



October 30, 2009

Re: Model Anti-Bullying Policy for All Schools

Dear Friends,

Efforts to indoctrinate our society into supporting homosexual behavior have been ever increasing over the last several years. Many of these efforts have targeted those most vulnerable and impressionable to this indoctrination—our children. Schools are being transformed from places of safety and learning to places of unprecedented sexual education. Children as young as kindergarteners are being subjected to books, programs, and teachings designed to undermine traditional notions of sexuality and family.

Bullying has always been a problem within our schools. Many schools have rightly responded to these problems by implementing policies aimed at reducing and/or punishing bullying. These well intentioned policies, however, are now being perverted and used as cloaks for the promotion of homosexually-based programs in our schools. Examples of these efforts include the “Welcoming Schools” program by the Human Rights Campaign and the “safe schools” initiatives by the Gay, Lesbian and Straight Education Network (GLSEN). Other homosexual behavior advocates are demanding that protections for “sexual orientation” and “gender identity” be inserted into existing anti-bullying policies so that inappropriate, sexually-based materials can be promulgated to our children.

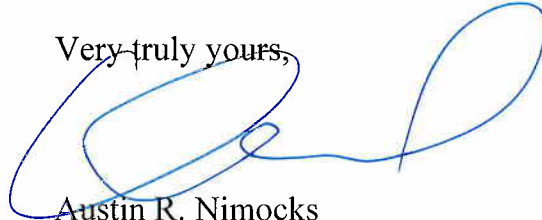
Unfortunately, when presented with demands to adopt anti-bullying laws, policies, and programs that further the demands of the homosexual agenda, many legislators, school board members, and educators are not properly equipped to respond to these demands. In many instances, anti-bullying policies devised by advocates of homosexual behavior were adopted by policymakers where no competing or discerning voice to the contrary was heard. This trend cannot continue.

Attached for your dissemination and use is a model anti-bullying policy. This policy was carefully researched and crafted by ADF attorneys. This policy can be used or implemented at either the state or local level, and is comprehensive in all respects, carefully balancing the rights of children with the rights of administrators and educators. Without advancing any sexual or other agendas, this policy successfully prohibits all forms of bullying, for any reason, and cannot be argued to exclude any particular child, or class of children, who are vulnerable to being bullied.

We encourage you to utilize this policy at both the local and state level—wherever it may be necessary to confront the pro-homosexual programs that are being propagated in the name of “safe schools” or “anti-bullying.” Sexual behavior does not need to be either specifically identified or glorified to our children for our schools to be safe and combat the problems associated with bullying.

Please do not hesitate to contact us regarding your efforts in utilizing this policy.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Austin R. Nimocks', with a large, stylized flourish extending to the right.

Austin R. Nimocks
Senior Legal Counsel

Timothy J. Tracey
Legal Counsel

MODEL ANTI-BULLYING POLICY

I. PURPOSE

The [INSERT NAME OF SCHOOL DISTRICT] (the “District”) recognizes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. The District finds that bullying, like other disruptive or violent behavior, is conduct that disrupts both a student’s ability to learn and a school’s ability to educate its students in a safe environment.

II. DEFINITIONS

A. “Bullying” means systematic, repeated, or recurrent conduct committed by a student or group of students against another student that causes measurable physical harm or emotional distress. Verbal expression, whether oral, written, or electronic, is included within the definition of “bullying” only to the extent that (1) such expression is lewd, indecent, obscene, advocating for illegal conduct, intended to incite an immediate breach of peace, or the severe and pervasive use of threatening words that inflict injury; or (2) District administrators or officials reasonably believe that such expression will cause an actual, material disruption of school work.

B. “School Premises” means any building, structure, athletic field, sports stadium or other real property owned, operated, leased or rented by the District or one of its schools, including, but not limited to, any kindergarten, elementary, secondary, or vocational-technical school.

C. “School-Sponsored Functions or Activities” means a field trip, sporting event, or any other function or activity that is officially sponsored by the District or one of its schools.

D. “School-Sponsored Transportation” means a motor vehicle owned, operated, leased, rented or subcontracted by the District or one of its schools.

III. PROHIBITION

The District prohibits all bullying on school premises, at school-sponsored functions or activities, or on school-sponsored transportation.

IV. REPORTING

Any student who believes he or she has been or is currently the victim of bullying should immediately report the situation to the school principal or assistant principal. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate school administrator.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be bullying behavior directed toward a student. Reports may be made to those identified above.

All complaints about bullying behavior that may violate this policy shall be promptly investigated.

If the investigation finds an instance of bullying behavior has occurred, it will result in prompt and appropriate disciplinary action. This may include up to expulsion. Individuals may also be referred to law enforcement officials.

The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken.

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as bullying. Making intentionally false reports about bullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

V. INTERPRETATION

This policy shall not be interpreted to infringe upon the First Amendment rights of students, and is not intended to prohibit expression of religious, philosophical, or political views, provided that such expression does not cause an actual, material disruption of the work of the school.

Disclaimer: *This model policy is intended to be used and applied only as a guide for legislators, educators, administrators, and concerned parents to develop appropriate policies related to student harassment and bullying. The Alliance Defense Fund does not represent or warrant that this model policy addresses all of the facts and circumstances of any particular situation. The model policy should not be applied uniformly without reviewing the specific nature of the facts and circumstances before you, and gathering independent legal advice in that regard. Changes to the language of the model policy may be necessary to address other laws or policies, or any particular facts and circumstances, or to comply with applicable statutes, regulations, rules, or other laws unique to any given situation.*