

## **Safe and Supportive Minnesota Schools Act**

### **Frequently Asked Questions**

In April 2014, the Minnesota Legislature passed the Safe and Supportive Minnesota Schools Act as a means of strengthening bullying prevention and intervention efforts in Minnesota schools.

Following are answers to questions Minnesota Department of Education has received about the bill.

[Read the full statute on the Revisor website.](#)

#### **When will the state model policy be available?**

A process is underway to draft the policy. Once drafted, it will go before the School Safety Technical Assistance Council for discussion and endorsement.

#### **What is the School Safety Technical Assistance Council?**

The 23-member council will consist of:

- One representative from each of these state departments: Education, Corrections, Public Safety, Health, Human Services, Human Rights, and Higher Education.
- One representative from each of the following state associations: school administrators, school boards, elementary school principals, secondary school principals, charter schools, and Education Minnesota.
- Open appointments (two each) selected by the commissioner of education representing parents, youth and school support personnel. [Read application information, which will be posted on June 1, 2014, at the Minnesota Secretary of State Open Appointments page.](#)
- Two appointees from local law enforcement appointed by the commissioner of public safety.
- Two appointees of the judicial branch appointed by the chief justice of the Supreme Court.

#### **What is the definition of bullying?**

The legislation provides a comprehensive definition:

"Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:

- (1) There is an actual or perceived imbalance of power between the student engaging in prohibited conduct and the target of the behavior 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.

## What is the definition of cyber bullying?

"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, transmitted through a computer, cell phone, or other electronic device.

## Does the bill require districts to report all incidents of bullying to the state?

**No.** School districts only report incidents of bullying or cyberbullying that result in a **suspension and expulsions of a day or more** for regular education students and for any length suspension for a special education student through the existing Disciplinary Incident Reporting System (DIRS) (<http://education.state.mn.us/MDE/SchSup/DataSubLogin/DisclncReport/>).

## Is the department going to provide a curriculum that every district needs to implement?

**No.** The goal is to collect and disseminate multiple evidence-based practices, tools and strategies to schools, parents and interested community members for discussion and local implementation.

## Who should be the designated primary contact person for reporting the "prohibited conduct" and whose responsibility is to monitor report and ensure compliance with the bill?

Districts decide who serves that role.

## Will this law require that districts add a full-time staff person whose responsibility is to monitor, report and ensure compliance with the bill?

**No.** Districts allocate their resources as needed.

## Is the school administrator or the designated contact person required to contact parents of both the student who bullies and the targeted student every time a student reports bullying?

**Yes.** The law says that when an incident of bullying is identified, the school official will notify the parents of the student(s) who were harmed and the student(s) who did the harm.

## My school has a box where students can report bullying anonymously. As the school social worker, I investigate each report. Do I have to report this data to the state?

**No.** School districts are to report incidents of bullying or cyberbullying that result in a **suspension or expulsion of a day or more** for regular education students and for any length suspension for a special education student through the existing disciplinary reporting system.

## What if every child thinks they are bullied, even though they were just pushed on the playground?

The statute provides a definition that can help distinguish bullying behaviors from other harms and rule violations.

- Bullying is repeated—it happens more than once.
- There is a real or perceived imbalance of power.
- The person who bullies intends to cause harm.

### **Is the state going to provide funding to the districts for training?**

Technical assistance will be provided to schools and communities requesting help. How that training and technical assistance is supported in local communities is still being finalized.

### **Are districts required to adopt the state's model policy?**

**No.** School districts are required to adopt a policy that is consistent with the statute. They have the option to use the state model policy developed by the department or they may write their own policy.

### **Do non-public and home schools have to adopt this policy?**

**No.** Non-public schools and home schools are encouraged to electronically transmit their anti-bullying policy to the department as part of their school accreditation cycle, but they are not required to report. But, when a nonpublic school student attends a public school-sponsored event (sports or other extra-curricular activity) they will be expected to follow the policy adopted by the sponsoring district.

### **Who is the best person in a district to oversee the bullying prevention and interventions efforts required by the bill?**

District leadership will assess their schools' needs for implementation of the policy and chose the appropriate person to take reports and oversee the prevention and intervention work.

### **What role can parents and family members play in making districts comply with the bill?**

Parents and family members can work with the school building or district administrator as they develop their policy and implementation plan. Districts are required to seek the input of parents and students in development and review of their discipline policy.

Parents can review district policy with their children, and ask for clarification from the administration, your student's teachers and the school board.

### **What is the School Safety Technical Assistance Center?**

The Safe and Supportive Minnesota Schools Act establishes the School Safety Technical Assistance Center to be housed in the Department of Education. Within the department, the center will be located in the Division of Safety, Health and Nutrition. The center will provide technical assistance to districts, charter schools, and interested community members on evidence-based practices for bullying prevention and intervention.

### **Will alternative learning centers be able to get technical assistance, like the main schools?**

**Yes.** Any administrator or school staff member can contact the center for technical assistance.

### **How will this law affect special education students?**

The statute (Minn. Stat. § 6.23-28) indicates that if a student with a disability is either an actor or a target of bullying, the school should use the student's 504 plan or individualized education program for remediation or support.

6