

## IV. STUDENTS

### BULLYING PREVENTION AND INTERVENTION PLAN

In 2007, the Commonwealth of Massachusetts released a document entitled Direct from the Field: A Guide to Bullying Prevention to serve as a tool to meet the needs of teachers, students and parents in addressing issues related to bullying. The passage below is part of the introduction of this guide and serves to set the framework for understanding the complexity of the issues.

*Equipping administrators and teachers to respond more effectively is part of the answer, but the problem is complex and defies simple solutions. The majority of bullying incidents happen outside of the eyes and ears of school personnel – on buses, on sidewalks, on the way home, at sporting events and in bathrooms and locker rooms. Complicity among young people not to share knowledge of incidents of bullying with adults is common, often due to fear of retaliation. Ironically, while targets are disempowered by this code of silence, bullies gain power and prestige from it.*

*Multiple national studies show it is critical to create an environment of caring and respect in the classroom and school – an environment where children and adults have zero tolerance for acts of disrespect. A culture of caring and respect is fundamental; and to create such a culture, character education and the teaching of pro-social values like tolerance, altruism, empathy and self-assertiveness are essential.*

As leaders and educators in the Stoughton Public Schools, we are committed to providing an educational climate that is conducive to student engagement and learning. Our roles and responsibilities as educators will continue to include: (1) providing curriculum and programming that allow students the opportunity to develop social and behavior skills appropriate to a school environment; and (2) when a student disrupts the educational environment for others, employing a wide range of interventions appropriate to the nature of the conduct and age of the student. There is no place for student – to – student harassment and bullying within the Stoughton Public Schools as these attacks on human dignity are antithetical to the healthy educational, social and emotional growth of our students.

## **PRIORITY STATEMENT**

The Stoughton Public Schools (SPS) expects that all members of the school community will treat each other in a civil manner and demonstrate a respect for diversity. The Bullying Prevention and Intervention Plan (Plan) is a comprehensive approach to specifically addressing the issues related to bullying and cyber-bullying. The SPS is committed to working with students, staff, families, law enforcement agencies and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening and responding to incidents of bullying, cyber-bullying and retaliation.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or by 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 of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- causes physical or emotional harm to the target or damage to the target's property;
- places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- 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 a school.

Cyber-bullying is bullying through the use of technology or electronic devices such as telephones, cell phones, computers and the Internet. It includes, but is not limited to, email, instant messages, text messages and Internet postings.

Acts of bullying, which include cyber-bullying, are explicitly prohibited:

1. on school grounds and 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 a school district or school; and
2. at a location, activity, function or program that is not school-related, through the use of technology or an electronic device, which is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses; infringe on their rights at school; or materially, and substantially, disrupts the education process or the orderly operation of a school.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also prohibited.

## **POLICIES AND PROCEDURES**

### **A. Reporting bullying or retaliation.**

Oral or written reports of bullying or retaliation may be made by staff, students, parents, guardians, or others. Oral reports made by, or to, a staff member shall be recorded in writing. A school or district

staff member is required to report immediately to the principal or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents, guardians, or other individuals, who are not school or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community that may include, but will not be limited to, an Incident Reporting Form, a voicemail box, a dedicated mailing address and an email address.

Use of an Incident Reporting Form is not required as a condition of making a report. The school or district will: 1) include a copy of the Incident Reporting Form in each student handbook for students and parents or guardians; 2) make it available in the school's main office, the counseling office, the school nurse's office and other locations determined by the principal or designee; and 3) post it on the school's website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each school year, the school or district will provide the school community, including administrators, staff, students, parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, will be incorporated in student and staff handbooks, on the school or district website and in information about the Plan made available to parents or guardians.

#### 1. Reporting by Staff

A staff member will report immediately to the principal or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. 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.

#### 2. Reporting by Students, Parents, Guardians and Others

The school or district expects students, parents, 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. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents, guardians and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee.

### B. Responding to a report of bullying or retaliation.

#### 1. Student Safety

Before fully investigating the allegations of bullying or retaliation, the principal or designee will 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, 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.

The principal or designee 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.

## 2. Obligations to Notify Others

### a. Notice to parents or guardians

Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

### b. Notice to Another School or District

If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school or collaborative school, the principal or designee first informed of the incident will promptly notify, by telephone, the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations and 603 CMR 49.00.

