

Amended Draft 7-18 PSBTF Report.docx:

IV. Bullying Formative Interventions and Discipline

Graduated, supportive and formative discipline and restorative practices ~~discipline~~—in addition to formal discipline needs to be encouraged. The best way to stop bullying behaviors is through education strategies focused on prevention. Such educational strategies must include students and all school staff, inclusive of volunteers, who have direct contact with those students. Behaviors which are detrimental to the safe school environment have consequences for both students and adults. Those consequences, however, must be appropriate to the behavior and placed within a developmentally appropriate or supervisory context whenever possible.

AMENDMENT for 7-26:

IV. Formative Interventions and Discipline

The goals of responding to bullying behavior are to stop the aggressive behavior, support the students who have been harmed, teach that bullying is harmful and not allowed in order to help all involved young people learn—and change—from the experience.

The best way to prevent bullying behaviors is through the implementation of a whole school climate program. Because bullying is a relationship problem that requires relationship solutions (Pepler & Craig, 2006), responses to bullying should promote healthy relationships.

Formative discipline is defined as activities that not only provide a clear message that bullying is unacceptable, but also develop respect and empathy for others, help students make amends and associate power with kindness and pro-social activities (PREVNet, 2011).

When the school climate is founded on restorative principles rather than solely punitive policies, misbehavior is understood as a violation of relationships, not rules; thus repair of relationships and support (rather than isolation through suspension or expulsion) of the wrongdoer is likely to reduce bullying. (Smith, 2008)

Therefore, the Task Force recommends districts include formative discipline and restorative practices in addition to using graduated sanctions in their discipline policy. Bullying prevention research indicates that effective interventions are ones that:

- “Are evidence-based, age and gender appropriate, and led by adults;
- Include involved children, peers, parents, teachers, and community;
- Are based on the assessment of the problem and those involved;
- Build relationship skills while also reducing negative behavior ;

- Have specific outcomes and formalized evaluation procedures;
- Involve constant monitoring and support to sustain their effectiveness.” (PREVNet, 2011).

(See Appendix E, *Definitions*, for a definition of restorative interventions, formative discipline peer mediation and discussion regarding the differences between conflict mediation and restorative practices.)

Despite their widespread use, research regarding zero tolerance policies indicates that it does not increase student safety or reduce bullying, can have a negative effect on academic achievement and can be disproportionately applied to special education students, students of color and gay, lesbian, bisexual and transgender students. Such a policy is not recommended by the Task Force (Disproportionate Minority Representation in Suspensions and Expulsions, MDE 2010, Biegel and Kuehl, 2010).

In addition to being aware of and taking steps to correct possible discriminatory discipline practices, districts should avoid inappropriate referral of student to special education, which can have a particularly negative impact on marginalized and disenfranchised groups, such as students of color and gay, lesbian, bisexual and transgender students (Biegel and Kuehl, 2010).

Policy and Implementation

The Task Force recommends that a baseline bullying prevention policy be enacted for all districts, so that students and parents can expect consistency in policy and implementation within each school district throughout the state. In essence, no student should be less protected in one [Minnesota](#) school-district than another. The policy shall include:

1. Reporting procedures such as:
 - a. Provisions for educators and school personnel to address - and report - a bullying situation that they witness;
 - b. Provisions for educators and school personnel to address - and report - a bullying situation that they have not witnessed, but of which they have knowledge;
 - c. Provisions to provide additional services for those students who have been subjected to on-going bullying behaviors;
 - d. Provisions to provide additional services for those students who have demonstrated on-going bullying behaviors;
 - e. Provisions for staff training on how to address bullying behaviors and to report them.
2. Consequences for bullying behaviors may include formative discipline, restorative practices, counseling, and class transfer. Consequences may also include but not be limited to warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. In addition, upon review of an incident or incidents of bullying, the response may include [peer group](#), school-wide or district-wide training for students and/or staff.

3. Communication with parents/guardians and students may include:
 - a. A communication plan built into a restorative process which would address sharing of information related to the bullying behavior and the accountability steps agreed to by all participants.
 - b. If a restorative process is not used, districts should provide support and follow up with the student who has been bullied including advising them of steps taken to ensure their safety, in accordance with the FERPA, and Chapter 13 of Minnesota Statutes, known as the "Minnesota Government Data Practices Act."
4. Provide consistent follow up and remediation efforts to the student who has been bullied and the student who initiates incidents of bullying, harassment and intimidation. Such actions should include:
 - a. A remediation plan for the student who does the bullying and continued observation;
 - b. Check-in with the student who was bullied (and if needed, the parents/guardians) a few weeks (or as needed) after the intervention to assess if the intervention resulted in an improved learning environment for the student;
 - b. Evaluation of the intervention to assess if the actions taken help restore the learning environment for all students, using both qualitative (surveys, questionnaires) and quantitative (behavior referrals) data.
5. Districts should inform students, parents and guardians of district policies, procedures and activities related to bullying, harassment, and intimidation. This should include:
 - a. Explaining and discussing district Bullying Prevention Policy, and Harassment and Violence Prohibition Policy with students annually;
 - b. Training staff on the district Bullying Prevention Policy and Harassment and Violence Prohibition Policy annually;
 - c. Communicating with parents and guardians about these policies with suggestions on how to reinforce and support the spirit of the policies at home;
 - d. Annually distributing all policies and reporting procedures to students and their families, which would include contact information for reporting bullying, harassment and intimidation to the district's Human Rights official, and making those policies and contact information clearly accessible on the district's website.
6. Each school building shall have a trained designated Human Rights staff person~~official~~ to whom all school building incidents of bullying, harassment and intimidation, are reported. The designated Human Rights official will be responsible for:
 - a. Recording and tracking reports of incidents of bullying, harassment and intimidation;
 - b. Ensuring that the appropriate staff responded to the incident and
 - i. investigated the incident;
 - ii. took steps, per the district policy to address the needs of the student who was bullied and the student who did the bullying;

