Ashley Community Schools

104 N New Street - PO Box 6, Ashley, Michigan 48806

#ClawAndConquer

ANTI-BULLYING POLICY

It is the policy of the District to provide a safe educational environment for all students. Bullying of a student at school is strictly prohibited. This policy shall be interpreted and enforced to protect all students and to equally prohibit bullying without regard to its subject matter or motivating animus.

A. Prohibited Conduct.

1. Bullying. Bullying of a student at school is strictly prohibited. For the purposes of this policy, "bullying" shall be defined as: 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 students either directly or indirectly by doing any of the following:

a. Substantially interfering with educational opportunities, benefits, or programs of one or more students;

b. Adversely affecting a student's ability to participate in or benefit from the District's educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress;

c. Having an actual and substantial detrimental effect on a student's physical or mental health; or

d. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

2. Retaliation/False Accusation. Retaliation or false accusation against a target of bullying, anyone reporting bullying, a witness, or another person with reliable information about an act of bullying is strictly prohibited.

B. Reporting an Incident. If a student, staff member, or other individual believes there has been an incident of bullying in violation of this policy, s/he shall promptly report such incident to the appropriate principal or designee, or the Responsible School Official(s), as defined below. A report may be made in person, via telephone, or in writing (including electronic transmissions). If an incident of bullying is reported to a staff member who is not the appropriate principal or designee, or a Responsible School Official, the staff member shall promptly report the incident to one or more of the aforementioned individuals.

Anonymous Reporting.

To encourage reporting of suspected bullying or related activities, each principal, with advice and consent of the Responsible School Official(s), shall be responsible for creating, publicizing, and

implementing a system to permit individuals to make anonymous reports. Any such system shall emphasize that the District's ability to investigate anonymous reports may be limited.

Complaints Against Certain School Officials.

Complaints of bullying by the building principal or designee may be reported to the Superintendent. Complaints of bullying by the Superintendent may be reported to the President of the Board of Education.

C. Investigation. All reported allegations of a policy violation or related complaint about bullying shall be promptly and thoroughly investigated by the building principal or designee. A description of each reported incident, along with all investigation materials and conclusions reached by the principal or designee shall be documented and filed separately with similar materials in the District's central administrative office.

D. Notice to Parent/Guardian. If the principal or designee determines that an incident of bullying has occurred, s/he shall promptly provide written notification of same to the parent/guardian of the victim of the bullying and the parent/guardian of the perpetrator of the bullying.

E. Annual Reports. At least annually, the building principal or designee, or the Responsible School Official shall report all verified incidents of bullying and the resulting consequences, including any disciplinary action or referrals, to the Board of Education. The annual Board report may be given in writing, in person at a regular Board meeting, or as otherwise requested by the Board of Education.

F. Responsible School Official. The Superintendent ("Responsible School Official") shall be responsible for ensuring the proper implementation of this policy throughout the District. The foregoing appointment shall not reduce or eliminate the duties and responsibilities of a principal or designee as described in this policy.

G. Posting/Publication of Policy. Notice of this policy will be: (a) annually circulated to all students and staff, (b) posted in conspicuous locations in all school buildings and departments within the District, (c) annually discussed with students, and (d) incorporated into the teacher, student, and parent/guardian handbooks.

Prevention Task Force (PTF) Within 180 days of adoption of this policy, the Responsible School Official shall form a bullying prevention task force. The task force shall identify, develop and/or recommend written materials, training programs and initiatives for implementation. In its discretion, the task force may involve school staff, students, school clubs, or other student groups, administrators, volunteers, parents, law enforcement, community members, and other Stakeholders. Privacy/Confidentiality The School District will employ all reasonable efforts to protect the rights of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board’s legal obligations to investigate, to

take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the
terms of this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants

proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.
During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation. All records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records that are considered student education records in accordance with the Family Educational Rights and Privacy Act or under Michigan's student records law will be maintained in a manner consistent with the provisions of the Federal and State law.
Prevention Task Force Responsibility (The items listed below are the responsibility of the PTF)
1. Training and Educational Programs. The Responsible School Official shall provide the opportunity for annual training for administrators, school employees and volunteers who have significant contact with pupils on preventing, identifying, responding to, and reporting incidents of bullying.
2. The Responsible School Official shall also periodically arrange or otherwise provide educational programs for students and parents/guardians on preventing, identifying, responding to, and reporting incidents of bullying and cyberbullying. The Responsible School Official may arrange for classroom teachers to address the foregoing issues within the classroom curriculum.
H. Definitions
1. "At school" means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises. "At school" also includes any conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if the device or provider is owned by or under the District's control.
2. "Telecommunications Access Device" means that term as defined in Section 219a of the Michigan Penal Code, 1931 PA 328, MCL 750.219a, as may be amended from time to time. As of January 2012, "Telecommunication Access Device" is defined to mean any of the following:
a. Any instrument, device, card, plate, code, telephone number, account number,

personal identification number, electronic serial number, mobile identification number, counterfeit number, or financial transaction device defined in MCL

750.157m (e.g., an electronic funds transfer card, a credit card, a debit card, a pointof-sale card, or any other instrument or means of access to a credit, deposit or proprietary account) that alone or with another device can acquire, transmit, intercept, provide, receive, use, or otherwise facilitate the use, acquisition, interception, provision, reception, and transmission of any telecommunications service.

b. Any type of instrument, device, machine, equipment, technology, or software that facilitates telecommunications or which is capable of transmitting, acquiring, intercepting, decrypting, or receiving any telephonic, electronic, data, internet access, audio, video, microwave, or radio transmissions, signals, telecommunications, or services, including the receipt, acquisition, interception, transmission, retransmission or decryption of all telecommunications, transmissions, signals, or services provided by or through any cable television, fiber optic, telephone, satellite, microwave, data transmission, radio, internet based or wireless distribution network, system, or facility, or any part, accessory, or component, including any computer circuit, security module, smart card, software, computer chip, pager, cellular telephone, personal communications device, transponder, receiver, modem, electronic mechanism or other component, accessory, or part of any other device that is capable of facilitating the interception, transmission, retransmission, decryption, acquisition, or reception of any telecommunications, transmissions, signals, or services.

3. "Telecommunications Service Provider" means that term as defined in Section 219a of the Michigan Penal Code, supra, as may be amended from time to time. As of January 2012, "Telecommunications Service Provider" is defined to mean any of the following:

a. A person or entity providing a telecommunications service, whether directly or indirectly as a reseller, including, but not limited to, a cellular, paging, or other wireless communications company or other person or entity which, for a fee, supplies the facility, cell site, mobile telephone switching office, or other equipment or telecommunications service.

b. A person or entity owning or operating any fiber optic, cable television, satellite, internet based, telephone, wireless, microwave, data transmission or radio distribution system, network, or facility.

c. A person or entity providing any telecommunications service directly or indirectly by or through any distribution systems, networks, or facilities.

DATE ADOPTED: MARCH 19, 2012

