



Ann Arbor Public Schools

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## MEMORANDUM

**TO:** Deb Mexicotte, Board President  
Board of Education Trustees

**FROM:** Patricia P. Green, Ph.D., Superintendent

**DATE:** May 18, 2012

**SUBJECT:** Policy 5800 – Anti-Bullying

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Attached is the revised Policy 5800-Anti-Bullying, recommended for Board approval. This draft policy was presented to the Board for first briefing on May 9, 2012. Changes have been made to the policy as recommended by Trustees. Also included, for information, are recommended draft regulations. *You will note that the formatting of both the policies and regulations are different as they have been added to our new policy portal in BoardDocs.*

A public hearing on this policy is required prior to adoption. The hearing will commence immediately following this briefing and will follow our general rules for public commentary.

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Book	AAPS Policy
Section	5000: Student
Title	Anti-Bullying
Number	5800
Status	Second Briefing
Legal	<u>Matt's Safe School Law</u>
Last Revised	May 18, 2012
Last Reviewed	May 9, 2012
Primary	Legislative

The Ann Arbor Public Schools Board of Education recognizes that a safe and civil environment **within the school community** is necessary for students to learn and achieve high academic standards. The District finds that bullying, like other disruptive or violent behavior, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment.

This policy prohibits bullying against students in any form, regardless of its subject matter or motivating animus. Retaliation or false accusation against a target of bullying, a witness or another person with reliable information about an act of bullying, is also prohibited.

The Superintendent shall ensure implementation of this policy and develop ongoing strategies for environmental change that are shared annually with all district staff.

The Board of Education delegates to the Superintendent the function of implementing administrative procedures which provide for notification of the parents or legal guardians of both victims and perpetrators of bullying.

### **DEFINITIONS**

**Bullying - any written, verbal or physical act, or 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:**

- **Substantially interfering with educational opportunities, benefits, or programs of one or more pupils;**
- **Adversely affecting 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 substantial emotional distress;**
- **Having an actual and substantial detrimental effect on a pupil's physical or mental health;**
- **Causing substantial disruption in, or substantial interference with, the orderly operation of the school.**

### **REPORTING**

Any student who believes he or she has been or is currently the victim of bullying or retaliation, should immediately report the situation to the school principal or assistant principal. The student may also report

concerns to a teacher or counselor who will be responsible for notifying the appropriate school administrator.

### **INVESTIGATION**

All reports about bullying behavior, or other complaints that may violate this policy, shall be promptly investigated. The Board of Education delegates to the Superintendent the responsibility of establishing and implementing a procedure for the prompt investigation of a report of bullying or related complaint to be followed by a school principal or assistant principal who receives a report of a violation of this policy.

If the investigation concludes that bullying behavior or other prohibited activity has occurred, it will result in prompt and appropriate disciplinary action, up to and including expulsion. Individuals may also be referred to law enforcement officials.

The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken.

### **RECORD-KEEPING**

The Board of Education delegates to the Superintendent the function of establishing a procedure to document the report of any prohibited incident.

Verified incidents of bullying and the resulting consequences, including discipline and referrals, shall be reported to the Board of Education on at least an annual basis.

This policy and related information will be published and disseminated annually as part of the Rights and Responsibilities Handbook, **the Board Policy Book, all website references, and in any other media in which it may appear.**

Last Modified by Amy Osinski on May 18, 2012



Book	AAPS Administrative Regulations
Section	5000: Student
Title	Anti-Bullying
Number	5800.R.01
Status	Recommended
Legal	

### 1 Purpose

- 1.1 To provide a process for reporting and investigating cases of bullying against students.
- 1.2 To provide strategies within the school community to recognize and guard against bullying.

### 2 Organizational Units Affected

- 2.1 All Staff
- 2.2 Students
- 2.3 Volunteers
- 2.4 Independent Contractors
- 2.5 Board Members
- 2.6 Parents

### 3 Definitions

3.1 Bullying - any written, verbal or physical act, or 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:

- 3.1.1 Substantially interfering with educational opportunities, benefits, or programs of one or more pupils;
- 3.1.2 Adversely affecting 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 substantial emotional distress;
- 3.1.3 Having an actual and substantial detrimental effect on a pupil's physical or mental health;
- 3.1.4 Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

### 4 Background Information

4.1 The Ann Arbor Public Schools Board of Education recognizes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. The District finds that bullying, like other disruptive or violent behavior, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment.

4.2 The Ann Arbor Public Schools Board of Education prohibits all bullying, without regard to its subject matter or motivating animus.

4.2.1 The Ann Arbor Public Schools Board of Education prohibits any form of retaliation or false accusation against a target of bullying, a witness or another person with reliable information about

an act of bullying.

4.2.2 Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited and will not be tolerated.

4.2.3 Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as bullying.

4.2.4 Making intentionally false reports about bullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated.

4.3 Students found to have committed an act of bullying, retaliation or false accusation will receive the appropriate measure of discipline as outlined in the Rights & Responsibilities Handbook.

4.3.1 Students have the right to due process in all disciplinary proceedings.

4.3.2 Parent/guardian notification and participation in matters of disciplinary action is required.

4.4 To the extent appropriate and/or legally permitted, confidentiality will be maintained during the investigation process. However, the investigation will, in some circumstances, require disclosure of names and allegations.

## **5 Procedures**

5.1 Any student who believes he or she has been or is currently the victim of bullying should immediately report the situation to the school principal or assistant principal.

5.2 The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate school administrator.

5.3 Students who feel they are the subject of retaliation should immediately report the situation to the appropriate school administrator.

5.4 The school principal or assistant principal who has received a report of bullying shall investigate and complete the investigation as promptly as the circumstances permit.

5.4.1 Investigation completion goal within 5 school days from receipt of the complaint, and shall include:

- Contacting parent/guardian to inform of student report.
- Interviewing students involved and witnesses, if any.
- Providing appropriate agency referrals to all parties involved.

5.4.2 If incident is substantiated finding a student as the perpetrator, school principal/assistant principal affects immediate disciplinary action, up to and including law enforcement referral.

5.4.3 If incident is substantiated finding an adult as the perpetrator, school administrator contacts the appropriate central administrators.

5.4.3.1 School District action against substantiated adult perpetrators shall include:

- Discharge for employees;
- Exclusion for parents/guardians, guests, volunteers and contractors;
- Request for resignation for Board Members.

5.4.4 Determine long-term plan for remediation.

5.4.5 Provide written documentation of findings to all parties and to Assistant Superintendent of Elementary or Secondary Education.

**6 Work Instructions, Templates, & Samples**

6.1 Student Incident Report (to be developed)

**7 Training & Feedback**

7.1 Bullying is a non-negotiable component of the Pre-K - 12 PBIS Framework currently being developed.

7.2 **Instruction will facilitate training for administrative staff.**

**8 Implementation and Feedback**

8.1 Instruction will review and consider Pre-K - 12 implementation of anti-bullying programs.

Last Modified by Amy Osinski on May 18, 2012