

Virtual Learning Academy of St. Clair County Board of Education Policy

Anti-Bullying Policy

The Virtual Learning Academy board of education recognizes that a school that is physically and emotionally safe and secure for all students and staff, will be better able to promote good citizenship, increase attendance and engagement, and supports academic achievement. The Virtual Learning Academy board of education expects students and staff to conduct themselves in a manner that promotes positive relationships and school climate, with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

To protect the rights of all students and staff for a safe and secure school environment, the board of education prohibits acts of bullying, including cyberbullying, harassment, and other forms of aggression and violence. Bullying or harassment, like other forms of aggressive and violent behaviors, interferes with both a school's ability to educate its students and a student's ability to learn. All administrators, faculty, staff, parents, volunteers, coaches, and students are expected to refuse to tolerate bullying and harassment and will demonstrate behavior that is respectful and civil. It is especially important for adults to model these behaviors (even when disciplining) in order to provide positive examples for student behavior.

"Bullying" or "harassment" is any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts – i.e., cyberbullying, through the use of internet, cell phone, computer, or wireless handheld device, currently in use or later developed and used by students) that is perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress and may be motivated either by bias or prejudice based upon any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristic, or is based upon association with another person who has or is perceived to have any distinguishing characteristic. Bullying or harassment also include forms of retaliation against individuals who report or cooperate in an investigation under this policy. Such behaviors are considered to be bullying or harassment whether they take place on or off school property, at any school-sponsored function, or in a school vehicle or at any time or place where a child's imminent safety or over-all wellbeing may be at issue.

"Bullying" is conduct that meets all of the following criteria:

- is perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress.

- is directed at one or more students.
- is conveyed through physical, verbal, technological or emotional means.
- substantially interferes with educational opportunities, benefits, or programs of one or more students.
- adversely affects the ability of a student to participate in or benefit from the school district's or public school's educational programs or activities by placing the student in fear of physical harm or by causing emotional distress.
- is based on a student's actual or perceived distinguishing characteristic (see above) or is based on an association with another person who has or is perceived to have any of these characteristics.

"Harassment" is conduct that meets all of the following criteria:

- Repeated or continuing unwanted contact perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress.
- is directed at one or more students or staff.
- is conveyed through physical, verbal, technological or emotional means.
- substantially interferes with educational opportunities, benefits, or programs of one or more students or staff.
- adversely affects the ability of a student to participate in or benefit from the school district's or public school's educational programs or activities because the conduct, as perceived by the student, is so severe, pervasive, and objectively offensive as to have this effect.
- is based on a student or staff's actual or perceived distinguishing characteristic (see above) or is based on an association with another person who has or is perceived to have any of these characteristics.

The scope of this policy includes the prohibition of every form of bullying, harassment, and cyberbullying/harassment, whether in the classroom, on school premises, immediately adjacent to school premises, when a student is traveling to or from school (portal to portal), or at a school-sponsored event, whether or not held on school premises. Bullying or harassment, including cyberbullying/ harassment, that is not initiated at a location defined above is covered by this policy if the incident results in a potentially material or substantial disruption of the school learning environment for one or more students or staff and/or the orderly day-to-day operations of any school or school program.

The Virtual Learning Academy board of education believes that a comprehensive health education curriculum, within the Whole School, Whole Community, Whole Child framework, helps students attain skills and knowledge vital to school success, a productive and healthy workforce and good citizenship. Critical skills include anticipating consequences of choices, making informed decisions, communicating effectively, resolving conflicts, and developing cultural competency.

The Virtual Learning Academy board of education recognizes that in order to have the maximum impact, it is critical to provide a minimum of annual training for school employees and volunteers who have significant contact with students on school policies and procedures regarding bullying and harassment to help promote a positive school climate. Training will provide school employees with a clear understanding of their roles and responsibilities and the necessary skills to fulfill them. (Examples of appropriate trainings include, but are not limited to, age-appropriate strategies to prevent bullying; age-appropriate strategies for immediate, effective interventions to stop incidents; internet safety issues as they relate to cyberbullying; and fostering an understanding of and respect for diversity and difference).

The Virtual Learning Academy board of education believes that standards for student behavior must be set through interaction among the students, parents and guardians, staff, and community members of the school district, producing an atmosphere that encourages students to grow in self-discipline and their ability to respect the rights of others. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of students, staff, parents, and community members.

