

BULLYING

INTRODUCTION: PRIORITY STATEMENT

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Lanesborough Elementary School is committed to providing all students with a safe learning environment free from bullying and cyber-bullying. This commitment is a critical aspect of the school's comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying, cyber-bullying, or retaliation against those reporting bullying and other harmful and disruptive behaviors that interfere with the learning process.

Pursuant to M.G.L. c.71, §370, the school prohibits any form of bullying, cyber-bullying, or retaliation in the school building, on or off school grounds or in school related activities. The school will conduct an immediate investigation of all reports and complaints of bullying, cyber-bullying and retaliation and take prompt action to end that behavior and restore a student target's sense of safety. The school will support this commitment in all aspects of the school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

Lanesborough Elementary School expects that all members of the school community, students and adults, will treat each other in a civil manner and with respect for differences. Bullying can create unnecessary anxiety that affects the ability or desire of a student to attend school, learn in school, travel on the school bus, feel safe in school areas such as the playground or cafeteria, or participate in special or extracurricular activities. The failure to address bullying behavior also gives other students the message that it is permissible to engage in negative conduct. This Bullying Prevention and Intervention Plan ("Plan") is a comprehensive approach to addressing bullying and cyber-bullying, and the school is committed to working with students, staff, families, law enforcement agencies, mental health and community agencies to prevent issues of violence. In consultation with these constituencies, the school has established this Plan for preventing, intervening, and responding to incidents of bullying, cyber-bullying, and retaliation. The plan shall apply to students and members of a school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals. The school principal is responsible for the implementation and oversight of the Plan.

DEFINITIONS:

Aggressor. The student or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver,

athletic coach, advisor to an extracurricular activity, or paraprofessional perpetrator of bullying, cyber-bullying, or retaliation as defined in M.G.L. c.71, §370.

Bullying. As defined in M.G.L. c.71, §370 it is the repeated use by one or more students or members of a school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- i. Causes physical or emotional harm to the target or damage to the target's property;
- ii. places the target in reasonable fear of harm to himself/herself or of damage to his/her property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school; or
- v. materially and substantially disrupts the education process or the orderly operation of the school.

Cyber-bullying. As defined in M.G.L. c.71, §370, cyber-bullying is bullying through the use of technology or any electronic communication, which includes, but will not be limited to any transfer of signs, signals, writing, images, sounds, data 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 or facsimile communications.

Cyber-bullying also includes:

- The creation of a web page or blog in which the creator assumes the identity of another person if the creation of a webpage or block creates any of the conditions previously cited. The knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying previously cited.
- 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 previously cited.

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 student's education.

Retaliation. Any form of 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 considered unacceptable behavior within the meaning of the school's Code of Conduct in the Student Handbook. Such retaliation or intimidation may result in disciplinary action.

Target. A student victim of bullying, cyber-bullying or retaliation as defined in M.G.L. c.71, §370.

Other behaviors which are rude and hurtful but do not meet the criteria to be termed bullying, may not require reporting under the law, but will be addressed within the school's Code of Conduct in the Student Handbook. For the purpose of this Plan, whenever the term bullying is used it is to denote either bullying or cyber-bullying.

LOCATIONS

Bullying is prohibited:

On School Grounds. Including 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 the school, or through the use of technology or an electronic device owned, leased or used by a school district or school.

Off School Grounds. Including 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 a school, if the bullying creates a hostile environment at school for the target, infringes on the rights of the target at school or materially and substantially disrupts the education process or the orderly operation of the school.

REPORTING

Any Staff Member (i.e. anyone employed by the school) shall immediately report any instance of bullying or retaliation he/she has witnessed or becomes aware of to the principal or designee. Reports of bullying or retaliation may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. Use of an Incident Reporting Form is not required as a condition of making a report. A school or district staff member is required to report immediately to the principal or designee or to the superintendent or designee when the principal or assistant principal is the alleged aggressor or to the school committee or designee when the superintendent is the alleged aggressor. The requirement to report to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline. Staff member shall include, but is not limited to, an educator, paraprofessional, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity, support staff member or substitute teacher.

All Volunteers will immediately report any conduct that may be bullying, cyber-bullying, retaliation, or intimidation when he/she has witnessed it or becomes aware of it to the school principal or designee. Volunteers will be notified of and trained in the reporting requirement.

Parents/Guardians. The school expects and strongly encourages parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee. Parents or guardians, and others may request assistance from a staff member to complete the

written report to the principal or designee. The report to the principal is best if done in immediate direct conversation followed by written communication to allow for immediate assessment of an alleged target's needs for protection and to restore a sense of safety for that student.

