

Governor’s Task Force on the Prevention of School Bullying

Bullying Definition Subcommittee members:

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Definitions

Bullying

(a) “Bullying” means a student’s use of words, images, or actions, in a series of incidents, either through direct or indirect interactions between students or through technology, that a reasonable person would or should know, under the circumstances, will have the effect of interfering with the ability of one or more other students, including students who observe the conduct, to receive an education in a safe and supportive environment. Examples of bullying may include, but are not necessarily limited to, conduct that:

- I. places one or more other students in reasonable fear of harm to person or property, including through intimidation;
- II. has a detrimental effect on the physical or mental health of one or more other students;
- III. interferes with the ability of one or more other students to participate in or benefit from, or encouraging the deliberate exclusion of one or more other students from, the services, activities, or privileges provided by or occurring at a school;
- IV. creates or promotes an ongoing perceived imbalance of power between students;
- V. defames, or violates the reasonable expectation of privacy of, one or more other students;
- VI. is so severe, pervasive, or objectively offensive that it substantially interferes with the student(s) educational opportunities; or
- VII. relates to the actual or perceived race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation (including gender identity), or disability, of that person or of a person with whom that person associates, but which would not rise to the level of harassment.

(b) “Bullying” includes, but is not limited to, conduct directed by a student toward one or more other students in a school or on school-district premises; in a vehicle owned or leased by a school or school district; at any school or school district sanctioned or sponsored activity or event; in electronic forums in which at least one of the parties participates in school-related activities; or in physical or electronic forums not directly related to a school or school district but where the conduct nevertheless interferes with a student’s educational opportunities.

Harassment:

Harassment is a student's use of words, images, or actions, in a single significant incident or a series of incidents, either through direct or indirect interactions between students or through technology, relating to the actual or perceived race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation (including gender identity), or disability of one or more students, or of one or more individuals with whom a student associates, when the conduct:

- a. has the purpose or effect of creating an intimidating, hostile, or offensive educational environment;
 - b. has the purpose or effect of substantially or unreasonably interfering with an individual's educational performance;
- or
- c. otherwise adversely affects an individual's educational opportunities.

Additional Definitions:

Words: Words includes verbal acts, such as name-calling, demeaning jokes and teasing, and the transmission of sounds through electronic means, and nonverbal behavior, such as graffiti and written statements.

Images: Images include pictures, and other data shared in person or through electronic means.

Actions: Actions include gestures, physical acts, and/or conduct that is physical threatening, harmful or humiliating.

Bullying includes cyber bullying and conduct that intimidates one or more students.

Bystander: one or more students who observe the bullying conduct.

Cyber-bullying: Cyber bullying" means bullying through the use of technology or any electronic communication, including, but not limited to, a transfer of signs, signals, writing, images, sounds, or data, including a post on a social network internet web site, transmitted by the use of computers, cell phones, or other electronic devices. (mixture of Maine, California and Patchin).

Social exclusion: is repeated conduct by one or more students with the intent to ignore, isolate, exclude, or shun one or more students.

Off-campus conduct: Takes place elsewhere or through the use of technology, but only if the bullying also infringes on the rights of the student at school as defined in subdivision 1(a).

Reasonable person: Taking into consideration the student's age, developmental level, and disability status to determine if the conduct was intended to harm another person.

Intimidation: intimidation means an act done to another with intent to cause fear of physical harm.