



Michigan Online School

Bullying/Cyberbullying Policy

The Michigan Online School Board of Directors 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 Directors 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. cyber bullying, 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 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 student's imminent safety or overall well-being may be at issue.

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 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.

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

- A. is reasonably perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress;
- B. is directed at one or more pupils;
- C. is conveyed through physical, verbal, technological or emotional means;
- D. substantially interferes with educational opportunities, benefits, or programs of one or more pupils;
- E. adversely affects the ability of a pupil to participate in or benefit from the school district's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing emotional distress; and
- F. 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 the following criteria:

- A. is reasonably perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress;
- B. is directed at one or more pupils;
- C. is conveyed through physical, verbal, technological or emotional means;
- D. substantially interferes with educational opportunities, benefits, or programs of one or more pupils;
- E. adversely affects the ability of a pupil to participate in or benefit from the school district'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
- F. 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.

"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:

- A. Substantially interfering with educational opportunities, benefits, or programs of one or more pupils;
- B. 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;
- C. Having an actual and substantial detrimental effect on a pupil's physical or mental health; and

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

“Cyberstalking” means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language, by or through electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

“Hazing” is any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student at a school for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a school.

“Hazing” includes, but is not limited to, pressuring, coercing, or forcing a student into:

- a. Violating state or federal law;
- b. Consuming any food, liquor, drug, or other substance; or
- c. Participating in physical activity that could adversely affect the health or safety of the student.
- d. Any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements.

Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

“Sexting” is defined as knowingly using a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to a minor any photograph or video which depicts nudity and is harmful to minors. Sexting also includes the knowing possession of a photograph or video transmitted or distributed by a minor.

Standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. 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, and community members. Students learn by example. Therefore, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior; treat others with civility, respect, and refuse to tolerate bullying or harassment.

Bullying, hazing or harassment of any student or school employee is prohibited:

- During any education program or activity conducted by a public K-12 educational institution;
- During any school-related or school-sponsored program or activity;
- By using data or computer software accessed through a computer, computer system, or computer network of a public K-12 education institution within the scope of the school district, meaning regardless of ownership, any computer, computer system, or computer network that is physically located on school

- property or at a school-related or school-sponsored program or activity; or
- By using data or computer software accessed at a non-school-related location, activity, function, or program or using technology or an electronic device that is not owned, leased, or used by a school district or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school.
- The above section does not require a school to staff or monitor any non-school-related activity, function, or program.

Concluding whether conduct or an incident violates this policy requires a determination based on all relevant facts and circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.

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.

Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct.

Factors for Determining Consequences:

- A. Age, development, and maturity levels of the parties involved;
- B. Degree of harm (physical and/or emotional distress);
- C. Surrounding circumstances;
- D. Nature and severity of the behavior(s);
- E. Incidents of past or continuing patterns(s) of behavior;
- F. Relationship between the parties involved; and
- G. Context in which the alleged incident(s) occurred.

Note: In order to ensure students' perception of fair and impartial treatment, a student's academic status is not a legitimate factor for determining consequences. Consequences must be perceived as fair and impartial.

Factors for Determining Remedial Measures:

- A. Personal Life skill competencies;
- B. Experiential deficiencies;
- C. Social relationship;
- D. Strengths;
- E. Talents;
- F. Traits;
- G. Interests;

- H. Hobbies;
- I. Extra-curricular activities;
- J. Classroom participation; and
- K. Academic performance.

Environmental:

- A. School culture;
- B. School climate and lack of connectedness;
- C. Student-staff relationships and staff behavior toward the student;
- D. Level of consistency in staff responses to bullying or harassing behaviors;
- E. Level of consistency in application or severity of consequences given to students;
- F. Staff-to-staff relationships witnessed by students;
- G. General staff management of classrooms and other educational environments;
- H. Staff ability to prevent and de-escalate difficult or inflammatory situations;
- I. Social-emotional and behavioral supports;
- J. Social relationship;
- K. Community activities;
- L. Neighborhood culture;
- M. Family situation; and

Range and number of opportunities for student engagement, involvement, and recognition for achievement (beyond academics and athletics).

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 harassment, intimidation, bullying, hazing, dating violence, or any other prohibited behavior will not be tolerated, independent of whether a complaint is substantiated. Retaliation is a serious violation of school policy, and suspected retaliation should be reported in the same manner as prohibited behavior. Making intentionally false reports about prohibited behavior will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action.

