



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



JENNIFER M. GRANHOLM
GOVERNOR

MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

November 5, 2010

MEMORANDUM

TO: State Board of Education

FROM: Michael P. Flanagan, Chairman

SUBJECT: Approval of Revised State Board of Education Policies on Bullying and Model Anti-Bullying Policy

In July 2001, the State Board of Education (SBE) adopted Policies on Bullying and in September 2006, adopted the Model Anti-Bullying Policy. The policies assist local and intermediate school districts and public school academies to address conditions for learning and facilitate implementation of local policies to effectively intervene in incidents of bullying and harassment.

At the October 12, 2010, SBE meeting, Department staff provided the Board with an update on the state of bullying in Michigan, implementation of the Model Anti-Bullying Policy, and pending federal and state bullying legislation. In response to the Board's request, the Coordinated School Health and Safety Program's (CSHSP) Unit has proposed revisions to strengthen the current Model Anti-Bullying Policy.

It is recommended that the State Board of Education approve the (1) Policies on Bullying and (2) Model Anti-Bullying Policy, as attached to the Superintendent's memorandum dated November 5, 2010.

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608 WEST ALLEGAN STREET • P.O. BOX 30008 • LANSING, MICHIGAN 48909
www.michigan.gov/mde • (517) 373-3324

ATTACHMENT A

STATE OF MICHIGAN STATE BOARD OF EDUCATION

POLICIES ON BULLYING

As previously expressed in our *Policies on Safe Schools* (May 18, 2000), providing a safe school environment for our students is of the utmost importance for Michigan's public schools. Bullying is one particularly troubling aspect of student misbehavior that endangers school safety. Bullying, which is the repeated abuse of a student over time by other students, can take many forms including any combination of physical, emotional, verbal, **and cyber** abuse, all of which are unacceptable in our schools.

Recent tragedies involving violence **and suicides** in schools across the nation have involved the issues of bullying and revenge. The consequences of bullying are far-reaching and cause problem behaviors, poor psycho-social functioning, avoidance of school attendance, severe emotional problems (including suicide), and physical problems. Some students who observe unchallenged bullying behavior are likely to copy this anti-social behavior. We recognize that bullies are often children who have been bullied or abused themselves. Bullying and being bullied are indicators that something is wrong, and children who experience either or both need help.

Studies have reported that individuals with a history of bullying are likely to exhibit criminal behavior by the time they reach their mid-20s. Individuals who have been bullied are found to have a higher rate of depression and poor self-esteem. By striving to prevent bullying, schools reduce risks of violence and teach students resiliency skills.

POLICIES

The *Policies on Safe Schools* adopted by the State Board of Education on May 18, 2000, states that public schools and state education programs over which the State Board has policymaking authority should undertake proactive, preventive approaches to ensure a safe school environment. In fact, many school districts have found that implementing a successful anti-bullying program can reduce bullying and other anti-social behaviors among students, and produce positive changes in the school climate. **Therefore, it is the policy of the State Board of Education that public schools and state education programs over which the State Board has policymaking authority should develop a plan designed to prevent bullying, and develop methods to react to bullying when it occurs, as an integral part of a district-wide safety and discipline plan.**

We recognize that the causes of bullying are varied. Home and/or environment, individual temperament, and social context are factors that contribute to the bullying problem. Much bullying occurs without the knowledge of teachers, and parents, and many victims are reluctant to tell adults of their problems with bullying. Thus, an anti-bullying program must address supervision of students; encouraging students to be involved in the program by asking and listening to them; educating teachers and other staff members on the nature and seriousness of bullying on a student's physical, emotional, social, and academic well-being; training teachers and other staff members to effectively intervene when bullying occurs; providing individualized interventions with bullies and victims; and strongly advocating meaningful communications between teachers and parents. We also recognize that each school has its local circumstances and challenges. Accordingly, each school district should select the course of action that best addresses its needs. Developing a clear formal policy regarding bullying provides everyone with a clear understanding of acceptable behavior. To determine which course best suits a school's needs, we recommend that the program contain elements that involve the entire school community in assessing the nature and prevalence of bullying at each school, and in crafting and implementing the anti-bullying programs. School administrators, faculty, non-instructional staff (e.g. secretaries, bus drivers, food service, maintenance), parents, the student body as a whole, as well as the students identified as bullies and victims, therefore, should all be included in this process. Anti-bullying programs consisting of these components have resulted in substantial reductions in reported and observed incidents of bullying. Moreover, these programs have resulted in significant reductions in anti-social behavior and significant improvements in the school learning and social atmosphere. **Therefore, it is the policy of the State Board of Education that public schools and state education programs over which the State Board has policymaking authority should institute an anti-bullying program incorporating the basic elements described herein, to promote a positive school atmosphere that fosters learning, and to create a safe and fear-free school environment in the classroom, playground, and at school-sponsored activities.**

