

## ANTI-BULLYING

It is the policy of the Masconomet Regional School District to foster and maintain safe learning environments that are free from bullying, cyber-bullying, and retaliation. It shall be a violation of this policy for any student or school staff in the Masconomet Regional School District to bully a student and/or to retaliate against any individual for reporting bullying or cooperating with an investigation thereof. Students or school staff who engage in bullying, cyber-bullying, or retaliation will be subject to a range of disciplinary sanctions including, but not limited to, reprimand, detention, suspension, expulsion or other sanctions as determined by the school administration.

The Masconomet Regional School District has established separate policies that prohibit discrimination and harassment. Nothing in this policy shall prevent the Masconomet Regional School District from remediating any discrimination or harassment based on an individual's membership in a protected class in accordance with those policies.

### Definitions

**Bullying:** 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 victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself/herself or of damage to his/her property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this policy, bullying shall include cyber-bullying.

**Cyber-bullying:** 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 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 shall also include (i) the creation of a web page or blog 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 enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include 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 *Masconomet Regional School District*

clauses (i) to (v), inclusive, of the definition of bullying.

**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's education.

**Target / Victim:** A student who has been subject to bullying or retaliation.

**Aggressor/ Perpetrator:** A 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 who engages, either individually, or as part of a group, in bullying, cyber-bullying or retaliation.

Local law enforcement agency: local police department

**Principal:** The administrative leader of a Masconomet Regional public school or his/her designee for the purposes of investigating and responding to reports of bullying, cyber-bullying or retaliation.

**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.

#### A. Prohibited Behavior(s)

The Masconomet Regional School District is committed to maintaining learning environments that are free from bullying, cyber-bullying, and retaliation. Bullying, cyber-bullying and/or retaliation is strictly prohibited and may result in the imposition of disciplinary sanctions by school administration.

For purposes 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 a school district or school; 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 a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim 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 Masconomet Regional 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  
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of bullying, or witnesses or has reliable information about bullying is also prohibited.

#### **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, cyber-bullying or retaliation that the staff member has witnessed or has become aware of.

#### **D. Investigations**

Upon receipt of such a report or complaint of bullying, cyber-bullying or retaliation as defined in this policy, the principal will promptly conduct an investigation. If the principal determines that bullying, cyber-bullying, and/or retaliation has occurred, the principal will:

- (i) notify the local law enforcement agency if the principal reasonably believes that criminal charges may be pursued against an aggressor;
- (ii) take appropriate disciplinary and corrective action;
- (iii) notify the parents or guardians of the aggressor of the investigative findings;
- (iv) notify the parents or guardians of the target of the investigative findings and, as consistent with state and federal law, notify the target's parents of the action taken to prevent any further acts of bullying or retaliation;
- (v) take appropriate action to protect the target and witnesses from further bullying or retaliation.

#### **E. Bullying Prevention and Intervention Plan**

The superintendent will develop and implement a Bullying Prevention and Intervention Plan to address bullying prevention and intervention in Masconomet Regional schools.

- (i) Development of the Plan
  - a. The plan shall be developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, local law enforcement agencies, students, parents and guardians. The consultation shall include notice and a public comment period. The plan shall be updated biennially.
- (ii) 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, cyber-bullying and retaliation consistent with this policy;

  - (a) procedures for students, staff, parents, guardians and others to report bullying or retaliation;
  - (b) a statement that the District 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 1 or more of these characteristics;

(c) 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;

(d) a provision that a student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action;

(e) procedures for promptly responding to and investigating reports of bullying or retaliation;

(f) information regarding the range of disciplinary and remedial actions that may be taken against the aggressor for bullying or retaliation; provided, however that the disciplinary actions shall balance the need for accountability with the need to teach appropriate behavior;

(g) procedures for assessing and monitoring the target's and witnesses' need for protective interventions;

(h) 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;

(i) procedures consistent with state and federal law for notifying the parents of a target and of an aggressor of the investigative findings and actions to be taken;

(j) a provision for the notification of local law enforcement agencies if the principal reasonably believes that criminal charges may be pursued against the aggressor;

(k) a provision for annual and ongoing professional development to build the skills of all staff members, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities and paraprofessionals, to prevent, identify, and respond to bullying;

(l) a provision for the implementation of an evidenced-based anti-bullying instruction in grades 7-12 and for informing parents regarding the instructional contents and strategies for reinforcing the learning at home, the dynamics of bullying, and internet safety;

(m) a strategy for providing counseling or referral to appropriate service for aggressors and targets and for appropriate family members of said students;

(n) a statement that the plan affords all students the same protection regardless of their status under the law;

(o) a statement that advises the parents/guardians of victims of the DESE problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system;

(p) a statement that only students can be classified as victims of bullying under state law, and therefore, bullying complaints against staff members should be

investigated under the District's relevant harassment grievance procedures, when applicable, and/or through other means;

(q) a provision for the collection and reporting of data as required by DESE; and

(r) a provision for the District to implement a DESE developed student survey at least once every four years to assess school climate and the prevalence, nature and severity of bullying in schools.

(iii) Implementation of the Plan

It shall be the responsibility of the building principal to implement and adhere to the District's Bullying Prevention and Intervention Plan within each school.

(iv) Public Notice

A summary of the Bullying Prevention and Intervention Plan shall be included in each school's student handbook and shall be posted on individual school and district websites. The Masconomet Regional School District shall also provide all school staff annual written notice of the Plan.

Legal Refs: M.G.L. c.71, §37O; 603 CMR 49.00