This policy shall not be interpreted as infringing on the First Amendment rights of students (i.e., to prohibit a reasoned and civil exchange of opinions, or debate, that is conducted at appropriate times and places during the school day and is protected by State or Federal law.)

The CEO or principal or his or her designee is responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the director/instructional leader or designee. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged

to report any act that may be a violation of this policy anonymously or in-person to the director/instructional leader or designee.

If a bullying or harassment incident occurs, it will be reported to the director/instructional leader. Discipline and referral data will be placed in the student's permanent record with the school. MOS will provide bullying, hazing or harassment incident, discipline, and referral data to the MDE in the format requested. Data reporting on bullying, hazing, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment, and threat/intimidation incidents as well as any bullying-related incidents that have as a basis sex, race or disability should include the incident basis. Victims of these offenses should also have the incident basis (sex, race or disability) noted in their student record.

The Michigan Online School Board of Directors believes that a comprehensive health education curriculum with 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 Michigan Online School Board of Directors recognizes that in order to have the maximum impact, it is critical to provide a minimum of annual training for school personnel and volunteers who have significant contact with pupils on school policies and procedures regarding bullying and harassment. Training will provide school personnel with a clear understanding of their roles and responsibilities and the necessary skills to fulfill them.

~~The Michigan Online School Board of Directors believes that standards for student behavior must be set 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 Michigan Online School Board of Directors believes that the best discipline 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 to solve the problems that motivate 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 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 Michigan Online School Board of Directors 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.

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:

- A. Admonishment;
- B. Participation in a guided reflection process designed to teach alternative behavior;
- C. Temporary removal from the classroom;
- D. Loss of privileges;
- E. Classroom or administrative detention;
- F. Referral to disciplinarian;
- G. In-school suspension during the school week or the weekend, for students;
- H. Out-of-school suspension;
- I. Legal action; and
- J. Expulsion or termination.

Examples of Remedial Measures:

- A. Strategies for Individual Behavioral Change;
- B. 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;
- C. Restitution and restoration;
- D. Transformative conferencing/restorative justice practices;
- E. Supervised peer support group;
- F. Corrective instruction or other relevant learning or service experience;
- G. Supportive discipline to increase accountability for the bullying offense;
- H. Supportive interventions, including participation of an Intervention and Referral Services team, peer mediation, etc;
- I. Behavioral assessment or evaluation, including, but not limited to, a referral to a Student Study Team, as appropriate;
- J. Behavioral management plan, with benchmarks that are closely monitored;

- K. Involvement of school disciplinarian;
- L. Student counseling;
- M. Parent conferences;
- N. Student treatment; and
- O. Student therapy.

Strategies for Environmental Change (Classroom, School Building, or School District):

- A. 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;
- B. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying;
- C. Change process to improve school culture;
- D. School climate improvement in conditions for learning and instructional pedagogy (incorporation of brain compatible strategies);
- E. Adoption of research-based, systemic bullying prevention programs;
- F. Modification of schedules;
- G. Adjustments in hallway traffic;
- H. Modifications in student routes or patterns traveling to and from school;
- I. Increased supervision and targeted use of monitors (e.g. hallway, cafeteria, bus);
- J. General professional development programs for certificated and non-certificated staff;
- K. Professional development plans for staff in key disciplinary roles;
- L. Disciplinary action for school staff who contributed to the problem;
- M. Parent conferences;
- N. Referral to family counseling;
- O. Increased involvement of parent-teacher organizations;
- P. Increased involvement of community-based organizations;
- Q. Increased opportunities for parent input and engagement in school initiatives and activities;
- R. Development of a general bullying/harassment response plan;
- S. Peer support groups;
- T. Increase communication with and involvement of law enforcement (e.g. school resource officer, juvenile officer); and
- U. Engage in community awareness events and planning sessions.

The Michigan Online School Board of Directors 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 Michigan Online School Board of Directors 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 staff member found to have falsely accused another as a means of bullying or harassment shall be in accordance with district policies, procedures, and agreements.

The Michigan Online School Board of Directors will assure the confidentiality of an individual who reports an act of bullying, including cyber bullying. The Michigan Online School Administrator, or his or her designee, will ensure that the name of an individual who reports an act of bullying is withheld from the alleged perpetrator and his or her parents or legal guardians and is redacted from any report of bullying that is publicly disclosed. In order to safeguard confidentiality, information will only be shared with designated individuals.

The Michigan Online School Board of Directors 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 school Administrator shall develop an annual process for discussing the school district policy on harassment and bullying with students and staff.

The academy shall incorporate information regarding the policy against harassment or bullying into each school staff training program and handbook.