

**Policy:****Subject:**            Anti-Bullying Policy**Supersedes:**        Policy 9.73**Effective:****Page:**                1 of 7**Approved:****1.0 Preamble and Purpose**

The Detroit Public Schools (the “District”) acknowledges that all students have the right to participate fully in the educational process, free from bullying. A safe and civil school environment advances student learning and is necessary for students to achieve high academic standards. Bullying, like other disruptive or violent behaviors, is a form of conduct that disrupts 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, staff, agents and volunteers are expected to demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying. This policy explicitly states the District’s prohibition against bullying by any member of our community. The District has additional policies related to the conduct of administrators, employees, contractors, agents and volunteers. This policy focuses on addressing student-on-student occurrences of bullying.

**2.0 Policy**

It is the policy of the District that all bullying and cyber-bullying shall be prohibited against all students, educators, employees, parents/guardians, contractors, agents and volunteers of the District. Retaliation or threats of retaliation meant to intimidate the victim of bullying or cyber-bullying, a witness, another person with reliable information about an act of bullying or toward those investigating incidents thereof, are also prohibited. Under this policy, bullying and cyber-bullying are equally prohibited without regard to its subject matter or motivation.

The policy applies to any bullying conduct including conduct based on an individual’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 any other distinguishing characteristics that may be defined by the District or state educational agency. It also includes conduct based on an individual’s

association with a person or group with one or more of the abovementioned characteristics, whether actual or perceived.

## 2.0 Definitions

**A. “Bullying”** means written, verbal, physical conduct or any electronic communication that is intended or that a reasonable person would know is likely to harm by doing any of the following to one or more students directly or indirectly: i) substantially interfere with educational opportunities, benefits or programs of one or more students; ii) adversely affect the ability of a student 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 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, or substantial interference with the orderly operation of school.

**B. “Cyber-bullying”** means use of any electronic communication technology (i.e. internet, personal digital assistant (pda), or wireless hand held device) to bully, 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 administrators, employees, students, parents/guardians, contractors, agents and volunteers, and covers conduct that takes 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, or cyber-bullying. Electronic technology and electronic communication that is used for bullying 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 District’s responsibility, provided, however, if the telecommunications device or service is owned by or under the control of the District, the policy applies. This policy is applicable to incidents outside of school if the individual school or school district can demonstrate that such incidents of bullying or cyber-bullying are substantially interfering with another student’s ability to access education or causing a substantial disruption in the school environment.

**B. District Responsibilities**

1. The Superintendent or Chief Executive Officer shall be responsible for implementing the District's anti-bullying policy.
2. The Superintendent or Chief Executive Officer shall identify the District administrator(s) responsible for collecting and responding to reports of bullying and cyber-bullying.
3. The District shall provide a report on the verified complaints of bullying and cyber-bullying and responses to these complaints.
4. 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.
5. This policy will be publicized on the District's website.

**C. School Based Administrator Responsibilities**

1. School based administrators (e.g., principals) and designated administrators within the District shall create environments where the school community upholds the standards of respect and civility and understands that bullying and cyber-bullying are inappropriate, harmful and unacceptable.
2. This policy will be publicized on the District's website.
3. All allegations of bullying and cyber-bullying shall be reported to the designated school administrator or any school counselor, social worker, staff member, or administrator. The system for reporting suspected bullying and cyber-bullying must provide that reporting can be done easily, safely, privately, and confidentially.
4. Schools shall maintain written or electronic records regarding all complaints of bullying and cyber-bullying, any investigation thereof, and any disciplinary action taken. These records shall be maintained in accordance with applicable record retention law.

**D. 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 is inappropriate, harmful and are taken seriously.
2. All educators, school and District staff members will take reasonable measures to prevent bullying and cyber-bullying and shall report in a timely manner any such acts or complaints of such that come to their attention to school based and other designated administrators.

#### **E. Student Responsibilities**

Students share responsibility for helping to create a safe school environment by not engaging in or contributing to bullying 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 or cyber-bullying should report the incident to school administrators.

#### **4.0 Reporting Procedure**

- A.** All allegations of bullying or cyber-bullying shall be reported to the designated school administrator. Any student, parent or guardian, volunteer, educator, or employee 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 or cyber-bullying from any student, educator, employee, contractor, agent, volunteer, or parent, the designated school administrator shall:
  1. Investigate the alleged incident of bullying or cyber-bullying;
  2. Take immediate steps to protect any involved students, educators, or staff pending completion of an investigation;
  3. Maintain a written or electronic record of the complaint, any investigation, and any intervention or disciplinary actions taken; and
  4. Take proper disciplinary action immediately following the conclusion of the investigation.
- C.** Reports of bullying 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.
- E. School administrators shall also investigate complaints of retaliation or threats of retaliation meant to intimidate the victim of bullying or cyber-bullying or toward those investigating incidents thereof.
  - F. Incidents of bullying or cyber-bullying that involve criminal activity shall be reported to law enforcement.
  - G. A complainant may request that the District conduct an additional review, an appeal, 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, (2) are dissatisfied with the final determination following an investigation as to whether bullying occurred, or (3) believe that although a final determination was made that bullying occurred, the school's response was inadequate to correct the problem. The complainant shall follow the appeal process outlined in the DPS Student Code of Conduct.
  - H. A school employee, volunteer, student, or parent/guardian who promptly reports in good faith an act of bullying to the appropriate school official designated in the school district's policy and who makes this report in compliance with the procedures set forth in the policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Immunity does not apply to the school official designated with the responsibility of ensuring policy implementation or remedying the bullying.

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

When a complaint of bullying or cyber-bullying is filed and verified, 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 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 student discipline is governed by the DPS Student Code of Conduct. Disciplinary actions for bullying and cyber-bullying may include, but are not limited to: in-school suspension; short term suspension; transfer to another school or expulsion. Specific consequences shall be consistent, reasonable, fair, age appropriate and match the severity of the incident. The District takes ALL reported cases of bullying and cyber-bullying seriously. Counseling may be recommended for the student targeted and/or the student perpetrating the bullying or cyber-bullying. Students who file false reports of bullying or cyber-bullying may also be subject to discipline.

## **7.0 Professional Development**

On an annual basis the school district shall offer ongoing professional development to build the skills of all employees to prevent, identify and respond to bullying 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 and cyber-bullying incidents; (ii) developmentally appropriate strategies for immediate, effective interventions to stop bullying 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 bullying and cyber-bullying; (iv) research findings on bullying and cyber-bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying 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.

## **8.0 Student Training and Prevention**

Each school shall present in age-appropriate language the District's policy on bullying 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, and cyber-bullying; the process for filing complaints; and, the consequences resulting from engaging in bullying or cyber-bullying.

## **9.0 Parent Training and Prevention**

The District will present its policy on bullying and cyber-bullying as part of its parent and community educational programs and outreach. This will also include information on how to prevent bullying and cyber-bullying; the process for filing complaints; and, the consequences resulting from engaging in bullying or cyber-bullying.

Cross References: Policy 9.14 Code of Student Conduct (Policy on Discipline and Student Rights), Policy 9.73 Cyber bullying, Policy 9.73 Anti-Bullying and

Harassment, Policy 6.35 Student Conduct on School Buses, Policy 9.01  
Nondiscrimination

Legal References: MCL 380.1310b, MCL 380.1309, 42 USC §1983, Title IX, Title VI, ADA  
(Title II), IDEA, Section 504 of the Rehabilitation Act, 20 USC §1681,  
MCL 37.2101, MCL 37.1101, 14<sup>th</sup> Amendment – U.S. Constitution