### c. Notice to Law Enforcement

At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

## C. Investigation

The principal or designee will promptly investigate all reports of bullying or retaliation, and in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents, 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.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent

practicable and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation.

#### D. Determinations

The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigating, bullying or retaliation is substantiated, the principal or designee will take steps, reasonably calculated, to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any; and 2) determine what responsive action(s) and/or disciplinary action is necessary.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) which may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. 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, school officials are generally prohibited from informing the complainant of specific disciplinary action taken against a student—unless it involves a “stay away” or other directive that the victim should be aware of so as to report violations.

#### E. Responses to Bullying

Upon the principal or designee determining that bullying or retaliation has occurred, the building administration will utilize a wide range of responses that balance the need for accountability with the need to teach appropriate behavior.

##### 1. Teaching Appropriate Behavior Through Skills-building

Skill-building approaches that the principal or designee may consider include:

- offering individualized skill-building sessions based on the school's/district's anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting 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 evaluation.

##### 2. Taking Disciplinary Action

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of

the conduct, the age of the student(s) involved and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the school's code of conduct.

Discipline procedures for students with disabilities are governed by the Federal Individuals with Disabilities Education Improvement Act (IDEA), which will be rendered in compliance with state laws regarding student discipline.

If the principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student will be subject to disciplinary action.

### 3. Promoting Safety for the Target and Others

The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. If it has been determined that bullying has taken place on the school grounds, the principal or designee will take measures to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately.

## **ONGOING PROGRAM ASSESSMENT AND DEVELOPMENT**

The Plan is the District's blueprint for enhancing capacity to prevent and respond to issues of bullying within the context of other healthy school climate initiatives. As part of the planning process, school leaders, with input from families and staff, will periodically:

- assess the adequacy of current programs;
- review current policies and procedures;
- review available data on bullying and behavioral incidents;
- assess available resources including curricula, training programs and behavioral health services.

Periodic needs assessments will be conducted and include: 1) surveying of students, staff, parents and guardians on school climate and school safety issues; and 2) the collecting and analyzing building-specific data on the prevalence and characteristics of bullying (e.g., focusing on identifying vulnerable populations and "hot spots" in school buildings, on school grounds, or on school buses). This information will be used to identify patterns of behaviors and areas of concern; and will inform decision-making for prevention strategies including, but not limited to, adult supervision, professional development, age-appropriate curricula and in-school support services.

The assessment process will assist the schools and district in identifying resource gaps and the most significant areas of need. Based on these findings, the schools and district will:

- revise or develop policies and procedures;
- establish partnerships with community agencies, including law enforcement;
- set priorities.

Members of the SPS administrative and support team will have the responsibility of providing over site on the Plan. Areas of responsibility have been identified for school and district leaders to ensure the successful implementation and ongoing improvements to the plan. The delineation of responsibilities is as follows:

A. Principals will be responsible for:

- receiving reports on bullying;
- choosing and implementing the curricula that the school or district will use;
- implementing the curricula that the school will use;
- providing annual professional development to the faculty and staff;
- collecting and analyzing school data on bullying;
- creating a process for recording and tracking incident reports, and for accessing information related to targets and aggressors;
- planning supports that respond to the needs of targets and aggressors;
- amending student and staff handbooks and codes of conduct;
- reviewing the Plan annually and making suggestions on potential revisions;
- leading the parent or family engagement efforts and drafting parent information materials;

B. The Assistant Superintendent will be responsible for:

- planning for the ongoing professional development, as necessary to implement the Plan;
- approving the curricula that the school or district will use;
- developing new or revising current policies and protocols under the Plan, including an Internet safety policy and designating key staff to be in charge of the implementation of them;
- reviewing and updating the Plan each year, as necessary.

C. The Director of Technology will be responsible for:

- working with the principals to develop the necessary component within the data management system that will allow schools to record and track incident reports, quickly access information related to targets and aggressors, and collect and analyze school data on bullying.

