

**SUBJECT:**                Anti-Bullying and Harassment Policy

**Supersedes:**

**Effective:**                March 11, 2011

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**Approved:**                Board Approved

## 1.0 Policy

The Detroit Public School District acknowledges that all students have the right to participate fully in the educational process, free from bullying and harassment. A safe and civil school environment advances student learning and is necessary for students to achieve high academic standards. Bullying and harassment, like other disruptive or violent behaviors, are forms of conduct that disrupt both a student's ability to learn and a school's ability to educate its students in a safe environment. Because students learn by example, school administrators, faculty, staff, agents and volunteers are expected to demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying and harassment.

## 2.0 Definitions

- A. ***"Bullying"*** means written, verbal or physical conduct that adversely affects the ability of one or more students to participate in or benefit from the school's educational programs or activities by placing the student (or students) in reasonable fear of physical harm. This includes conduct that is based on a student's actual or perceived race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristics that may be defined by the district or state educational agency. This also includes association with a person or group with one or more of the abovementioned characteristics, whether actual or perceived.
- B. ***"Harassment"*** means written, verbal or physical conduct that adversely affects the ability of one or more students to participate in or benefit from the school's educational programs or activities because the conduct is so severe, persistent or pervasive. This includes conduct that is based on a student's actual or perceived race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristics that may be defined by the district or

state educational agency. This also includes association with a person or group with one or more of the above mentioned characteristics, whether actual or perceived.

- C. **“Cyber-bullying”** means use of any electronic communication technology i.e. internet, personal digital assistant (pda), or wireless hand held device, to bully or harass, as defined above, one or more students. Such behavior is prohibited whether it takes place on or off school property, at any school-sponsored function, or in a school related vehicle.

### **3.0 Scope, Prohibitions and Responsibilities**

#### **A. Scope of Proscribed Conduct**

This policy is applicable to all educators, staff members, students, parents/guardians, agents and volunteers, and covers conduct that take place in the school, on school property, in route to and from school, at school-sponsored functions and activities, on school buses or vehicles and at bus stops. This policy also pertains to usage of electronic technology and electronic communication that is used for bullying, harassment, or cyber-bullying. Electronic technology and electronic communication that is used for bullying, harassment, or cyber-bullying which occurs outside of school, school property, school-sponsored functions and activities, and school-related transportation is not within the scope of the individual school or the school districts responsibility. However, this policy is applicable to incidents outside of school if the individual school or school district can demonstrate that such incidents of bullying, harassment, or cyber-bullying are substantially interfering with another student’s ability to access education.

#### **B. Prohibition on Bullying Behavior**

Bullying, harassment, and cyber-bullying are prohibited in this District. Retaliation or threats of retaliation meant to intimidate the victim of bullying, harassment, or cyber-bullying, or toward those investigating incidents thereof, are also prohibited.

#### **C. District Responsibilities**

1. The Superintendent shall identify the district administrator(s) responsible for collecting and responding to reports of bullying, harassment, or cyber-bullying.
2. Upon request by the Board, or in its’ own discretion, the District shall provide a report on the aggregate complaints of bullying, harassment, and

cyber-bullying and responses to these complaints. This report shall be made available to the public.

3. The District shall receive and investigate complaints from parents, students, educators, and staff members, which allege that a school is failing to implement this policy.
4. This policy will be distributed annually, and will also be included in any district-wide student codes of conduct, disciplinary policies, student handbooks, and websites.

#### **D. School Responsibilities**

1. The school principals and designated administrators within this district shall create environments where the school community upholds the standards of respect and civility and understands that bullying, harassment, and cyber-bullying are inappropriate, harmful and unacceptable.
2. This policy will be distributed annually and will also be included in any student codes of conduct, disciplinary policies, student handbooks, and school websites.
3. All allegations of bullying, harassment, or cyber-bullying shall be reported to the designated school administrator or any school counselor, social worker, staff member, or administrator, either orally or in writing. The system for reporting suspected bullying, harassment, and cyber-bullying must ensure the reporting can be done easily, safely, privately, and confidential.
4. Schools shall maintain written or electronic records regarding all complaints of bullying, harassment, and cyber-bullying, any investigation thereof, and any disciplinary action taken. These records shall be maintained for no less than 7 years.

#### **E. Educator and Staff Responsibilities**

1. Educators, school and district staff, and volunteers share responsibility for modeling appropriate behavior and creating an environment where mutual respect, civility, tolerance, and acceptance among students and staff are promoted and where students understand that bullying and harassment are inappropriate, harmful and are taken seriously.

2. All educators, school and district staff members will take reasonable measures to prevent bullying, harassment, and cyber-bullying and are obligated to report in a timely manner any such acts or complaints of such that come to their attention.

#### **F. Student Responsibilities**

Students share responsibility for helping to create a safe school environment by not engaging in or contributing to bullying, harassment, or cyber-bullying, treating everyone with respect, and being sensitive as to how others might perceive their actions or words. Any student who observes an act of bullying, harassment, or cyber-bullying should report the incidents to school authorities.

