

BULLYING PREVENTION AND INTERVENTION

No student should be subjected to harassment, intimidation, bullying, cyberbullying or retaliation. The Boxford Public Schools are committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards.

The Boxford Public Schools have established separate discrimination or harassment policies that prohibit discrimination on the basis of race, color, gender, religion, national origin, sexual orientation or disability. Nothing in this policy shall prevent the Boxford Public Schools from remediating any discrimination or harassment based on an individual's membership in a protected class in accordance with those policies.

Definitions

- 1. Aggressor:** A student who engages, either individually, or as part of a group, in bullying, cyberbullying or retaliation.
- 2. Bullying:** the severe or repeated use by one or more students of a written, verbal, telephonic or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target person that:
 - causes physical or emotional harm to the target person or damage to the target person's property;
 - places the target person in reasonable fear of harm to him/herself, or of damage to his/her property;
 - creates a hostile environment at school for the target person;
 - infringes on the rights of the target person at school; or
 - materially and substantially disrupts the education process or the orderly operation of a school.

For the purposes of this policy, bullying shall include cyberbullying.

- 3. Cyberbullying:** means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data, voice, or intelligence of any nature transmitted in whole or in part by a:
 - wire
 - radio
 - electromagnetic
 - photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages, telephonic, texting or facsimile communications.

Cyberbullying shall also include (i) the creation of a web page, the knowing use of a

blog, or social media in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions identified in the definition of bullying or (iii) the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying, or (iv) repeated use of electronic media to cause any of the conditions found in the definition of bullying

4. Hostile Environment: A situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of the target person's education.

5. Local Law Enforcement Agency: Local Police Department

6. Principal: The administrative leader of a Boxford Public School or his/her designee for the purposes of investigating and responding to reports of bullying, cyber-bullying or retaliation.

7. Retaliation: Intimidation, reprisal, or harassment directed against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

8. Target Person: A student who has been subject to bullying or retaliation by another student or group of students.

Prohibited Behavior(s)

The Boxford Public Schools are committed to maintaining learning environments that are free from bullying, cyberbullying, and retaliation. Bullying, cyberbullying and/or retaliation by a student are strictly prohibited and may result in the imposition of disciplinary sanctions by school administrators.

For the purpose of this policy, bullying is prohibited:

- 1) On school grounds, property immediately adjacent to school grounds, at a school sponsored or school-related activity, function or program (whether on or off school grounds), at a school bus stop, on a school bus or other vehicle owned, leased or used by a school district or school, or through the use of technology or an electronic device owned, leased or used by the Boxford Public Schools; and
- 2) At a location, activity, function or program that is not school related or through the use of technology or an electronic device that is not owned, leased or used by the Boxford Public Schools, if the bullying creates a hostile environment at school for the target person, infringes on the rights of the target person at school, or

materially and substantially disrupts the education process or the orderly operation of a school. This prohibition shall not be construed as requiring Boxford Public Schools to staff or supervise any non-school related activities, functions, or programs.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also strictly prohibited and may result in suspension or expulsion from school.

Prevention and Intervention Plan

A. Development & Oversight

The Superintendent and/or his/her designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of this policy, as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially or as deemed appropriate by school officials and the Boxford School Committee. The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his or her school.

B. Contents of the Plan

The Bullying Prevention and Intervention Plan shall be in accordance with the requirements of G.L. c.71, §37O and shall include:

- descriptions of, and statements prohibiting, bullying, cyberbullying and retaliation consistent with this policy;
- procedures for students, staff, parents, guardians and others to report bullying or retaliation;
- a provision that reports of bullying or retaliation may be made anonymously but that no disciplinary action shall be taken against a student solely on the basis of an anonymous report;
- a provision that a student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action;
- procedures for promptly responding to and investigating reports of bullying or retaliation;
- information regarding the range of disciplinary and remedial actions that may be taken against an aggressor;
- procedures for assessing and monitoring the target persons and witnesses need for protective interventions;
- strategies for protecting from bullying or retaliation any individual who reports bullying, cooperates with an investigation of bullying, or who has reliable information about an act of bullying;

- procedures consistent with state and federal law for notifying the parents of a target person and of an aggressor of the investigative findings and actions to be taken;
- provision for the notification of local law enforcement agencies if the principal reasonably believes that criminal charges may be pursued against the aggressor;
- provision for annual and ongoing professional development to build the skills of all staff to prevent, identify, and respond to bullying. The content of such professional development training(s) shall be in accordance with the requirements of M.G.L. c.71,§37O;
- provision for the implementation of an evidenced-based anti-bullying instruction in grades PK-6 and for informing parents regarding the instructional contents and strategies for reinforcing the learning at home, the dynamics of bullying, and Internet safety.

B. Reporting Requirements

In accordance with this policy and G.L. c.71, §37O, a school staff member, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, will immediately report to the school principal any instance of bullying, cyberbullying or retaliation that the staff member has witnessed or has become aware of.

