Agenda
Board Human Resources/Policy Committee
March 2, 2011 at 6:00 p.m.
Conference Room B

I. Negotiations Update

II. Personnel Recommendations

III. Change in Title of Paul Soma from CFO & Executive Director of Operations to COO/CFO

IV. Review Policies
   A. 5517 - Bullying, Taunting, Stalking, Hazing and Other Forms of Harassment Including Sexual Harassment are Prohibited (attached)

V. Review Guidelines
   A. 5517 - Bullying, Taunting, Stalking, Hazing and Other Forms of Harassment Including Sexual Harassment are Prohibited (attached)

VI. Board of Education Training on Threat Prevention

VII. June 1, 2011 Meeting
   A. Change in Meeting Time or Date to Accommodate Committee and Staff Attendance at 2010/11 Outstanding Educator Awards Ceremony (7:00 pm)

VIII. Other Items as May be Appropriate

IX. Public Comment: The Board Human Resources/Policy Committee has set aside this time for public comment. If you wish to make public comment, please fill out the public comment card and present it to the Recording Secretary. As you speak, please identify yourself by name (you may also give your address). An individual may make public comment for up to three minutes. We ask that no more than two individuals make public comment on the same topic until citizens with a different topic have had an opportunity to speak. We ask that concerns or complaints directed toward individuals be made privately or in writing to the Superintendent, designee or Board of Education.

NEXT MEETING

April 6, 2011 at 6:00 p.m.
Tompkins Boardman Administration Center - Conference Room B
Committee Members: Gary Appel (Chair), Kelly Hall, Marjorie Rich, Steve Cousins and Chris Davis
Alternate: Megan Crandall

POLICY

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 ~~P~~**p**olicies 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 school**s** **or** ~~and~~ **middle** ~~junior high~~ schools of the ~~school d~~**D**istrict. "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:

(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 ~~d~~**D**istrict 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 conductive 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

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 February 2011

GUIDELINES

REPORTING HARASSMENT

Conduct constituting harassment may take different forms, including but not limited to the following:

Sexual Harassment

A. Verbal:
The making of written or oral sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, or threats to a fellow student, staff member, or other person associated with the District.

B. Non-Verbal:
Causing the placement of sexually suggestive objects, pictures, or graphic commentaries in the school environment or the making of sexually suggestive or insulting gestures, sounds, leering, whistling, and the like to a fellow student, staff member, or other person associated with the District.

C. Physical Contact:
Threatening or causing unwanted touching, contact, or attempts at same, including patting, pinching, pushing the body, or coerced sexual intercourse with a fellow student, staff member, or other person associated with the District.

Other Harassment

A. Verbal:
1.) Written or oral innuendoes, comments, jokes, insults, threats, or disparaging remarks concerning a person's **race, color, national origin, sex, disability, age, religion, height, weight, marital status, genetic information, or sexual orientation** ~~gender, race, national origin, religious beliefs, physical appearance etc.~~ toward a fellow student, staff member, or other person associated with the District.

2.) Conducting a "campaign of silence" toward a fellow student, staff member, or other person associated with the District by refusing to have any form of social interaction with the person.

B. Non-Verbal:
Placing objects, pictures, or graphic commentaries in the school environment or making insulting or threatening gestures toward a fellow student, staff member, or other person associated with the District.

C. Physical:
Any intimidating or disparaging action such as hitting, hissing, or spitting on a fellow student, staff member, or other person associated with the District.

GUIDELINES

Any student who believes that s/he is the victim of any of the above actions or has observed such actions taken by another student, staff member, or other person associated with the District such as a vendor, contractor, volunteer or school official should promptly take the following steps:

Complaint Process
Student Harassment of a Student

A. The student should, as soon as possible after the incident, contact a principal or staff member;

B. The Harassment Report Form will be completed and signed by the alleged victim at the initial reporting;

C. The completed Harassment Report Form will be forwarded to the principal;

D. The principal or designee shall investigate the complaint within in ten (10) working days of receipt of the written complaint;

E. The principal or designee shall notify the accused and permit a response to the allegation;

F. Remedial and disciplinary action will be taken as necessary.

Appeal Process
Student Harassment of a Student

A. If the alleged victim wishes to appeal the decision of the Principal s/he may submit a signed statement of appeal to the Superintendent or designee, within five (5) working days after receipt of the response. The Superintendent shall meet with all parties involved and respond in writing to the complainant, the Board of Education, and all other parties, within ten (10) working days;

B. If the alleged victim complainant remains unsatisfied, s/he may appeal through a signed, written statement to the Board of Education within five (5) working days of his/her receipt of the Superintendent's response. In an attempt to resolve the complaint, the Board of Education shall meet with the concerned parties within fifteen (15) working days of the receipt of such an appeal. This meeting may be conducted in private, upon the request of the complainant or the person or persons who are being charged. A copy of the Board's disposition of the appeal shall be sent to all concerned parties within ten (10) working days of this meeting.

The use of this procedure in no way precludes the right of a person alleging sexual harassment to seek other remedies provided under the law.

Complaint Process
Harassment of a Student by an Individual Other Than a Student

A. If a student reports s/he is being harassed by an individual other than a student, the matter is to be reported immediately to the principal who shall then contact the Executive Director of Human Resources & Labor Relations. The Executive Director of Human Resources & Labor Relations shall investigate all allegations reported within ten (10) working days of receipt of the written complaint. In addition, the principal, upon receiving the complaint from a minor student or his/her parents shall determine if the harassment may constitute child abuse and, if so, follow the child-abuse reporting procedure described in ~~AG~~ **Administrative Guidelines** 8462;

B. During the investigation, the accused staff member may be removed from any contact with students. In addition, the principal shall ensure that the alleged student victim receives proper guidance and support in dealing with any after-effects of the alleged harassment;

C. Investigation of a complaint will normally include conferring with the parties involved (may include parents), and any named or apparent witnesses. All students and others involved are to be protected from coercion, intimidation, retaliation, or discrimination for filing a complaint or assisting in an investigation;

D. If the investigation reveals that the complaint is valid, then prompt, appropriate remedial and/or disciplinary action will be taken immediately to prevent the continuance of the harassment or its recurrence.

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disposition of the appeal shall be sent to all concerned parties within ten (10) working days of this meeting.

The use of this procedure in no way precludes the right of a person alleging sexual harassment to seek other remedies provided under the law.

While a charge is under investigation, no information is to be released to anyone who is not involved with the investigation, except as may be required by law or in the context of a legal or administrative proceeding. No one involved is to discuss the subject outside of the investigation.

The purpose of this provision is to:

A. protect the confidentiality of the student who files a complaint,

B. encourage the reporting of any incidents of sexual or other forms of harassment,

C. protect the reputation of any party wrongfully charged with harassment.

The District recognizes that determining whether a particular action or incident is harassment or, conversely, is reflective of an action without a discriminatory or intimidating intent or effect must be based on all of the facts in the matter. Given the nature of harassing behavior, the District recognizes that false accusations can have serious effects on innocent individuals. Therefore, all students are expected to act responsibly, honestly, and with the utmost candor whenever they present harassment allegations or charges against fellow students, a staff member, or others associated with the District.

Some forms of sexual harassment of a student by another student may be considered a form of child abuse which would require that the student-abuser be reported to proper authorities in compliance with State law.

March 1998
Revised February 2011