### **4.0 Complaint Procedure**

- A.** All allegations of bullying, harassment, or cyber-bullying shall be reported to the designated school administrator, either orally or in writing. Any student, parent or guardian, volunteer, educator, or staff member may file such a report. If a report contains incomplete information, the designated administrator shall take reasonable measures to contact the individuals involved to determine whether an investigation should be pursued.
- B.** Upon receiving a complaint of bullying, harassment, or cyber-bullying from any student, educator, staff member, volunteer, or parent, the designated school administrator shall:
  1. Investigate the alleged incident of bullying, harassment, or cyber-bullying;
  2. Take immediate steps, at the administrator's discretion, to protect any involved students, educators, or staff pending completion of an investigation;
  3. Provide notification to the parents or guardians of all involved students, provided that such notification does not endanger the health, safety, well-being, or livelihood of any student;
  4. Maintain a written or electronic record of the complaint, any investigation, and any intervention or disciplinary actions taken. and
  5. Take proper disciplinary action immediately following the conclusion of the investigation;

- C. Reports of bullying, harassment, and cyber-bullying may be filed anonymously. However, disciplinary action cannot be taken solely based on an anonymous report. Anonymous reports will be investigated with the same procedure, timeliness, and vigor as other reports and disciplinary action can occur based on the results of the investigation.
- D. Students who file false reports of bullying, harassment, or cyber-bullying may be subject to discipline.
- E. School administrators shall also investigate complaints of retaliation or threats of retaliation meant to intimidate the victim of bullying, harassment, or cyber-bullying or toward those investigating incidents thereof.
- F. Incidents of bullying, harassment, or cyber-bullying that involve criminal activity shall be reported to law enforcement.
- G. A complainant may request that the District conduct an independent review if they: (1) believe that the school did not correctly analyze the complaint and failed to conduct an investigation of the incident because the school believed the alleged conduct did not constitute bullying or harassment, (2) are dissatisfied with the final determination following an investigation as to whether bullying or harassment occurred, or (3) believe that although a final determination was made that bullying or harassment occurred, the school's response was inadequate to correct the problem. The complainant shall make such a request in writing to the Superintendent. Upon such request, the Superintendent shall promptly initiate an independent review by a neutral person, and the school and all employees shall cooperate with the independent reviewer so that they may proceed expeditiously. The review shall consist of an interview of the complainant and relevant school officials and a review of the written materials from the school's investigation.

## **5.0 Notification of Parents and Guardians**

When a complaint of bullying, harassment, or cyber-bullying is filed, the designated school administrator shall notify the parents or guardians of all involved students as long as such notification does not endanger the health, safety, well-being, or livelihood of involved students. To ensure the health, safety, well-being, or livelihood of the student the designated school administrator shall not disclose any information regarding the incident to their parent or guardian unless they have received written consent from the student. Prior to notification of any parent or guardian regarding any incident of bullying, harassment, or cyber-bullying, school authorities must consider the issue of notification as they would any other educationally-relevant decision, considering the health, well-being, safety, and livelihood of any students involved in the incident.

## **6.0 Discipline and Counseling**

All discipline is governed by DPS Student Code of Conduct. Disciplinary actions for bullying, harassment, and cyber-bullying may also include, but is not limited to: warnings; counseling; loss of opportunity to participate in extracurricular activities, school social events or graduation exercises; loss of school bus transportation; community service; in-school suspension; short term suspension; or transfer to another school among others. The specific consequences should be consistent, reasonable, fair, age appropriate and match the severity of the incident. The District takes ALL reported cases of bullying, harassment, and cyber-bullying seriously. Counseling may be provided for the target and/or the student perpetrating the bullying, harassment, or cyber-bullying.

## **7.0 Professional Development**

On an annual basis the school district shall offer ongoing professional development to build the skills of all staff members, including, but not limited to educators, school and district staff, agents and volunteers to prevent, identify and respond to bullying, harassment, and cyber-bullying. District staff and designated school administrators will be required to complete professional development trainings with content that may include, but is not limited to: (i) developmentally appropriate strategies to prevent bullying, harassment, and cyber-bullying incidents; (ii) developmentally appropriate strategies for immediate, effective interventions to stop bullying, harassment, and cyber-bullying incidents; (iii) information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying, harassment, and cyber-bullying; (iv) research findings on bullying, harassment, and cyber-bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying, harassment, and cyber-bullying in the school environment; (v) information on the incidence and nature of cyber-bullying; and (vi) internet safety issues as they relate to cyber-bullying. The district shall identify and offer information on alternative methods for fulfilling the professional development requirements of this section.

## **8.0 Student Training and Prevention**

Each school shall present in age-appropriate language the District's policy on bullying, harassment, and cyber-bullying as part of any orientation program conducted for students at the beginning of each academic term. This will also include instruction on how to prevent bullying, harassment, and cyber-bullying; the process for filing complaints; and the process/consequences that will result from the complaint.

Cross References: Policy 9.14 Code of Student Conduct (Policy on Discipline and Student Rights), Policy 9.73 Cyber bullying, Policy No. 6.35 Student Conduct on School Buses, Policy 9.01, Nondiscrimination

Legal References: MCL 380.1309, Title XI 20 U.S.C.A. §1681, Elliot Larsen Civil Rights Act, MCLA 37.2201 et seq.