

HCA Anti-Bullying Policy

It is the policy of HCA 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, he/she 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.

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 HCA's central administrative office.

D. Notice to Parent(s)/Guardian(s). If the Principal or designee determines that an incident of bullying has occurred, he/she shall promptly provide written notification of same to the parent(s)/guardian(s) of the victim of the bullying and the parent(s)/guardian(s) 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 HCA. 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 made available to all students and staff, (b) posted on the HCA Web Site, (c) annually discussed with students, and (d) incorporated into the teacher, student, and parent/guardian handbooks.

H. Training and Educational Programs. The Responsible School Official may 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.

I. 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 HCA'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 point-of-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.

Approved: 3/25/2013

LEGAL REF: MCL 380.1310B (Matt's Safe School Law, PA 241 of 2011); Model Anti-Bullying Policy, Michigan State Board of Education