

## BULLYING/HARASSMENT

### Lynnfield Public Schools Bullying Prevention and Intervention Plan

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#### **I. Leadership**

The Lynnfield Public Schools recognizes that all stakeholders must be involved in the continuous development and assessment of its policies and procedures regarding bullying and retaliation. Lynnfield Public Schools is committed to working with: faculty, staff, Lynnfield Police Department, parents and community members to address the issue of bullying and retaliation.

#### **Task**

#### **Person(s) Responsible**

- |  |   |
|--|---|
| 1. Receiving reports on bullying       | Principal, Asst principal, school psychologists, and counselors |
| 2. Collecting and analyzing data       | Principal, Assistant principal and/or designee                  |
| 3. Creation and accessing reports      | Principal, Assistant principal                                  |
| 4. Planning professional development   | Principal   |
| 5. Planning students supports          | Principal, Assistant principal, school psychologists, faculty   |
| 6. Choosing/implementing curricula     | Principal, Wellness educators, department heads                 |
| 7. Developing/revising policy          | ALT, School Committee   |
| 8. Amending handbooks/codes of conduct | Assistant principal, FAC, school councils                       |
| 9. Leading parent engagement           | ALT, PTO, School Council, PAC                                   |
| 10. Review/update plan                 | Principal, Assistant Principal, FAC                             |

#### **II. Training and Professional Development**

The Lynnfield Public Schools, under M.G.L. c. 71, § 37O, are committed to providing ongoing professional development and/or training for all staff, including but not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, and paraprofessionals.

**A. 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 or district. Staff members hired after the start of the school year are required to participate 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.

**B. 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.

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 with autism or students whose disability affects social skills development.

**C. Written notice to staff.** The school or district will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties, and bullying of students by school staff, in the school or district employee handbook and the code of conduct.

### III. Access to Resources

#### A. Identifying and Accessing resources.

Lynnfield Public Schools offers a number of resources to support students and their families. Referrals for such services are made by a team of professionals who may include teachers, school psychologist, school nurses and administrators. Outside service referral resources are available with school psychologists and school administrators. Lynnfield Public Schools offers the following resources and support programs:

- **School psychologists/guidance counselors** All levels
- **Advisory Program** LHS
- **Mentoring Program** LMS
- **Crisis Team** All levels
- **Social Skills Groups** HHS, SSS & LMS
- **Individual counseling by School Psych.** All levels
- **Student Leader Advisors** LHS

#### B. Students with Disabilities

As required by M.G.L. c. 71B, § 3, and amended by Chapter 92 of the Acts of 2010, when the IEP Team determines a student has a disability that affects the development of his/her social skills or the student, because of his/her disability, participates in or is vulnerable to bullying, harassment, or teasing, the Team will consider what should be included in the IEP to develop in the student the skills necessary to avoid or respond properly to bullying, harassment, or teasing.

### IV. Academic and Non-Academic Activities

A. Specific bullying prevention approaches. Bullying prevention curricula will be informed by current research which, among other things, emphasizes 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 or school staff engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students and staff 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' and staff skills for engaging in healthy relationships and respectful communications; and
- Engaging students and staff in a safe, supportive school environment that is respectful of diversity and difference.
- Using literature as a basis for positive decision making, self-advocacy, empowering students and staff to help others and reporting observed incidents

B. General teaching approaches that support bullying prevention efforts. The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines;
- creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- 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;
- using the Internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

## V. Policies and Procedures for Reporting and Responding to Bullying and Retaliation

Bullying of any type has no place in a school setting. The Lynnfield Public Schools will endeavor to maintain a learning and working environment free of bullying, cyber-bullying, and/or retaliation.

Bullying shall be prohibited: (i) 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 (ii) 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 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. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

Bullying, as defined in M.G.L. c. 71, § 370, is the repeated use by one or more students or a member of a school staff 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 of damage to his 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.

Examples: (if repeated)

- Intimidation, either physical or psychological
- Threats of any kind, stated or implied
- Assaults on students, including those that are verbal, physical, psychological and emotional
- Attacks on student property
- Damaging rumors
- Social isolation.

Cyber-bullying (as defined in M.G.L. c.71, s.370) - 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:

- the creation of a web page or blog in which the creator assumes the identity of another person or
- 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; and
- 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 clauses (i) to (v), inclusive, of the definition of bullying.

