

Resources & Citations:

Anti-Bullying Sites:

<http://www.stopbullying.gov/>

<http://www.bullypolice.org/>

<http://www.itgetsbetter.org/>

Matt's Safe School Law:

MCL 380.1310b

<http://mattepling.webs.com/>

Ferndale Public Schools:

<http://www.ferndaleschools.org/index.html>

Ferndale School District

Anti-Bullying Policy:

<http://www.neola.com/ferndale-mi/search/policies/po5517.01.htm>

The new state anti-bullying legislation may not have every protection that advocates were seeking, but it takes significant steps toward a uniform policies and enforcement protecting all students in public schools from harassment and abuse.

“This is a great accomplishment for all involved and we know it will make schools safer for kids in the long run.”

- MattEpling.com

“[I]t's a victory for students across the state. . . . People started calling my office to tell me their stories. I had one doctor from Kalamazoo who told us about his experience being bullied in school. He said he never told anyone about it. I still get chills thinking about it.”

- Sen. Gretchen Whitmer (D-East Lansing)

“Bullying is just fine, as long as you get a permission slip from God.”

- Stephen Colbert
(regarding the since-rejected
religious belief exception)

For More Information contact:

Lisa J. Schmidt

Schmidt Law Services, PLLC

P.O. Box 527

Royal Oak, MI 48068

(248) 764-8584

LJSchmidt.attorney@gmail.com

www.SchmidtLawServices.com

Straight Talk on Anti-Bullying Laws



Hosted by:

**Schmidt Law Services,
PLLC**

and

Ferndale
PUBLIC LIBRARY 

Matt's Safe School Law

- Requires all public schools to hold public hearings and implement policies prohibiting bullying by 6/6/2012
- Allows public schools to use previous anti-bullying policies
- Protects informants from being sued (but not for failing to enforce policy)

“Bullying” Is

- Written, verbal, physical act, or electronic communication intended to harm pupils
- Interfering with school programs
- Affecting ability to participate by causing fear of harm or emotional distress
- Harming physical or mental health
- Causing disruption of school programs

Anti-Bullying Policies Must Include:

- Prohibition of bullying by pupil
- Prohibition of retaliation or false accusations against informants
- Protection of all pupils against bullying regardless of subject or motive
- Notification to parents of bully & victim
- Prompt investigation of complaints
- Policy to report incidents to school district board of directors

State-Encouraged Provisions:

- Forming bullying prevention task force
- Annual training of school personnel
- Educational programs for pupils

The Law Does Not:

- Contain an exception for behavior motivated by a “sincerely held religious belief or moral conviction”
- Contain a list of protected characteristics
- Limit enforcement to bullying based on observable characteristics
- Require school districts to report incidents to the State Board of Education
- Limit bullying to behavior of pupils
- Require counseling for bullies & victims
- Require stated consequences of bullying
- Require “Zero-Tolerance” or “3 Strikes” penalties for bullying
- Apply to telecommunications created & accessed while not in school



Other Laws That Apply:

- Title VI of Civil Rights Act: prohibits discrimination due to race, color, or national origin
- Title IX of Education Amendments: prohibits discrimination due to sex
- Rehabilitation Act & Title II of American Disabilities Act: prohibit discrimination due to disability

Detroit Anti-Bullying Ordinance:

- Applies everywhere within city limits
- Imposes fines for bullying a minor by:
 - Physically harming him/her or damaging his/her property
 - Causing fear of harm or damage
 - Intimidating or creating hostile environment around him/her
 - Causing another to do the same
- Imposes fines for cyber-bullying minors
 - Cyber-bullying is sending text, images, or video using an electronic device intended to abuse, embarrass, harass, etc. that
 - Is indecent/obscene language or images of a sexual nature
 - Is anonymous or repeated communication with minor
 - threatens the minor or a family or household member
 - Causes another to do the same
- Requires amusement/entertainment facilities to prevent bullying on premises
- Imposes fines on parents who allow bullying