Students. The school expects students who believe they have been subjected to bullying, cyber bullying, or retaliation, or who witness or become aware of an instance of bullying or retaliation involving a student, to report it to the principal or designee. This report may also be made to the student's teacher, counselor, or any adult staff member. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with the principal or designee, or with a staff member. This report is best if done in direct conversation with the staff member, but may also be done by other means or through the student's parent or guardian, immediately followed by a written report to the principal or designee.

Anonymous Reports of bullying, cyber-bullying or retaliation, or reports by students or parent or guardians who wish to remain anonymous, may be submitted to the principal or designee and will be immediately investigated. No disciplinary action will be taken against a student based solely on an anonymous report.

A Reporting Form will be made available in the principal's office, on the school's website as a downloadable PDF file and other locations determined by the principal. This form shall be submitted directly to the principal or designee or sent anonymously to the principal or designee of the school. Even if the target or the target's family does not fill out the reporting form, the school will immediately begin the investigation of the bullying charge.

False Reports submitted knowingly and alleging bullying, cyber-bullying, or retaliation will be subject to disciplinary action in accordance with the school's Code of Conduct.

INVESTIGATING AND RESPONDING TO REPORTS

Upon receipt of a report of alleged bullying, cyber-bullying, or retaliation, the school principal or designee will, before fully investigating the allegations of bullying or retaliation, take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the target; and altering the aggressor's schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary. In conducting an investigation, the principal or designee, will consider how the bullying behavior might impact the general learning environment of the school or the impact it may have on bystanders or other students in the school.

Actions may be necessary, even if the target indicates the aggressor'(s) behavior is permissible.

The principal or designee will immediately conduct an investigation. During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Confidentiality shall be used to protect a person who reports bullying or retaliation, provides information during an investigation of bullying or retaliation, or is witness to or has reliable information about an act of bullying or retaliation.

The principal or designee is required to investigate all reports of potential acts of bullying or cyber-bullying. This obligation exists regardless of requests from reporters to not investigate or talk with certain students or individuals. We encourage reporting, but reporting on the condition that no action will be taken or limits placed on the investigation cannot be accepted.

Steps of the Investigation:

- a. An oral or written report is received.
- b. The target is interviewed, the level of threat is assessed, and actions to protect target and reporters are taken as appropriate. If the target declines to be interviewed the school will continue the investigation without further information from the target.
- c. Interview the individual(s) reporting the alleged bullying or retaliation incident, if other than the target, and note and interview other witnesses (especially adults) or any online involvement.
- d. Interview the alleged aggressor(s).
- e. Determine the merit and plausibility of the report.
- f. Determine the circumstances and establish disciplinary or other consequences, if necessary.
- g. Report to the Lanesborough Police Department, if necessary.

CONSEQUENCES OF AND RESPONSES TO BULLYING

If the school principal or designee determines that bullying or retaliation has occurred and consequences are merited, the school principal or designee will:

- a. Promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, what action is being taken to prevent further acts of bullying or retaliation.

NOTE: All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken

unless it involves a "stay away" order or other directive that the target 1111st be aware of in order to report violations.

b. Notify the Director of Pupil Personnel Services if any of the students are on an IEP or on a 504 Plan.

c. Take appropriate disciplinary action in accordance with the school's disciplinary policies.

d. Notify the local law enforcement agency if the principal or designee has a reasonable basis to believe that the incident meets the definition of bullying or may result in criminal charges against the alleged aggressor.

1. If the local law enforcement is notified, the principal or designee shall document the reasons for the decision.

ii. If the local law enforcement agency is not notified or if it determines that its involvement is not necessary, then the principal or designee shall respond to the behavior as is appropriate within the school's Code of Conduct in the Student Handbook.

iii. A Memorandum of Understanding on file in the Principal's and Superintendent's Office between the school, Lanesborough Police Department and Berkshire County Attorney's Office will outline the nature of this reporting.

e. If an incident of bullying, or retaliation involves students from another school district, the principal or designee will promptly notify the appropriate administrator of the other school district so that both may take appropriate action.

CONSEQUENCES AND SUPPORT SERVICES

Bullying behavior can take many forms and can vary dramatically in its seriousness and its impact on the target and other students. Accordingly, there is no one prescribed response to verified acts of bullying and retaliation. Consequences and disciplinary action will be applied in accordance with the school's Code of Conduct in the Student Handbook. The responses will range from redirection of future behavior to suspension or police involvement and possible expulsion from school. These actions will escalate in severity for repeated offenses or with the severity of the implication of the negative conduct. Actions may be accompanied by the referral to counseling or other therapeutic support. The specific action will be age appropriate, concrete and immediate. The nature and extent of disciplinary action imposed or consequences applied, is a matter within the sound discretion of the building principal/designee. The principal will balance the need for accountability and safety of the target with the need to teach appropriate behavior. Consequences and discipline for acts of retaliation will be imposed at the same, or more severe level as the underlying bullying, cyber bullying or inappropriate behavior.

