

## Word Bullying Prevention and Intervention Plan

Rockport Public Schools are committed to providing a safe, positive, and productive learning environment for *all*—and to discouraging any behavior that interferes with that goal. Accordingly, the Rockport Public Schools Policy regarding Bullying Prevention and Intervention is summarized below.

Definition - Bullying may take a variety of forms. It is unacceptable in a school or work environment. As a result, no student or employee shall be subjected to harassment, intimidation, bullying, or cyber-bullying in a public educational institute: “Bullying” means the repeated use by one or more students or by a member of 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 an unwelcome 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 the target’s property; student or employee, (ii) places the target in reasonable fear of harm to himself or of damage to his 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 a school. For the purposes of this section, bullying shall include cyber-bullying.

The behavior must interfere with a student’s academic performance or ability to learn, or interfere with a student’s ability to participate in or benefit from services, activities, or privileges: (a) that are being offered through the school district; or during any education program or activity; or while in school, on school equipment or property, in school vehicles, on school buses, at designated school bus stops, at school-sponsored activities, at school-sanctioned events; or

“Cyber-bullying” 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 or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo optical system, including but not limited to, electronic mail, internet communications, instant messages or facsimile communication. Cyber-bullying shall also include (i) knowing impersonation of another person as the author of posted content or messages, if the creator 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 persons.

Cyber-bullying may occur through the use of data, telephone or computer software that is accessed through a computer, computer system, or computer network or any public

education institute. As used in this Section, “electronic communication” also means any communication through an electronic device including, but not limited to a telephone, cellular phone, computer or pager.

“Aggressor” is a student or 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.

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds;
- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the Rockport Public Schools.

Bullying and cyber-bullying are prohibited 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 Rockport Public Schools if the act or acts in question:

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupts the education process or the orderly operation of a school.

The following procedures are based on the requirements of M.G.L. c. 71, § 37O. In addition to the requirements of M.G.L. c. 71, § 370, where the alleged conduct is on the basis of race, color, national origin, age, gender, gender identity or expression, sexual orientation, disability or religion, the district should also consider whether the conduct constitutes a hostile environment based on those protected classes, consistent with its Discrimination and Harassment Grievance Procedures.

Reporting bullying or retaliation. Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member will 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 or 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 including, but not limited to, an Incident Reporting Form, 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 the beginning of the year packets 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, and 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 that is made available to parents or guardians.

**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.

**Reporting by Students, Parents or Guardians, and Others** - The school or district expects students, 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. 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 or 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.

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

**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, 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 determining the steps necessary to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents, the Principal or designee shall consider 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 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

Investigation - Upon receipt of a report or complaint that would, if true, constitute bullying, cyber-bullying, or retaliation, the Principal will promptly commence an investigation. In investigating any such complaint, the Principal or designee will interview students, staff, and any witnesses to the alleged conduct. To the extent practicable and consistent with the Principal's obligation to act promptly and to thoroughly investigate and address the matter, the Principal or designee will maintain confidentiality during the investigative process and shall not disclose unnecessary or confidential information to interview subjects. During any such interviews, the Principal will inform the target, aggressor, and all witnesses that retaliatory treatment of any individual for reporting or lack of cooperation with an investigation of bullying will result in disciplinary action may include possible suspension or expulsion from school.

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.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for bullying investigations. If necessary, the Principal or designee will consult with legal counsel about the investigation.

At any point after receipt of a report of bullying or retaliation, including after an investigation, the principal shall notify the Rockport Police Department and School Resource Officer if the Principal has a reasonable basis to believe that criminal charges may be pursued against the aggressor. Notice shall be consistent with the requirements of 603 CMR 49.00 and established agreements with the local law enforcement agency. The Principal shall document the reasons for his or her decision to notify law enforcement. Nothing in this section shall be interpreted to require reporting to a law enforcement agency in situations in which bullying and retaliation can be handled appropriately within the school district or school.

Determinations - The Principal will make a determination based upon all the facts and circumstances. If, after the investigation, bullying or retaliation is substantiated, the Principal will determine what remedial action may be required, if any, and determine what responsive actions and/or disciplinary action is necessary. The Principal's findings and determinations shall be documented in writing on the Incident Reporting Form.

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

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) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

**Notice of Investigative Findings** - Upon determining that bullying or retaliation has occurred, the Principal or designee will promptly notify parents or guardians of the target and aggressor of this, and of the procedures for responding to it. While prior notice of an investigation shall not be required, the Principal shall not be precluded from notifying the parents of a target or aggressor prior to completion of the principal's investigation. This communication will be done in the primary language of the home.

In notifying the parents of a target or aggressor of an investigation or the Principal's findings thereon, the Principal shall maintain the privacy and confidentiality of any individual or child who is not the child of the parents to whom the notice is provided. The Principal shall ensure that any notice to the parents complies with applicable state regulations including, but not limited to, 603 CMR 49.00, and shall not report specific information to the target's parent(s) about the disciplinary action taken against an aggressor unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

The notice to the parents or guardians of the victim shall include information about the Massachusetts Department of Elementary and Secondary Education's ("DESE") problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. The parents of the victim should be provided the following contact information: Program Quality Assurance Services, Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148-4906, Telephone: 781-338-3700; TTY: N.E.T. Relay: 1-800-439-2370.

**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 Plan and with the school's or district's code of conduct. Possible consequences to serious incidents of bullying include possible suspension and expulsion from school. Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation 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 may be subject to disciplinary action.