

## Michigan School Districts Must Adopt Anti-Bullying Policy

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December 6, 2011

Today, Governor Snyder signed the "Matt's Safe School Law," which amends the Revised School Code to require school districts to adopt and implement a policy prohibiting bullying at school. The law requires districts to adopt a policy by June 6, 2012 (within six months of enactment) and to hold at least one public hearing on the proposed policy prior to adoption. Once Districts adopt a policy, they must provide the Michigan Department of Education with a copy of the policy within thirty days of its adoption.

The policy must include at least all of the following:

- (a) A statement prohibiting bullying of a pupil;
- (b) A statement prohibiting retaliation or false accusation against a target of bullying, a witness, or another person with reliable information about an act of bullying;
- (c) A provision indicating that all pupils are protected under the policy and that bullying is equally prohibited without regard to its subject matter or motivating animus;
- (d) The identification by job title of school officials responsible for ensuring that the policy is implemented;
- (e) A statement describing how the policy is to be publicized;
- (f) A procedure for providing notification to the parent or legal guardian of a victim of bullying and the parent or legal guardian of a perpetrator of the bullying;
- (g) A procedure for reporting an act of bullying;
- (h) A procedure for prompt investigation of a report of violation of the policy or a related complaint, identifying either the principal or the principal's designee as the person responsible for the investigation; and
- (i) A procedure for each public school to document any prohibited incident that is reported and a procedure to report all verified incidents of bullying and the resulting consequences, including discipline and referrals, to the board of the school district or intermediate school district or board of directors of the public school academy on an annual basis.

The new law also encourages, but does not mandate districts to include several other provisions, including: the formation of bullying prevention task forces; training for administrators, employees, and volunteers; and providing educational programs regarding bullying and cyberbullying. Districts that have existing policies which comply with the requirements discussed above do not need to adopt and implement a new policy, however they must submit a copy of the existing policy to the Michigan Department of Education by February 4, 2012 (within sixty days of enactment). Finally, to incentivize reporting, the act provides immunity for those who report bullying.

For more information, contact your Miller Canfield Employment + Labor attorney.