Students who are not primary participants in the reported act of bullying, cyber bullying, or retaliation but join in, may be subject to disciplinary action or consequences as if they were primarily involved. "Joining-in" is a form of endorsing the behavior. Consequences or disciplinary actions taken in an instance of bullying

will be shared with the appropriate school staff members to ensure awareness and follow through.

When it is determined that a target is in fear or is being threatened, the principal will develop a safety plan to take immediate steps to limit and control the behavior of aggressor(s) who are causing the threat. The safety plan will be developed in collaboration with the appropriate staff and shared with staff to ensure enforcement and follow-up. The principal or designee will periodically follow-up with the target(s), and their parents, in an incident to ensure the student believes the situation has improved and that any threat or fear has been significantly reduced or eliminated.

The principal will offer counseling and referral services for appropriate family members for both targets and aggressors.

PROFESSIONAL DEVELOPMENT

Annual Staff Training on the Plan. Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school. Staff members hired after the start of the school year are required to receive the training during the school year in which they are hired.

Ongoing Professional Development. The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c.71, § 370, the content of school wide and district wide professional development will be informed by research and will include information on:

- developmentally (or age-) appropriate strategies to prevent bullying;
- developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment. This plan recognizes that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

- the incidence and nature of cyber-bullying;
- internet safety issues as they relate to cyber-bullying.

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students whose disability affects social skills development.

Additional areas identified by the school for professional development include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices; teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making;
- maintaining a safe and caring classroom for all students.

Written Notice to Staff. The school will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties, in the school employee handbook and the school's Code of Conduct in the Student Handbook.

PARENT AND STUDENT EDUCATION ABOUT THIS PLAN

Parent Education and Resources, The school will offer education programs for parents/guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the school. The programs will be offered in collaboration with parent groups.

Notification Requirements. Each year the school will inform parents or guardians of enrolled students about the anti bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyber-bullying and online safety. The school will send parents written notice each year about the student-related sections of the Plan and the school's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats. The school will post the Plan and related information on its website.

CURRICULUM AND INSTRUCTION

The school will provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the curriculum. The curriculum will be evidence-based. The Plan will describe the curriculum to help parents and others understand the school's bullying prevention efforts.

Bullying prevention curricula will be informed by current research which, among other things, emphasizes:

- using scripts and role playing to develop skills;

empowering students to take action by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance;

- helping students understand the dynamics of bullying and cyber-bullying, including the underlying power imbalance;
- emphasizing cyber safety, including safe and appropriate use of electronic communication technologies;
- enhancing students' skills for engaging in healthy relationships and respectful communications;
- engaging students in a safe, supportive school environment that is respectful of diversity and difference.

Initiatives will also teach students about student-related sections of the Bullying Prevention and Intervention Plan.

The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of the school's bullying intervention and prevention initiatives:

- Setting clear expectations for students and establishing school and classroom behavior expectations.
- Creating safe school and classroom environments for all students, regardless of race, religion, sexual orientation, or disability.
- Using appropriate and positive responses and reinforcement, even when students require discipline.
- Using positive behavioral supports.
- Encouraging adults to develop positive relationships with students.
- Modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors.
- Using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development.

Supporting students' interest and participation in non-academic/extracurricular activities, particularly in areas of their strengths.

APPLICATION TO STUDENTS ON INDIVIDUALIZED EDUCATION PROGRAMS AND 504 PLANS

As required by M.G.L. c. 71B, § 370, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines (or as determined by a 504 Plan) the student has a disability that affects social skills development or that the student may participate in, or is vulnerable to, bullying, harassment, or teasing because of his or her disability, the Team will consider what should be included in the IEP or 504 Plan to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing. This will include a particular focus on the needs of students whose disability affects social skills development.

DATA COLLECTION AND REPORTING

In order to monitor the success of the Bullying Prevention and Intervention Plan and to help determine the effectiveness of interventions, curricula and actions the school will collect, student and staff survey data, parent survey data and the number and nature of bullying, cyber-bullying and retaliation instances. Reports will be forwarded to the superintendent's office at the end of each school year. Reports of the data will be presented to the School Committee and made available to the public on the school's website.

SOURCE: MASC Model Policy

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 Board of Education 603 CMR 26:00
603 CMR 26:00
M.G.L. C. 71, § 370

REFS.: Massachusetts Department of Elementary and Secondary Education's
Model Bullying Prevention and Intervention Plan June 2014

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