and sadistic conduct, and sexual exploitation.

- B. “Cyberbullying” means 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, that is transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises/property; at school functions or activities; on school transportation; on school computers and electronic devices, networks, forums, and mailing lists; or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. “Intimidating, threatening, abusive, or harming conduct” means, but is not limited to, conduct that does the following:
  1. 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;
  2. 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; or
  3. 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 with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.
- E. “Malicious and sadistic conduct” means 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.

- F. “On school premises/property, at school functions or activities, or on school transportation” means all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school grounds, premises, or events; and all school-related functions, school-sponsored activities, events, or trips. School property also may mean a student’s walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school does not represent that it will provide supervision or assume liability at these locations and events.
- G. “Prohibited conduct” means bullying or cyberbullying, malicious and sadistic conduct, sexual exploitation, or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about prohibited conduct.
- H. “Remedial response” means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- I. “Student” means a student enrolled in a public school or a public charter school.

#### **IV. REPORTING PROCEDURE**

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school officials designated by this policy. A person may report bullying anonymously. However, the school may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school encourages the reporting party or complainant to use the report form available on the school’s website, from the Executive Director or their designee, or from the school office, but oral reports shall be considered complaints as well.
- C. The Executive Director, the Director’s designee, or the building supervisor/administrator (hereinafter the “building report taker”) is the person responsible for receiving reports of bullying or other prohibited conduct. Any person may report bullying or other prohibited conduct directly to a school human rights officer or the Executive Director. If the complaint involves the building report taker, the complaint shall be made or filed directly with the Executive Director or the school’s board chair (if the complaint involves the Executive Director) officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

- 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 witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.
- G. The school 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 school's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

## **V. SCHOOL ACTION**

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school shall undertake or authorize an investigation by the building report taker or a third party designated by the school.

- B. The building report taker or other appropriate school officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. The school's action taken for violation of this policy will be consistent with applicable statutory authority (including the Minnesota Pupil Fair Dismissal Act), the school's student discipline policy 517, and other applicable school policies and regulations.
- E. The school is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school. School officials will notify the parents/guardians of students who are targets of bullying or other prohibited conduct. School officials also will notify the parents/guardians of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident to tell them of the remedial or disciplinary action taken (to the extent permitted by law).
- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in bullying or other prohibited conduct.

## **VI. RETALIATION OR REPRISAL**

The school will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct; who provides information about bullying or prohibited conduct; who testifies, assists, or participates in an investigation of alleged

bullying or prohibited conduct; or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct.

Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

## **VII. TRAINING AND EDUCATION**

- A. The school shall discuss this policy with school personnel and volunteers and provide appropriate training to school personnel regarding this policy. The school shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school. The school may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included or referenced in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct shall also be used to publicize this policy.
- B. The school shall require ongoing professional development, consistent with Minnesota Statutes section 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
  - 1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
  - 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
  - 3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
  - 4. The incidence and nature of cyberbullying; and
  - 5. Internet safety and cyberbullying.
- C. The school annually will provide education and information to students regarding bullying, including information regarding this school policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.



- D. The administration of the school is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct; to respect diversity, equity, and inclusion in school and society; to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct; and to make effective prevention and intervention programs available to students.

The administration must establish strategies for creating a positive school climate and use evidence-based/best practices for social-emotional learning to prevent and reduce bullying, harassment, discrimination, and other improper conduct.

The administration is encouraged to, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:

1. Engage all students in creating a safe and supportive school environment;
  2. Partner with parents and other community members to develop and implement prevention and intervention programs;
  3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
  4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
  5. Teach students to advocate for themselves and others;
  6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
  7. Foster student collaborations that, in turn, foster a safe and supportive school climate.
- F. The school may implement violence prevention and virtue/character development education programs to prevent or reduce policy violations.
  - G. The school shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school may accomplish this requirement by inclusion of all or applicable

parts of its protection and privacy of pupil records in the school's policy 518.

## **VIII. NOTICE**

- A. The school will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy must be conspicuously posted in the administrative offices of the school.
- C. This policy must be distributed to each school employee and independent contractor at the time of hiring or contracting.
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy 517 distributed to parents at the beginning of each school year.
- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school's website.
- F. The school must develop a process for discussing this policy with students, parents of students, independent contractors, and school employees.

## **IX. POLICY REVIEW**

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minnesota Statutes section 121A.031 and 121A.0312 and other applicable law.