## **TRAINING AND PROFESSIONAL DEVELOPMENT**

Principals, or their designee, will provide annual training to all school staff on the Plan. This training will include staff responsibilities 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 that is being offered at all grades throughout the school. Staff members hired after the start of the school year will be provided in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years. District will also provide all staff with an annual written notice of the Plan by publishing information about it in the individual school's faculty handbooks.

In addition to annual trainings, ongoing Professional Development will be provided to build the skills of staff members to prevent, identify, and respond to bullying. The content of schoolwide 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;
- information regarding 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;
- information on 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 which must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

#### **ACCESS TO RESOURCES AND SERVICES**

- A. Identifying Resources. Any student who is at risk for being bullied, or for bullying will be referred to their appropriate counselor. The counselor will assess the issue(s) and if appropriate will provide the student with ongoing emotional support and coping strategies. The counselor, in conjunction with the building administration, may refer the student and/or family to outside agencies for more intensive services. When necessary, the counselor will connect the student with a principal or assistant principal who will assume responsibility for dealing with any administrative needs associated with the issue.
- B. Counseling and Other Services. In addition to individual counseling, there are a number of services offered at each school. Both elementary and middle schools follow Second Step, a research based violence prevention program. At the high school level there are a series of eight week psycho-educational groups, developed in response to the specific needs of the system. Many of these groups have been geared directly towards support for targets and aggressors. System wide, the counseling staff would work with the ELL teachers if assistance were needed to identify culturally and linguistically appropriate resources within the school and district.
- C. Students with disabilities. As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment or teasing.
- D. Referral to Outside Services. The Stoughton Public Schools updates and review annually a district wide Counseling Referral list comprised of local and state agencies, as well as private therapists. Referrals to outside service providers are made when deemed necessary by the District.

#### **ACADEMIC AND NON – ACADEMIC ACTIVITIES**

The Stoughton Public Schools will provide a bullying prevention curricula, which will be informed by current research which, among other things, may emphasize the following approaches:

- using scripts and role plays 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; and
- engaging students in a safe, supportive school environment that is respectful of diversity and difference.

Teachers will be asked to implement practices that have been shown to support bullying prevention efforts. The following approaches have been identified as integral to establishing a safe and supportive school environment:

- setting clear expectations for students and establishing school and classroom routines;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;
- modeling, teaching, and rewarding pro-social, healthy and respectful behaviors;
- using positive approaches to behavioral health, including collaborative problem-solving, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the Internet safely.

## **COLLABORATION WITH FAMILIES**

### **A. Parent education and resources.**

The school or district will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the district or school. The programs will be offered in collaboration with the PTO, PTA, School Councils, Special Education Parent Advisory Council, or similar organizations.

### **B. Notification requirements.**

Each school will include in its student handbook information on the student-related sections of the Plan, the dynamics of bullying, cyber-bullying and the District's Internet safety policy. The handbook will also provide the parents or guardians of enrolled students with information on the anti-bullying curricula that is being used at the school. All notices and information will be made available to parents or guardians in both hard copy and electronic formats; and will be available in the language(s) most prevalent among parents or guardians, upon request. The school and / or district will post the Plan and related information on its website.

## **DEFINITIONS**

Aggressor is a student or by 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 who engages in bullying, cyber-bullying or retaliation.

Target is a student against whom bullying, cyber-bullying or retaliation has been perpetrated.

Hostile environment, as defined in M.G.L. c. 71, § 37O, is 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 a student's education.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or by 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 of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- causes physical or emotional harm to the target or damage to the target's property;
- places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- 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 a school.

Cyber-bullying is bullying through the use of technology or electronic devices such as telephones, cell phones, computers and the Internet. It includes, but is not limited to, email, instant messages, text messages and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyber-bullying.

Retaliation is any form of intimidation, reprisal or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff or paraprofessionals.

## **RELATIONSHIP TO OTHER LAWS**

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on the basis of age, activities, race, color, religion, national origin, homelessness, gender, gender identification, sexual orientation, physical disability, handicap, and pregnancy or pregnancy related conditions. The Plan also provides protection for all students regardless of their legal status. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H, 37H½, 37H¾, or other applicable laws, or local school or district policies in response to violent, harmful or disruptive behavior, regardless of whether the Plan covers the behavior.

Original Adoption by the School Committee: November 23, 2010

Most Recent Update: December 4, 2018 – Updated Protected Class Categories