Any student, who believes that he/she is a target person of bullying, observes an act of bullying, or who has reasonable grounds to believe that these behaviors are taking place, is obligated to report such incidents to a member of the school staff as soon as is appropriate. The target person shall, however, not be subject to discipline for failing to report bullying.

Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken against any student solely on the basis of an anonymous report.

Any student who knowingly makes a false accusation of bullying may be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible to school staff or the Principal. If a parent, guardian, or member of the community makes a report to school staff, the staff member shall provide the details of the report to the Principal as soon as practical..

C. Investigations

Upon receipt of a report or complaint of bullying, cyberbullying or retaliation as defined in this policy, the Principal will promptly conduct an investigation.

In investigating each report or complaint of bullying, the Principal will use the Bullying/Cyberbullying Report Form to document the investigation. The investigation may include interviewing the alleged target person, the alleged aggressor, staff members, students and/or other witnesses. A monthly report of all incidents shall be provided to the Superintendent of Schools who will prepare a summary for distribution to the School Committee as appropriate or upon request of the School Committee. .

The investigation shall be completed within ten school days from the date of the report to the Principal. The parents or guardians shall be contacted upon completion of the investigation and, to the extent permitted by law, shall be informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or his/her designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.

Confidentiality shall be maintained to the extent consistent with the School's obligations under law. Individuals reporting incidents of alleged bullying should know that complaints will be promptly addressed in a confidential manner to protect the privacy of all individuals involved. Information provided under these procedures will be treated as confidential. This means that such information will be shared with others on a need-to-know basis only.

D. Safety Plan

Before fully investigating the allegations of bullying, cyberbullying or retaliation, the Principal will take steps to assess the need to restore a sense of safety to the alleged target person and/or to protect the alleged target person from possible further incidents. Responses to promote safety may include, but are not limited to, creating a Personal Safety Plan; pre-determining seating arrangements for the target person and/or the aggressor in the classroom, gym, at lunch, at recess, after school activities that occur at the school or on school grounds, or on the bus; identifying a staff member who will act as a "safe person" for the target person; and altering the aggressor's schedule and access to the target person. If necessary the Principal will take additional steps to promote safety during the course of and after the investigation.

The Principal will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

E. Determination

The Principal will make a determination based upon all of the facts and circumstances. If, after the investigation, the Principal determines that the bullying or retaliation allegations are substantiated, the Principal shall take appropriate disciplinary action,

including but not limited to reprimand, suspension, expulsion, or other sanctions as determined by the school administration. Additional actions may include:

- (i) notifying the Superintendent of Schools;
- (ii) notifying the alleged aggressor's parents of the investigative findings;
- (iii) notifying the target person's parents of the investigative findings and, as consistent with state and federal law, notify the target person's parents of the action taken to prevent any further acts of bullying or retaliation;
- (iv) taking appropriate action to protect the target person and witnesses from further bullying or retaliation.
- (v) notifying the local law enforcement agency if the Principal reasonably believes that criminal charges may be pursued against an aggressor;
- (vi) whenever the local law enforcement agency is notified, the Superintendent of Schools shall inform the Chairperson of the School Committee to the extent permissible by law.

If the Principal has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Principal should notify the Boxford Police. Notice will be consistent with the requirements of 603 CMR 49.00 and the Memorandum of Understanding between the Boxford Public Schools, the Boxford Police Department and the Essex County District Attorney's Office.

F. Target Person and Aggressor/Perpetrator Assistance

The Boxford Public Schools may provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both target persons and perpetrators, affected by bullying, as necessary. This may also be done for those who reported, participated in, or witnessed the bullying behavior.

G. Training and Assessment

Annual training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all PK to Grade 6 students.

When the Principal determines that an act of bullying or retaliation has occurred, the law requires that the school use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c71 §310(d) (v).

Skill-building approaches that the Principal may consider include:

- Offering individualized skill-building sessions based on the school's anti-bullying curricula;
- Providing relevant educational activities for individual students or groups of students, in consultation with the school counselors and appropriate

- school personnel;
- Implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- Meet with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
- Adopting behavioral plans to include a focus on developing specific social skills; and
- Making a referral for an evaluation.

H. Publication and Notice

A summary of the Bullying Prevention and Intervention Plan shall be included in the parent-student handbook and shall be posted on individual school and the district websites.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

REFERENCES: Massachusetts Department of Elementary and Secondary Education's Model Bullying Prevention and Intervention Plan

LEGAL REFS. Title VII, Section 703, Civil Rights Act of 1964 as amended
 Federal Regulation 74676 issued by EEO Commission
 Title IX of the Education Amendments of 1972
 603 CMR 26.00
 MGL 71:37O
 MGL 265:43, 43A
 MGL 268:13B
 MGL 269:14A

CROSS REFS: AC, Nondiscrimination
 ACAB, Sexual Harassment
 JBA, Student-to-Student Harassment
 JICFA, Prohibition of Hazing
 JK, Student Discipline Regulations

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