



Fond du Lac Ojibwe School
Bully Prohibition Policy

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Bullying Prohibition Policy

PURPOSE

The Fond du Lac Ojibwe School strives to provide safe, secure, and respectful learning environments for all students in school buildings, on school grounds, on school buses, and at school-sponsored activities. Bullying is conduct that interferes with a student's ability to learn and a teacher's ability to educate. Students and staff must behave according to our core values, Mino-bimaadiziwin, promote spiritual, emotional, and physical wholeness of individuals, families, communities, and tribal nations. All students and staff will walk this path together and work toward the betterment of all Indigenous people and all communities.

The Good Path of the Anishinaabeg is to:

Honor the creator

Honor the elders

Honor plants and animals

Honor women

Keep our promises and uphold our pledges

Show kindness to everyone, even to those you disagree

Be peaceful in mind and spirit

Be courageous

Be moderate in thoughts, words, and deeds

The Seven Teachings:

Gikendaasowin Wisdom

Zaagi'idiwin Love

Debewin Truth

Gwayako Bimaadiziwin Honesty

Nibwaakaawin Humility

Ozhiibwaadenidwin Respect

Zoongede'win Bravery

The Good Path values reflect an indigenous philosophy, a way of life. As such, all students attending the Fond du Lac Ojibwe School will be held accountable for demonstrating behavior that meets or exceeds the values.

This policy protects students against bullying and retaliation by other students. This policy also protects any student who voluntarily participates in any school function or activity from prohibited conduct, whether the student is enrolled in the school or not.

The purpose of this policy is to assist the Fond du Lac Ojibwe School in its goal of preventing and responding to acts of bullying, violence, intimidation, reprisal, retaliation, and other similar disruptive and detrimental behaviors.

The Fond du Lac Ojibwe School cannot monitor the activities of students at all times and eliminate all incidents of bullying, particularly when students are not under the direct supervision of school personnel.

This policy can be found in the school's student handbook, within the school administrative offices, and electronically at Fond du Lac Ojibwe School's webpage. The policy is also provided to all school employees, independent contractors, and volunteers who interact with students.

GENERAL STATEMENT OF POLICY

1. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on school property, at school functions or activities, or on school transportation. 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 or 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 district property and/or with or without the use of school resources.
2. No teacher, administrator, volunteer, contractor, or other employee of the school shall participate in, permit, condone, or tolerate bullying.
3. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
4. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
5. False accusations or reports of bullying against another student are prohibited.
6. 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 schools discipline policy. The school may consider the following factors:
 - a. The developmental ages and maturity levels of the parties involved;
 - b. The levels of harm, surrounding circumstances, and nature of the behavior;
 - c. Past incidences (within previous year) or continuing patterns of behavior;
 - d. The relationship between the parties involved; and
 - e. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from remedial responses, positive and/or restorative interventions up to and including suspension and/or expulsion. The school shall employ-research based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the school, and foster student, parent and community participation.

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

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

7. 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 district who is found to have violated this policy.

DEFINITIONS

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

1. "Bullying" is objectively offensive intimidating, threatening, abusive or harmful conduct directed by a student toward one or more students: when either (1) there is a real or perceived imbalance of power between those involved and the conduct reoccurs or forms a pattern; or, (2) the conduct materially and substantially interferes with the student's educational opportunities, performance, or ability to participate in school functions, activities or programs. A one-time incident is not bullying; it requires multiple acts.

Bullying can be, but need not be, based on an individual'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, status with regard to public assistance, age, or any additional protected characteristic. Bullying in this policy includes "cyberbullying," as defined below.

2. "Cyberbullying" is bullying that occurs when an electronic device, including, but not limited to, a computer or cell phone, is used to transfer a sign, signal, writing, image, sound or data and includes a post to a social network, Internet website or forum.
3. "Intimidating, threatening, abusive, or harming conduct" means, but is not limited to, conduct that does the following:
 - a. Causes physical harm to a student or a student's property or causes a student to be in reasonable fear or of harm to person or property.
 - b. 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.
 - c. 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, 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 protected characteristic. However, prohibited conduct need not be based on any particular characteristic.
4. "Prohibited conduct" means bullying or cyberbullying as defined under this subdivision or retaliation for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.
5. "Remedial response" is appropriately prompt action taken to intervene, investigate, correct and prevent bullying from recurring, including protecting and supporting a student subjected to bullying and those who provided aid and support to the student.
6. "School" means a public or public charter school.

7. "Student" means a student enrolled in a public or charter school.

PROHIBITED CONDUCT

Bullying is prohibited:

1. On school property, school district-provided transportation, or at designated locations for students to wait for school district-provided transportation.
2. During any school-sponsored or school-sanctioned program, activity, event or trip.
3. Using school computers, electronic technology, networks, forums or mailing lists.
4. Using electronic technology off the school premises that materially and substantially disrupts a student's learning or school environment.

Apparent permission or consent by a student does not mean that bullying should be tolerated or allowed.

INITIAL RESPONSE AND REPORTING

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 superintendent.

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.

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:

1. Immediately intervene to protect the safety of the student subjected to the incident and other students involved, as appropriate to the context.
2. Make reasonable efforts to address and resolve the incident, including reporting the incident to the principal/designee, as deemed appropriate.
3. Cooperate fully in any investigation and resolution of the bullying incident.

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 is strongly encouraged to report the bullying incident to the principal/designee or any school employee and cooperate fully in any investigation and resolution of the bullying incident.

Anonymous reports will be accepted by the principal/designee. However, no disciplinary action will be determined solely on the basis of an anonymous report.

INVESTIGATION

Information Pertaining to Bullying Incidents:

The use of, access to, and disclosure of information pertaining to reports and investigations of prohibited conduct are subject to the school's data practices rules. The school 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 school's data practices rules.

School District Action

1. Within three school 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 district.
2. 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.
3. 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.
4. 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 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 consider the factors specified in this policy.
5. 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 district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law; and in a timely manner.
6. 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.

REMEDIAL RESPONSE

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. 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. 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. When appropriate, the school shall provide the target, actor, and other affected individuals with information about available community resources to aid in the remedial process.

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 or 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 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 appropriate and/or sufficiently severe to deter violations and to discipline individual(s) engaging in prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall consider the factors listed in this policy.

PROFESSIONAL DEVELOPMENT AND EDUCATION

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:

1. Strategies to prevent, intervene and effectively stop bullying in a manner developmentally appropriate to the context of an incident.
2. Information about the complex interaction and power differential that can take place between and among an actor, target, and witness to bullying.
3. 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.
4. Information about Internet safety issues as they relate to bullying.
5. A review of the school's reporting requirements related to bullying.

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 superintendent 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.

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.