


Christine M. Davis
*Executive Director,
Human Resources
& Labor Relations*

MEMORANDUM

TO: Stephen Cousins, Superintendent

FROM: Chris Davis, Executive Director,
Human Resources 

DATE: April 21, 2011

**SUBJECT: BOARD HUMAN RESOURCES POLICY COMMITTEE
RECOMMENDATION - SECOND READING**

Revisions to the Board of Education Policy listed below and attached were brought to the Board Human Resources/Policy Committee on March 2, 2011. In addition, the policy was brought to the Board of Education for first reading and discussion on March 14, 2011. The Board Human Resources/Policy Committee further reviewed the policy on April 20, 2011.

- Board of Education Policy 5517 - Bullying, Taunting, Stalking, Hazing and Other Forms of Harassment Including Sexual Harassment are Prohibited

The following motion would be appropriate:

Moved by _____ and supported by _____ to adopt the language in Board of Education Policy 5517.

Please let me know if you have any questions or need additional information regarding the attached policy.

/kw
Attachment

POLICY

BOARD OF EDUCATION
TRAVERSE CITY AREA PUBLIC SCHOOLS

STUDENTS
5517/page 1 of 3

BULLYING, TAUNTING, STALKING, HAZING AND OTHER FORMS OF HARASSMENT, INCLUDING SEXUAL HARASSMENT ARE PROHIBITED

I. STATEMENT OF PURPOSE

Traverse City Area Public Schools is committed to providing all students with a safe and supportive school environment. Bullying, taunting, stalking, hazing and other forms of harassment, including sexual harassment of students by other students, or by any member of the staff are contrary to the Board of Education's commitment to provide a physically and psychologically secure environment in which to learn and may in circumstances be a violation of federal or state law. Bullying, taunting, stalking, hazing and other forms of harassment including sexual harassment of students by other students or by any member of the staff are strictly forbidden. Any student or staff member found to have bullied, taunted, stalked, hazed or harassed a student in any form will be subject to discipline in accordance with the District's policies and applicable law.

II. PROHIBITED CONDUCT

- A. Bullying, taunting, **stalking**, hazing and other forms of harassment, is the physical or verbal communication (written or oral) directed toward a student or a student's property or possessions by another student or staff member in a single incident or on repeated occasions.
- B. Bullying is the hostile, intimidating, provoking, threatening or objectively offensive conduct which has the purpose or effect of disrupting and interfering with the ability of students to attend school or participate in school activities in an environment conducive to learning and to courteous and peaceable social interaction.
- C. "Garret's Law", MCL 750.411t, prohibits a person who attends, is employed by, or is a volunteer of an educational institution from engaging in or participating in the hazing of an individual. This law applies to those attending the high schools **or** ~~and~~ **middle** ~~junior-high~~ schools of the ~~school~~ District. "Hazing" is defined as an intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against an individual, and that the person knew, or should have known, endangers the physical health or safety of the individual, and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization. **Hazing** ~~and~~ includes:

POLICY

BOARD OF EDUCATION
TRAVERSE CITY AREA PUBLIC SCHOOLS

STUDENTS
5517/page 2 of 3

- (i) Physical/brutality, such as whipping, beating, striking, branding, electronic shocking, placing a harmful substance on the body, or similar activity.
- (ii) Physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics, that subjects the other person to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual.
- (iii) Activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the individual to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual.
- (iv) Activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime or an act of hazing.

Activity that is normal and customary in an athletic, physical education, military training, or similar program sanctioned by the educational institution is excluded. A student who engages in or participates in the hazing of an individual in violation of "Garret's Law" shall be subject to discipline from the school ~~at~~ District in addition to any criminal punishment.

- D. Sexual harassment is unwelcomed sexual advances or any form of sexual remarks or non-consensual sexual contact of a student by a student or any member of the staff.
- E. Other prohibited conduct constituting harassment includes conduct, physical or verbal communication (written or oral), which has the purpose or effect of creating an intimidating, provoking, hostile, discriminatory, or objectively offensive environment on the basis of race, color, national origin, sex, disability, age, religion, height, weight, marital status, genetic information, or sexual orientation ~~gender, religion, race, color, national origin or ancestry, age and/or disability~~ that disrupts or interferes with a student's ability to attend school or participate in school activities in an environment conducive to learning and to courteous and peaceable social interaction.

III. OTHER PROHIBITED CONDUCT

Bullying, taunting, stalking, hazing and other forms of harassment, including sexual harassment by students or staff members, fellow students, or other persons present on the school premises or at a school activity (e.g. visiting speakers, athletic team members, volunteer and/or parent) is strictly forbidden. Any student found to have harassed a staff member, student, or other person present on school premises or at a school activity, will be subject to discipline in accordance with the Code of Conduct and applicable laws.

POLICY

BOARD OF EDUCATION
TRAVERSE CITY AREA PUBLIC SCHOOLS

STUDENTS
5517/page 3 of 3

IV. PROTECTED CONDUCT

The expressions of ideas, opinions, or beliefs in a manner that is not disruptive or harassing constitute the legitimate exercise of constitutionally protected free speech in the school setting and will not be infringed on.

V. REPORTING PROCEDURE

All such reports are to be investigated by the principal or designee promptly. Anyone found to have violated this policy and/or the Code of Conduct shall be subject to disciplinary action up to and including suspension, expulsion, or termination.

M.C.L.A. 750.411t

July 2002

Revised August 2003

Revised November 2004

Revised April 2011