- iii. communicated, as appropriate, to students, staff, and parents/guardians;
 - c. Summarizing the incident, the steps taken to address the incident and the evaluation of the effectiveness of the intervention, which would include checking in with the student who was bullied and forwarding the summary to the superintendent or their designee.
7. Each school district shall have a trained Human Rights official who will effectively address all reports of bullying, harassment and intimidation in compliance with the district's policy and state and federal laws.
 8. Each school district shall annually conduct a review of the Bullying Prevention policy (MS 121A.0695) and Harassment and Violence Prohibition policy (MS 121A.03). If applicable, said review should be done in conjunction with the district's annual improvement plan, making any necessary revisions and additions to the continuous improvement plan (CIMP) to improve school climate. The review should include both qualitative and quantitative data on bullying, harassment and intimidation, and climate.

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Definitions

Bullying and restorative processes If a student is bullied repeatedly, there is a power imbalance. The “win-win solution” of a peer mediation process is not appropriate and needs to be replaced with the student who bullied admitting to what he/she did, and agreeing to meet with the person who was hurt to make amends, repair harm and make a plan to change behavior. While a restorative process uses the tools of mediation—talking (about the harm), problem solving, making a plan—it also works to ensure safety so that all participants can address this complex problem.

A restorative process has three parts to it: a pre-meeting to prepare all participants; a face to face meeting to address and repair the harm, and follow-up to ensure that agreements to repair harm are completed. The person who was bullied and the person who did the bullying is asked what they need in order to talk together, such as ground rules and the support of family, friends or staff. A trained facilitator guides the process.

The community (family, friends and supportive adults of the student harmed and the student who did the harm) is involved to help hold the student who bullied accountable, while supporting that student to change behavior. The community offers support to the person who was bullied, re-enforces the message to bystanders that they can help prevent harm from happening, and reintegrates the wrongdoer back into the community with support and care. Best practices in restorative practices help to “even out” the power imbalance, so that all parties can work together to repair the harm and restore the community. (Morrison, 2007; Riestenberg, 2012). In contrast to the isolating effects of the punitive approach, the seeds are planted for reducing bullying and developing positive relationships in the long term. (Smith, 2008)

Peer mediation

Peer mediation is a negotiation-based strategy that teaches student mediators alternative strategies to help resolve conflict among their peers. In peer mediation, students trained as conflict managers apply problem-solving strategies to assist their peers in settling disputes in a manner satisfying to all parties. Such a strategy may help keep many minor incidents from escalating over time into more serious incidents. More importantly, peer mediation teaches students an alternative set of skills that they can apply in conflict situations. Over time, students in schools with effective peer mediation programs learn that there are alternatives to violence for solving personal problems or resolving interpersonal conflict (Skiba & Peterson, 2000)

Formative consequences not only provide a clear message that bullying is unacceptable, but also build awareness and skills to promote the student's responsibility, and positive leadership (Pepler and Craig, 2000) the effectiveness of formative consequences in reducing bullying has not been evaluated in isolation, however this form of consequences is an element of other empirically-evaluated programs (Olweus, 1991, 1993). Formative consequences provide support for children and youth to learn the relationship skills and acquire insights that they are lacking. In this way, the consequences for bullying can provide an opportunity to educate and support children and youth who are experiencing difficulties. When children bully their

privileges can be withdrawn and replaced by an instructive activity.

(PREVNet, <http://prevnet.ca/AboutUs/KeyMessages/tabid/103/Default.aspx>)

Restorative intervention is a face to face meeting, facilitated by a trained adult, which includes the person who has done the harm, the person who was harmed and other affected parties, such as family members and parents, classmates, faculty, staff or community members.

The purpose of the meeting is to make clear that the bullying behavior is not condoned by the community and to build empathy for all. The person who did the harm can make amends, give back to the school and a plan can be developed for behavior change and to ensure safety, if needed, for the person harmed. The community can identify ways to support the person harmed and the person who did the harm. “Rather than imposed punishments such as menial tasks or suspensions, offenders are encouraged to act in such a way as to restore damaged relationships with other, for example, by making appropriate reparation.” (Rigby, 2008).

Restorative Practices is a whole school approach that includes both prevention and intervention processes to re-affirm, repair and re-build relationship in schools. At the primary prevention level, they include practices such as the circle process or morning meeting to re-affirm relationships between students and staff; at the secondary level, interventions such as class problem-solving meetings or conflict resolution to repair relationships; and at the tertiary level, restorative group conferencing or circle to repair harm to rebuild relationships broken by harm and bullying. (Morrison, 2007).