Examples

- Sending derogatory, harassing or threatening email messages, instant messages, or text messages
- Creating websites that ridicule, humiliate, or intimidate others
- Posting on websites or disseminating embarrassing or inappropriate pictures or images to others

Retaliation – is 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

<sup>1</sup> Chapter 92, An Act Relative to Bullying In Schools

<sup>2</sup> Stoneham, Chandler, and Miller, Model Policy, Unit 2, pg. 3

#### Reporting Procedures:

**Staff:** Any staff member who witnesses or becomes aware of an act of bullying or retaliation should report it to the Principal, Assistant Principal, or an administrator immediately, or to the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or to the school committee or designee when the superintendent is the alleged aggressor.

**Students, Parents/Guardians, and Others:** If any other person witnesses or becomes aware of an act of bullying or retaliation, it is expected that they will report it to the Principal, Assistant Principal, or an administrator immediately, 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. A student or staff member who knowingly provides false or misleading information regarding an act of bullying or retaliation will be subject to disciplinary action.

**Anonymous Reporting:** Anonymous reports may be made using the Incident Reporting Form available in the main office of each school and online on the district web page. An investigation will be conducted; however, no disciplinary action may be taken against a student or staff member solely on the basis of an anonymous report.

**Reporting to Parents/Guardians:** The Principal, Assistant Principal, or administrator will notify the parent/guardian of the alleged target and the alleged aggressor of a report as soon as possible. If the alleged target and the alleged aggressor attend different schools, the Principal or Assistant Principal receiving the report will inform the Principal of the other student's school, who shall notify the student's parents/guardians of the report and procedures.

**Reporting to Local Law Enforcement:** If the Principal, Assistant Principal, or administrator has a reasonable basis to believe that the incident may involve criminal conduct, he or she will notify the appropriate local law enforcement agency. If an incident occurs on school grounds and the aggressor is under the age of 21 and no longer enrolled in a local school district, the Superintendent will notify the appropriate local law enforcement agency.

**Reporting to Administrator of Another School District or School:** If the incident of bullying or retaliation involves students from several schools, the Principal or Assistant Principal receiving the report will contact the Principals at the other students' schools so that they can then take appropriate action.

#### Investigation:

The Principal or Assistant Principal will promptly investigate any report of bullying or retaliation. The following are general phases of an investigation:

- 1) **Pre-Investigation:** Upon receiving a report of bullying or retaliation, the Principal or Assistant Principal will immediately assess whether the need to protect and support an alleged target or aggressor is necessary. This may become evident before or after interviewing witnesses depending on the individual circumstances.
- 2) **Written Documentation:** The investigator will take detailed notes from the complainant to determine exactly what happened.
- 3) **Interviews:** The investigator will take detailed notes from the alleged target, aggressor, and relevant witnesses in an appropriate order. All parties should be reminded of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.
- 4) **Confidentiality:** The investigator will make every attempt to protect the confidentiality of the complainant and witnesses, while balancing the obligation to investigate and address the incident first and foremost.
- 5) **Determination:** The investigator will make a final decision based on the perspective of a reasonable person. If an act of bullying or retaliation is substantiated, the investigator will take reasonable steps to prevent any further acts, while taking into consideration the aggressor's needs as well. In other words, "disciplinary actions shall balance the need for accountability with the need to teach appropriate behavior" (Chapter 92, sec. 5). The investigator may take disciplinary action, provide safety measures, set-up further educational needs, restrict from participation in school activities, promote communication going forward, and/or create an Action Plan to assist the target going forward.

#### Follow-up:

Once the investigation is complete, the investigator will promptly notify parents/guardians of both the target and aggressor of the investigatory procedures already taken. The parents/guardians of the target shall be notified at this time of any possible action taken to prevent any further acts of bullying and/or retaliation. The investigator may NOT disclose any specific disciplinary procedures instituted against any other students or staff members, including the aggressor, under the Family Educational Rights and Privacy Act (FERPA) to third parties, including the target's parents/guardians. The district will record and maintain the report of the complaint, and any possible action taken by the investigator.

## VI. Definitions

**Aggressor** is a student or a member of a school staff who engages in bullying, cyberbullying, or retaliation towards a student.

**ALT:** Administrative Leadership Team which includes the superintendent, Director Special Services, Director Finance-Special Programs, Principals and Assistant Principals

**Bullying**, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or a member of a school staff 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 or herself or of damage to his or 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 a school.

**Cyberbullying:** 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.

**FAC:** Faculty Advisory Council

**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.

**PAC:** Parent Advisory Council

**PTO:** Parent Teacher Organization for each school building

**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.

**School 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.

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

## VII. 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 account of race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or 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. 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 or 37H½, M.G.L. c. 71, §§41 and 42, M.G.L.c 76 § 5, or other applicable laws, or local school or district policies, or collective bargaining agreements, in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.