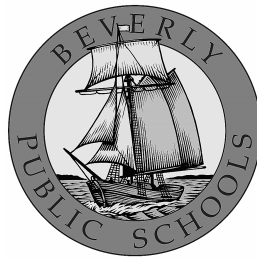


# Beverly Public Schools



## Bullying Prevention and Intervention Plan

Updated: August 2013

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**Appendix A: Bullying Prevention Policy**

**Appendix B: Bullying Prevention and Intervention  
Incident Reporting Form**

## **I. LEADERSHIP**

District leadership is committed to developing a strength-based safe school climate where everyone is treated with dignity and respect. We intend to provide a learning and working atmosphere for students, employees, parents/guardians and visitors free from bullying, cyber-bullying, discrimination and harassment of any kind.

It is the responsibility of every employee and student to recognize acts of bullying and harassment and take every action necessary to ensure applicable policies and procedures of the District are implemented. It is a violation of our policy for any visitor or member of the school community to engage in or condone prohibited behavior.

The Superintendent and/or his/her designee shall oversee the development of a prevention and intervention plan, in consultation with all District stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of this policy, as well as state and federal laws. The Bullying Prevention and Intervention Plan shall be reviewed and updated at least biennially.

The Bullying Prevention and Intervention Plan shall apply to students and members of a school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity or paraprofessionals.

Any student or employee who believes that he or she has been subject to bullying, cyberbullying or harassment is encouraged to file a complaint immediately and should expect prompt and thorough investigation of the complaint, including ending the prohibited behavior and restoring the target's sense of safety and well being.

Leadership at all levels plays a critical role in our Bullying Prevention and Intervention Plan and in promoting a positive school climate. District employees have the primary role in teaching students to be civil to one another and to promote an understanding of, and respect for, diversity and

difference. Professional development and school activities support this effort. District leadership receives training and annual updates about the Bullying Law and our District's Prevention and Intervention Plan.

## **II. TRAINING AND PROFESSIONAL DEVELOPMENT**

Annual training for all school staff and students will occur before September 30<sup>th</sup> of the school year. Training will include, but not be limited to, a review of the District's responsibilities and review of the District's Bullying and Discrimination/Harassment Policies and the Bullying Prevention and Intervention Plan in their entirety. All staff are expected to participate in the District's Online Civil Rights (Discrimination/Harassment) and Bullying Prevention and Intervention Trainings. Staff members hired after the start of the school year will be provided with training materials by the Personnel Department and trained by their respective building-based equity coordinators. In addition, building leadership and equity coordinators will review District prevention efforts and protocols with all new hires.

Building based equity coordinators receive specialized training in bullying and harassment prevention, investigation, and remediation. Equity coordinators will continue to participate in and receive related and specialized training in the 2017-18 school year. Equity coordinators work closely with the District's Title(s) VI, IX Coordinator and with parents and staff to remediate bullying and harassment.

Copies of the District's updated Bullying Prevention and Intervention Plan, Bullying and Discrimination/Harassment Policies, as well as the related Age-Appropriate Summary, are distributed each year to all staff and summaries are posted throughout all school buildings and on our school website. The Policy and Plan will continue to be reviewed and disseminated to the District's Wellness Advisory Committee and PTO Leadership for questions or comments. Notices are sent to the local newspapers each school year.

Equity coordinators, school adjustment counselors and classroom teachers (utilizing Olweus, Second Step, Steps to Respect and the District's Age-Appropriate Discrimination/Harassment/Bullying Summary), facilitate lessons and work with students to promote bystander responsibility and to ensure that all students understand the definitions of bullying, harassment, cyber-bullying, retaliation, target, and aggressor. At the beginning of each

school year, equity coordinators are responsible for reviewing with school recess and lunch monitors, school nurses, and secretaries, the Bullying Policy, the District's Prevention and Intervention Plan, Olweus, and Steps to Respect. Custodians and transportation staff are trained by the District's Title(s) VI, IX Coordinator. Building based equity coordinators will review the Bullying Policy and the District's Prevention and Intervention Plan, with parents at their school's first open house. The District will provide an annual related training to parents. Related resources for students, staff, parents and guardians are posted on the District website.