The Virtual Learning Academy board of education believes that the best discipline for aggressive behavior is designed to (1) support students in taking responsibility for their actions, (2) develop empathy, and (3) teach alternative ways to achieve the goals and solve problems that motivated the aggressive behavior. Staff members and volunteers who interact with students shall role model respectful behavior and apply best practices designed to *prevent* discipline problems and encourage students' abilities to develop self-discipline and make better choices in the future. School employees will also be held accountable for bullying or harassing behavior that is directed toward school employees, volunteers, parents, or students, in accordance with law and local collective bargaining agreements.

Since bystander support of bullying and harassment can encourage these behaviors, the district prohibits both active and passive support for acts of harassment or bullying. The staff should encourage students *not* to be part of the problem; *not* to pass on the rumor or derogatory message; to constructively attempt to stop them; to report them to the designated authority; and to reach out in friendship to the student who is being bullied. Regular classroom meetings should be conducted to help promote a positive and connected classroom. Informal classroom discussions and activities designed to provide awareness and increase student connectedness promote a positive shift in peer norms that will support empowered bystanders. This meeting time can be used to teach students how and when to respond to incidents of

bullying and harassment. When bystanders do report or cooperate in an investigation, they must be protected from retaliation with the same type of procedures used to respond to bullying and harassment.

While investigating reports of bullying and harassment, consider the following questions:

- What is the history between the parties involved? Have there been past conflicts?
- Is there a power imbalance? Remember that a power imbalance is not limited to physical strength. It is sometimes not easily recognized. If the student being bullied feels like there is a power imbalance, there probably is.
- Has this happened before? Is the student worried it will happen again?
- Have the students dated? There are special responses for teen dating violence.
- Are any of the students involved with a gang? Gang violence has different interventions.

The Virtual Learning Academy board of education requires its school administrators to develop and implement procedures that ensure *both* the appropriate consequences *and* remedial responses to a student or staff member who commits one or more acts of bullying and harassment. The following factors, at a minimum, shall be given full consideration by school administrators in the development of the procedures for determining appropriate consequences and remedial measures for each act of harassment or bullying.

Factors for Determining Consequences

- Age, development, and maturity levels of the parties involved
- Degree of harm (physical and/or emotional distress)
- Surrounding circumstances
- Nature and severity of the behavior(s)
- Incidences of past or continuing pattern(s) of behavior
- Is there a current plan in place to support improved behavior?
- Relationship between the parties involved
- Context in which the alleged incident(s) occurred
- Consideration of the required 7 factors outlined in [MCL 380.1310d](#).
- [Behavioral Individualized Education Program \(IEP\)](#)- Does the student that is perpetuating the bullying behavior have a plan that identifies problem behaviors and how to address them, and is that plan being followed?

Note: In order to ensure students' perception of fair and impartial treatment, a student's academic or athletic status is *not* a legitimate factor for determining consequences. Consequences must be perceived as fair and impartial.

Factors for Determining Remedial Measures

Personal

- Life skill competencies
- Experiential deficiencies
- Social relationships
- Strengths
- Talents
- Traits
- Interests
- Hobbies
- Extra-curricular activities
- Classroom participation
- Academic performance

Environmental

- School culture
- School climate and lack of connectedness
- Student-staff relationships and staff behavior toward the student
- Level of consistency in staff responses to bullying or harassing behaviors
- Level of consistency in application or severity of consequences given to students
- Staff-staff relationships witnessed by students
- General staff management of classrooms and other educational environments
- Staff ability to prevent and de-escalate difficult or inflammatory situations
- Social-emotional and behavioral supports
- Social relationships
- Community activities
- Neighborhood culture
- Family situation
- Range and number of opportunities (beyond academics and athletics) for student engagement, involvement, and recognition for achievement

Consequences and appropriate remedial actions for a student or staff member who engages in one or more acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, in the case of a student, or suspension or termination in the case of an employee, as set forth in the board of education's approved code of student conduct or employee handbook. School employees will also be held accountable for bullying or harassing behavior directed toward school employees, volunteers, parents, or students.

