

**Student Bullying****Policy Statement**

The Board of Education recognizes that bullying of students, including cyberbullying, significantly interferes with the learning process. Through this Policy, the Board prohibits bullying "at school", as defined below, as well as off-campus conduct that could likely lead to a material or substantial disruption of the school learning environment for one or more students.

This Policy is intended to protect all students from bullying, including cyberbullying, regardless of the subject matter or motivation for the behavior. The Board, through this Policy, also prohibits retaliation or false accusations against a target of bullying, as well as a witness or another person with reliable information about an act of bullying. The identity of an individual who reports an act of bullying shall remain confidential.

In order that this Policy be properly implemented, the Board directs that:

**Implementation**

*Responsible School Official.* The Principal of each school building is primarily responsible for implementing this Policy for the school to which he or she is assigned.

*Publication.* The Superintendent shall revise the District's Student Code of Conduct, consistent with this Policy, to specifically prohibit bullying and cyberbullying, as defined below. The Superintendent is directed to post this Policy on the District's website.

*Reporting.* The Superintendent shall report to the Board of Education, on an annual basis, all verified incidents of bullying, and the resulting consequences that were imposed.

*Administrative Regulations.* The Superintendent shall promulgate such administrative regulations as he/she may deem necessary for the implementation of this Policy. The regulations shall include all of the following:

- a procedure for an individual to report an act of bullying;
- a procedure for the prompt investigation of a report of an act of bullying by the building principal or his/her designee;

- a procedure for providing notification to the parent or guardian of both the claimed victim of an act of bullying and the parent or guardian of the alleged perpetrator;
- a procedure to protect the confidentiality of a person making a report of bullying;
- a procedure for documenting any prohibited bullying incident that is reported; and
- the procedure for the Superintendent to report to the Board of Education, on an annual basis, all verified incidents of bullying, and the resulting consequences that were imposed.

**Definitions.** The following definitions shall apply for purposes of this Policy:

*Bullying* means any written, verbal or physical act, or any electronic communication, including, but not limited to, cyberbullying, that is intended or that a reasonable person would know is likely to harm one or more District students, either directly or indirectly, by doing any of the following:

- (i) substantially interfering with educational opportunities, benefits or programs;
- (ii) adversely affecting a student's ability to participate in or benefit from educational programs or activities by placing a student in reasonable fear of physical harm or by causing substantial emotional distress;
- (iii) having an actual and substantial detrimental effect on a student's physical or mental health; or
- (iv) causing substantial disruption in, or substantial interference with, the orderly operation of the school.

*At school* means in a classroom, anywhere else on school premises, on a school bus or other school-related vehicle and at a school-sponsored activity or event, whether or not the activity or event is held on school premises. "*At school*" includes the off-premises use of a telecommunications access device or telecommunications service provider if the device or service provider is owned by or under the control of the District.

*Cyberbullying* means any electronic communication that is intended or that a reasonable person would know is likely to harm one or more pupils either directly or indirectly by doing any of the following:

- (i) substantially interfering with educational opportunities, benefits or programs;

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Federal and/or Michigan Law prohibits illegal discriminatory harassment based on sex, race, color, national origin, age, religion, height, weight, marital status or disability. Furthermore, the District will not tolerate illegal harassment of students within these protected classes by District Board of Education members, other District employees, students, parents, invitees, guests, volunteers, etc. These Procedures identify illegal harassment, subject to Federal and Michigan law, and establishes a process for investigating and resolving complaints of harassment made by District students.

Generally, illegal harassment occurs when a District student is subjected to unwelcome verbal or physical communication or conduct relating to his or her sex, race, color, national origin, age, religion, height, weight, marital status, transgender, gender or disability, when:

- Submission to the conduct or communication is made an explicit or implicit condition of utilizing or benefiting from the services, activities, or programs of the District;
- Submission to, or rejection of, the conduct or communication is used as a basis for a decision to exclude, expel or limit the student's conditions or privileges in the District;
- Such conduct or communication interferes with the student's education; creates a hostile or offensive educational environment; or, otherwise adversely affects the student's educational opportunities.

**Investigative Procedures**

Any District employee, parent, or student who believes a District student has suffered illegal discriminatory harassment shall report the incident(s) to the building Principal or Assistant Principal. The District's Superintendent, or his/her designee, will investigate and resolve any such complaint. The District will appoint a non-District employee to investigate complaints of illegal discriminatory harassment against the Superintendent or Board of Education members. The District will not retaliate against any person because s/he made a good faith complaint of illegal discriminatory harassment.

The person conducting the investigation will ascertain the basis of the complaint, including permitting the complainant to identify witnesses and potentially relevant documents. In the same fashion, the investigator will ascertain the position of the person about whom the complaint has been made. This part of the investigation should be completed within 10 school days, absent unusual circumstances.

The investigator will, based on his/her investigation, determine whether illegal discriminatory harassment occurred. This determination will be based on the totality of the circumstances including, but not limited to, factors such as:

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- The relationship between the parties;
- Surrounding circumstances;
- The nature of the behavior;
- How often the conduct occurred;
- The identity of the alleged perpetrator in relation to the alleged victim;
- The location of the alleged discrimination;
- The ages of the parties;
- The context in which the alleged incidents occurred; and
- Past incidents or past or continuing patterns of behavior involving the parties.

The investigator will also dispose of the complaint. This disposition may include:

- Actions to prevent the recurrence of illegal discriminatory harassment, or the fact and circumstances that led to the complaint;
- Reasonable and appropriate sanctions or discipline against any person the investigator concludes committed illegal discriminatory harassment; and
- A reasonable and appropriate remedy for any victim of illegal discriminatory harassment.

The investigator may also make an interim disposition pending the completion of the investigation and final disposition. The investigator should dispose of the complaint within 20 school days from the date it was presented, absent unusual circumstances.

The investigator will communicate the disposition of the complaint to the complainant and other involved parties on a need to know basis. The investigator's disposition will be final. However, any affected party dissatisfied with the investigator's disposition may pursue available legal remedies.

Complaints concerning illegal discriminatory harassment based on race, color, national origin, religion, sex, age, or disability may be filed with:

The Office for Civil Rights  
United States Department of Education  
600 Superior Avenue East  
Bank One Center, Suite 750  
Cleveland, Ohio, 44114