Steps to Respect continues at the elementary level along with Olweus lessons, Second Step and Responsive Classroom; Second Step and Olweus are taught at Briscoe Middle School and Olweus at Beverly High School.

YRBS data, climate, student and staff discussions, incident reports (in-house discipline reports) and equity reports will be charted, reviewed regularly and studied annually to identify school and District training needs and areas for additional education and support.

Ongoing professional development will continue to support staff proficiency in creating climates that promote safety, civil communication and respect for differences. Principals are committed to evidence-based curriculum and expect that our programs will be implemented with fidelity.

Effective communication with parents continues to be a goal within the District. We ask parents for their support and cooperation in monitoring their child's Twitter, Snapchat, Facebook, Instagram, emails, texting and cell phone use.

Team chairs are designated to assist school adjustment counselors and building equity coordinators in preventing and responding to bullying and/or retaliation for students with disabilities. Responsive Classroom curriculum and training will continue at the five elementary schools.

### **III. ACCESS AND RESOURCES**

Consultation is available on an on-going basis to District equity coordinators and school staff. The District has mapped school resources at the universal, selective, and intensive levels. Behavioral health consultations will be available to families and staff to assist in developing effective classroom

management techniques and to develop behavioral plans for the classroom and/or at home. We have utilized behavioral health consultants for the past seventeen years and collaborate regularly with representatives from the Departments of Children and Families and Mental Health, Essex County Juvenile Court, Beverly Bootstraps, the YMCA, and the CSA. In addition, we contract with strength-based behavioral consultants at the elementary level; board certified behavioral analysts at the middle and elementary schools; and a middle and high school consultant for students with social deficits, to assist teachers in building strategies. We hope to secure grant funding for additional behavioral health consultation and intervention training. The District has close relationships with community and mental health providers and can often successfully secure appropriate resources to meet student/family needs.

Social skills groups continue to be an ongoing practice at all levels facilitated by school adjustment and guidance staff. The District accesses MSW social work interns to facilitate additional groups and our special education department has contracted with mental health providers skilled in working with children with developmental delays to facilitate social skills groups for at-risk students.

Social skills groups and facilitated play, including lunch bunches, after school mentors (PALS), social pragmatic groups, and respite opportunity (TLC) are facilitated by school adjustment counselors, speech therapists, paraprofessionals, teaching fellows, mental health clinicians, and behavioral consultants who specialize in working with students and families with disabilities. In addition, our special education staff and consultants provide interventions in collaborative problem solving, pragmatics, sensory processing, executive functioning and social autopsies and rehearsals. It is the District's expectation that throughout our buildings all staff are modeling pro-social behaviors.

Investigations and remediation of bullying incidents involving a student who has been bullied due to perceived or actual sexual orientation or gender identity, equity coordinators will refer to the Department of Elementary & Secondary Education January 2011 Guidance and, as needed, confer with the District's Title(s) VI, IX Coordinator.

The District sets clear behavioral expectations for school and classroom practice. We strive to use strength-based language and positive supports to create and maintain adult connections for all students.

#### **IV. PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION**

The District has developed this Prevention and Intervention Plan to ensure that the educational opportunities of all students and the employment conditions of all employees are not threatened or limited by bullying to make certain that differences are respected and individuals are free to work, learn, and develop relationships without fear of intimidation, humiliation, or degradation.