Consequences for a student who commits an act of bullying and harassment shall vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the Board of Education's approved code of student conduct. Remedial measures shall be designed to: *correct the*

problem behavior; *prevent another occurrence* of the behavior; and *protect the victim* of the act. Effective discipline should employ a school-wide approach to adopt a rubric of bullying offenses and the associated consequences. The consequences and remedial measures may include, but are not limited to, the examples listed below:

Examples of Consequences

- Admonishment
- Participation in a guided reflection process designed to teach alternative behavior
- Temporary removal from the classroom
- Transfer of student exhibiting bullying or harassing behavior from same classroom as student being bullied.
- Loss of privileges
- Classroom or administrative detention
- Referral to disciplinarian
- In-school suspension during the school week or the weekend, for students
- Out-of-school suspension
- Legal action
- Expulsion or termination

Examples of Remedial Measures

Strategies for Individual Behavioral Change:

- Framing the aggressive behavior as a failed attempt to solve a real problem or reach a goal. The adult assists the misbehaving student to find a better way to solve the problem or meet the goal.
- Restitution and restoration
- Transformative conferencing/restorative justice practices
- Supervised peer support group
- Corrective instruction or other relevant learning or service experience
- Supportive discipline to increase accountability for the bullying offense
- Supportive interventions, including participation of an Intervention and Referral Services team, peer mediation, etc.
- Behavioral assessment or evaluation, including, but not limited to, a referral to a Child Study Team, as appropriate
- Behavioral management plan, with benchmarks that are closely monitored
- Involvement of school disciplinarian
- Student counseling
- Parent conferences
- Student treatment
- Student therapy

Strategies for Environmental Change (Classroom, School Building, or School District):

- Activities or strategies designed to help the student who engaged in bullying or harassment reflect on the offending behavior, maintaining an emotionally neutral and strength-based approach
- Implementation of school-wide positive behavioral supports (PBIS) and multi-tiered systems of support (MTSS)
- School and community surveys or other strategies for determining the conditions contributing to school culture and climate, including harassment, intimidation, or bullying
- Improvement in school culture and climate, conditions for learning and instructional pedagogy (incorporation of brain-compatible strategies)
- Adoption of research-based, comprehensive health education curriculum that includes bullying prevention and needed skills
- Modifications of schedules
- Adjustments in hallway traffic
- Modifications in student routes or patterns traveling to and from school
- Increased supervision and targeted use of monitors (e.g., hallway, cafeteria, bus)
- General professional development programs for certificated and non-certificated staff
- Professional development plans for all staff
- Disciplinary action and/or additional professional development for school staff or volunteers who may not have appropriately addressed the issue
- Parent conferences
- Referral to family counseling
- Increased involvement of parent-teacher organizations
- Increased involvement of community-based organizations
- Increased opportunities for parent input and engagement in school initiatives and activities
- Development of a general bullying/harassment response plan
- Peer support groups
- Increase communication with and involvement of law enforcement (e.g., school resource officer, juvenile officer)
- Engage in community awareness events and planning sessions

The Virtual Learning Academy board of education requires the principal and/or the principal's designee at each school to be responsible for receiving complaints alleging violations of this policy. All school staff and volunteers are required to report alleged violations of this policy to the principal or the principal's designee. All other members of the school community, including students, parents, and visitors, are encouraged to report any act that may be a violation of this policy. Reports may be made anonymously, but formal disciplinary action shall *not* be based solely on the basis of an anonymous report.

The Virtual Learning Academy board of education requires the principal and/or the principal's designee to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the principal and/or the principal's designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. The investigation is to be completed within three school days after a report or complaint is made. The parents of the students involved shall receive written notice from the school on the outcome of the investigation (in compliance with current privacy laws and regulations). All reports on instances of bullying and/or harassment must be recorded by the school for annual data review.

The Virtual Learning Academy board of education prohibits reprisal or retaliation against any person who reports an act of bullying or harassment or cooperates in an investigation. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

The Virtual Learning Academy board of education prohibits any person from falsely accusing another as a means of bullying or harassment. The consequences and appropriate remedial action for a *person* found to have falsely accused another as a means of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion. Consequences and appropriate remedial action for a *school employee* found to have falsely accused another as a means of bullying or harassment shall be in accordance with district policies, procedures, and agreements.

The Virtual Learning Academy board of education requires school officials to annually disseminate the policy to all school staff, students, and parents, along with a statement explaining that it applies to all applicable acts of harassment and bullying that occur on school property, at school-sponsored functions, or on a school bus. The chief school administrator shall develop an annual process for discussing the school district policy on harassment and bullying with students and staff.

The school district shall incorporate information regarding the policy against harassment or bullying into each school employee training program and handbook.