

Lynnfield Public Schools Policy Prohibiting Bullying

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.¹

Bullying (as defined in M.G.L. c.71, s.370) – the **repeated** use by one or more students 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.

Examples²

- sending derogatory, harassing or threatening email messages, instant messages, or text messages

¹ Chapter 92, An Act Relative to Bullying In Schools

² Stoneham, Chandler, and Miller, Model Policy, Unit 2, pg. 3

- 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

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.

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. A student 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 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 that any retaliation taken will involve disciplinary action and that the incident should involve no further discussion to protect the alleged target.
- 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, 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.