Adopted July 19, 2001

ATTACHMENT B
Michigan State Board of Education
Model Anti-Bullying Policy

The (fill in district name) board of education ~~prohibits acts of harassment or bullying. The board of education has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Harassment or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment.~~

~~Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.~~

recognizes that a school that is physically and emotionally safe and secure for all students promotes good citizenship, increases student attendance and engagement, and supports academic achievement. To protect the rights of all students and groups for a safe and secure learning environment, the board of education prohibits acts of bullying, 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, and students are expected to refuse to tolerate bullying and harassment and to 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, personal digital assistant (pda), computer, or wireless handheld device, currently in use or later developed and used by students**) that is **reasonably 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 and 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 well being may be at issue.**

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

- **is reasonably 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 pupils;
- **is conveyed through physical, verbal, technological or emotional means;**
- substantially interferes with educational opportunities, benefits, or programs of one or more pupils;
- adversely affects the ability of a pupil to participate in or benefit from the school district's **or public school's** educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing emotional distress; and,
- is based on a pupil'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:

- **is reasonably 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 pupils;
- **is conveyed through physical, verbal, technological or emotional means;**
- substantially interferes with educational opportunities, benefits, or programs of one or more pupils;
- adversely affects the ability of a pupil to participate in or benefit from the school district's or **public school's** educational programs or activities because the conduct, as reasonably perceived by the pupil, is so severe, pervasive, and objectively offensive as to have this effect; and,
- is based on a pupil'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 and/or the orderly day-to-day operations of any school or school program.

The (fill in district name) board of education expects students to conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

The (fill in district name) board of education believes that a comprehensive health education curriculum, within a coordinated school health framework, helps students attain knowledge and skills vital to school success, a productive workforce and good citizenship. Critical skills include anticipating consequences of choices, making informed decisions, communicating effectively, resolving conflicts, and developing cultural competency.

The (fill in district name) board of education believes that standards for student behavior must be set ~~cooperatively~~ 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 (fill in district name) board of education believes that the best discipline is self-imposed, and that it is the responsibility of staff to use disciplinary situations as opportunities for helping students learn to assume responsibility and the consequences of their behavior **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 the solve problems that motivated the aggressive behavior**. Staff members who interact with students shall apply best practices designed to *prevent* discipline problems and encourage students' abilities to develop self-discipline **and make better choices in the future**.

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 to support students who walk away from these acts when they see them, constructively attempt to stop them, or report them to the designated authority.~~ The staff should encourage students **not to be part of the problem; not to pass on the rumor or derogatory message; to walk away from these acts when they see them; to constructively attempt to stop them; to report them to the designated authority; and to reach out in friendship to the target**. Periodic classroom meetings should be conducted to teach bystanders how and when to respond to bullying and harassment incidents. 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**. 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.

The (fill in district name) 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.

The (fill in district name) 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 pupils on school policies and procedures regarding bullying and harassment. Training will provide school employees with a clear understanding of their roles and responsibilities and the necessary skills to fulfill them.

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
- Relationship between the parties involved
- Context in which the alleged incident(s) occurred

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 for student engagement, involvement, and recognition for achievement (beyond academics and athletics)**

Consequences and appropriate remedial actions for a student or staff member who ~~commits~~ **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 be ~~unique to the individual incident and will 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.~~ **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
- 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

Personal

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):

- ~~Set a time, place, and person to help the bully reflect on the offending behavior, maintaining an emotionally neutral and strength-based approach~~
- **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**
- School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying
- ~~School culture change~~
- **Change process to improve school culture**
- School climate improvement/**improvement in conditions for learning and instructional pedagogy (incorporation of brain-compatible strategies)**
- Adoption of research-based, systemic bullying prevention programs
- Modifications of schedules
- Adjustments in hallway traffic
- Modifications in student routes or patterns traveling to and from school
- ~~Targeted use of monitors (e.g., hallway, cafeteria, bus)~~
- **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 ~~involved~~ staff **in key disciplinary roles**
- Disciplinary action for school staff who contributed to the problem
- 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
- ~~Law enforcement involvement (e.g., school resource officer, juvenile officer)~~
- **Increase communication with and involvement of law enforcement (e.g., school resource officer, juvenile officer)**
- **Engage in community awareness events and planning sessions**

The (fill in district name) 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 employees 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, volunteers, 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 *may not* be based solely on the basis of an anonymous report.

The (fill in district name) 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 (fill in district name) 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 (fill in district name) 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 (fill in district name) 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.