

# **ARTS ACADEMY IN THE WOODS BULLYING AND CYBERBULLYING POLICY**

## **BULLYING**

The Arts Academy in the Woods (AAW) believes that a safe and nurturing educational environment in school is necessary for students to learn and achieve high academic standards. Therefore, it is the policy of AAW to provide a safe and nurturing environment for all of its students. Appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of students, as well as administrators, faculty, staff, visitors, and volunteers.

## **BULLYING AND CYBERBULLYING ARE PROHIBITED**

Bullying and cyberbullying of a student, whether by other students, staff, visitors, Board members, parents, guests, contractors, vendors, and volunteers, are prohibited. All pupils are protected under this policy, and bullying and cyberbullying are prohibited without regard to its subject matter or motivating animus.

## **DEFINITION OF BULLYING**

“Bullying” means any written, verbal, or physical act, or any electronic communication, including, but not limited to, cyberbullying, 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:

1. Substantially interfering with educational opportunities, benefits, or programs of one or more pupils.
2. Adversely affecting the ability of a pupil to participate in or benefit from AAW’s educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.
3. Having an actual and substantial detrimental effect on a pupil’s physical or mental health.
4. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

“Cyberbullying” means 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:

1. Substantially interfering with educational opportunities, benefits, or programs of one or more pupils.
2. Adversely affecting the ability of a pupil to participate in or benefit from AAW’s educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.
3. Having an actual and substantial detrimental effect on a pupil’s physical or mental health.
4. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

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Since “bullying” also includes “cyberbullying,” any reference in this policy to “bullying” shall also be deemed to refer to “cyberbullying.”

Bullying and cyberbullying are prohibited at school. “At school” is defined as occurring on school premises, at school-sponsored activities or events, in a school-related vehicle, or using a telecommunications access device or a telecommunications service provider if the telecommunications access device or telecommunications service provider is owned by or under the control of AAW. “Telecommunications access device” and “telecommunications service provider” mean those terms as defined in Section 219a of the Michigan Penal Code (MCL § 750.219a).

Bullying and cyberbullying that does not occur “at school,” as defined above, but that causes a substantial disruption to the educational environment may be subject to disciplinary action in accordance with this policy and applicable law.

### **REPORTING AND INVESTIGATING REPORTS OF BULLYING**

Every student is encouraged to report any situation that he or she believes to be bullying behavior directed toward a student to a teacher, a counselor, administrator, or other staff member. Staff members shall promptly communicate any reports made by students or situations that they believe to be bullying behavior directed toward a student to the principal. Complaints against the principal shall be reported to the Chair of the Board.

Under state law, a school employee, school volunteer, student, or parent or guardian who promptly reports in good faith an act of bullying to the appropriate school official designated in this policy and who makes this report in compliance with the procedures set forth in this policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. This immunity does not apply to a school official responsible for implementing this policy or for remedying the bullying, when acting in that capacity.

Retaliation or false accusation against a target of bullying, a witness, or another person with reliable information about an act of bullying is prohibited. Suspected retaliation should be reported in the same manner as suspected bullying behavior. Making intentionally false accusations of bullying is likewise prohibited. Retaliation and making intentionally false accusations of bullying may result in disciplinary action up to and including expulsion.

All complaints about bullying that may violate this policy shall be promptly investigated and documented. The principal or the principal’s designee is responsible for the investigation. If the investigation results in a finding that bullying has occurred, it shall result in prompt and appropriate disciplinary action, up to and including expulsion for students, up to and including discharge for employees, and up to and including exclusion from school property for parents, guests, volunteers, and contractors. Individuals may also be referred to law enforcement officials.

Where the investigation results in a finding that bullying has occurred, both the parent or legal guardian of a victim of bullying and the parent or legal guardian of a perpetrator of the bullying

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shall be notified promptly in writing. In addition, the person investigating alleged bullying may notify parents of the victim or perpetrator of bullying sooner than the conclusion of the investigation if circumstances dictate such earlier notification.

AAW shall document any prohibited incident that is reported and shall document all verified incidents of bullying and the resulting consequences, including the required notification of parents or guardians and any discipline and referrals.

The principal is the school official responsible for ensuring that this policy is implemented.

### **CONFIDENTIALITY**

AAW will comply with all applicable laws regarding confidentiality of personally identifiable information within education records. In addition, the identity of an individual who reports an act of bullying or cyberbullying shall be and remain confidential. The principal, or the principal's designee, shall ensure that the name of an individual who reports an act of bullying or cyberbullying is withheld from the alleged perpetrator and the perpetrator's parent(s), legal guardian(s) and representative(s), and is redacted from any report of bullying or cyberbullying that is publicly disclosed.

### **NOTIFICATION**

This policy will be annually circulated to parents and students, and shall be posted on AAW's website.

### **REPORTING**

As required by state statute, the principal shall provide a report of all verified incidents of bullying and other required information to the Michigan Department of Education on an annual basis, according to the form and procedures established by the Department.

As required by state statute, AAW's procedures with respect to bullying are contained within this policy, and thus no administrative guidelines accompany this policy.