### ***Cross References:***

Agamim Policy 517: Discipline  
Agamim Policy 518: Protection and Privacy of Student Records  
Agamim Policy 406: Public and Private Personnel Data  
[Minnesota Pupil Fair Dismissal Act](#)

## **APPENDIX A**

**AGAMIM POLICY 506: BULLYING PREVENTION AND RESPONSE**  
*Summary Handout for Students, Families, Staff, and Volunteers*

**DEFINITIONS**

- A. **“Bullying”** means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
1. an actual or perceived **imbalance of power** exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, 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.

**The term, “bullying,” specifically includes cyberbullying, malicious and sadistic conduct, and sexual exploitation.**

- B. **“Cyberbullying”** means 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, that is transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises/property; at school functions or activities; on school transportation; on school computers and electronic devices, networks, forums, and mailing lists; or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.

- C. **An act of bullying, by either an individual student or a group of students, is expressly prohibited:**

1. on school premises, at school functions or activities, on school transportation;
2. by the use of electronic technology and communications on the school premises; during school functions or activities; on school transportation; or on school computers, networks, forums, and mailing lists; or
3. by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.

- D. **“On school premises/property, at school functions or activities, or on school transportation”** means all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school grounds, premises, or events; and all school-related functions, school-sponsored activities, events, or trips. School property also may mean a student’s walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school does not represent that it will provide supervision or assume liability at these locations and events.

- E. **“Prohibited Conduct”** means bullying or cyberbullying, malicious and sadistic conduct, sexual exploitation, or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about prohibited conduct.

### **AGAMIM STUDENT EXPECTATIONS**

Agamim Classical Academy students must not bully others, must not be a bystander to bullying, and must report bullying to an adult/staff member. Students are expected to do the following:

- A. Treat others with care and respect;
- B. Refuse to bully others;
- C. Refuse to let others be bullied;
- D. Refuse to watch, laugh, or join in when someone is being bullied;
- E. Intervene by reporting bullying immediately to an adult/staff member;
- F. Include everyone in activities, especially those who are often left out.

### **AGAMIM STAFF EXPECTATIONS**

All staff at Agamim Classical Academy are expected to do the following things to prevent bullying and help everyone feel safe at school:

- A. Closely supervise students;
- B. Watch for signs of bullying, intervene, and stop it when it happens;
- C. Respond immediately and sensitively to bullying reports using an appropriate response process;
- D. Report bullying to the School Executive Director or Assistant Director;
- E. Notify the Executive Director when efforts to address the bullying prove unsuccessful;
- F. Help create a school culture of care and respect by modeling and fostering these traits.

### **AGAMIM VOLUNTEER EXPECTATIONS**

Volunteers at Agamim Classical Academy are expected to do the following things to prevent bullying and help everyone feel safe at school:

- A. Watch for signs of bullying, intervene, and stop it when it happens;
- B. Respond quickly and sensitively to bullying reports using an appropriate response process;
- C. Report bullying immediately to the School Executive Director or Assistant Director;
- D. Help create a school culture of care and respect by modeling and fostering these traits.

### **EXPECTATIONS FOR SCHOOL ADMINISTRATORS**

Agamim Classical Academy administrators are expected to foster a school culture of care and respect. The Executive Director is expected to oversee the following, at a minimum:

- A. Ensure that the topic of bullying prevention is addressed on a regular basis at staff meetings;
  - B. Provide staff training for all school personnel on this policy and on preventing, identifying, intervening, and responding to bullying. The training cycle must not exceed a period of three school years. Newly employed school personnel must receive the training within the first year of their employment.
  - C. Require ongoing professional development to build the skills of all school personnel who regularly interact with
- Agamim Policy Number 506 | Page 12

students, to identify, prevent, and appropriately address bullying. The professional development must include, but is not limited to, information about: 1) developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop bullying; 2) the complex dynamics affecting actor, target, and witness to bullying; 3) research on bullying, including specific categories of students at risk of bullying in school; 4) the incidence and nature of cyberbullying; and 5) Internet safety and cyberbullying.

- D. Establish strategies for creating a positive school climate and the use of evidence- based/best practices for social-emotional learning to prevent and reduce bullying, harassment, discrimination, and other improper conduct.
- E. Use parent surveys or other appropriate methods to obtain input from stakeholders relevant to the topic of bullying prevention and/or safety at Agamim Classical Academy.
- F. Ensure that this policy is annually discussed with students, school personnel, and volunteers.
- G. Conspicuously post this policy in the administrative offices of the school (\*may be posted in summary form).
- H. Give this policy to each employee, volunteer, and independent contractor (if the contractor regularly interacts with students), at the start of employment/work with the school.
- I. Include this policy in the student handbook.
- J. Include this policy on the school’s website alongside other school board policies.