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, shall be recorded in writing using the complainant's own words. Reporting Forms are available in all school offices and on-line. Use of a Reporting Form is not required as a condition of making a report. A Reporting Form will be included in the beginning of the year packets for students and parents/guardians. The Reporting Form is available in the most prevalent language(s) of origin of students and parents or guardians (Spanish and Portuguese). In addition, the District has developed a method for anonymous complaints and an anonymous report form which includes an area to note positive student behavior. Anonymous reporting boxes are expected to be placed in no fewer than three areas in each school building. Students are informed of the locations of the anonymous reporting boxes.

At the beginning of each school year, the District provides the school community, including administrators, staff, students, and parents or guardians, with written notice of our 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 equity coordinator, are incorporated in student handbooks, on the school District website, throughout the school buildings, and in information about the Plan that is made available to parents or guardians.

##### **1. Reporting by Staff**

A staff member will report immediately to the principal or equity coordinator when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the principal or equity coordinator 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 and climate management and discipline. Failure to report an incident of bullying may result in disciplinary action. Staff may report verbally or in writing to the building principal or building equity coordinator if they feel they are a target of bullying.

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

Bystander responsibility: the District expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student or staff member, to report it to the principal or building equity coordinator. Reports may be made anonymously, but no disciplinary action will be taken against an alleged perpetrator 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. Equity coordinators and teachers will provide students with practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or equity coordinator.

## **3. Safety**

Before fully investigating the allegations of bullying or retaliation, the principal or equity coordinator 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 during the course of the investigation. Responses to promote safety may include, but not be limited to: speaking with parents/guardians of the aggressor and or target, 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 equity coordinator will take additional steps to promote safety after the investigation, as necessary and make appropriate referrals, as appropriate.

The principal or equity coordinator will implement appropriate strategies to protect students from bullying or retaliation who have 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.

#### 4. **Obligations to Notify Others**

- a. **Notice to parents or guardians.** There may be circumstances in which the principal or equity coordinator contacts parents or guardians prior to any investigation. Communication will be guided by the Department of Elementary & Secondary Education's, January 2011 Guidance. Upon investigation and determination that bullying or retaliation has occurred, the principal or equity coordinator will promptly notify the parents or guardians of the target and the perpetrator of the determination, and of the procedures for responding to the bullying and retaliation. The principal or equity coordinator will inform the parent/guardian of the actions taken to prevent further acts of bullying or retaliation.

Communication will occur in the primary language in the home utilizing foreign language staff or a translator, if indicated.

In cases when sensitive information is shared, i.e. actual or perceived sexual orientation or gender identity expression, building principals and equity coordinators will first confer among themselves, seek consultation, as indicated, and meet with parents or guardians in person. Building principals and equity coordinators will use their discretion in discussing the incident and avoid sharing any information that may endanger the mental or physical well being and safety of the student.

Notice will be consistent with confidentiality requirements of the Massachusetts Student Record Regulation, 603 CMR 23.00 and the Federal Family Educational Rights and Privacy Act Regulations, 34 CFR Part 99, as set forth in 603 CMR 49.07. (DESE Notification of Bullying or Retaliation Regulations)

- 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 equity coordinator first informed of the incident will promptly notify, by telephone, the principal 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. (DESE Notification of Bullying or Retaliation Regulations)
  
- c. **Notice to Law Enforcement.** At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or equity coordinator 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.
  
- d. 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 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 perpetrator. In making this determination, the principal will, consistent with the Plan and with applicable school or District policies and procedures, consult with the District law enforcement liaison and other individuals, the principal or equity coordinator deems appropriate.

## **5. Investigation**

The principal or equity coordinator will investigate promptly and thoroughly 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. The District will proceed with complaints about staff as outlined in the Discrimination/Harassment Policy.

During the investigation, the principal or equity coordinator will, among other things, interview students, staff, witnesses, parents or guardians, and others, as necessary. The investigator 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 equity coordinator and in consultation with the school counselor and or special education liaison, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or equity coordinator will maintain confidentiality during the investigative process. The investigator will maintain a written record of the investigation including statements by witnesses.

Procedures for investigating reports of bullying and retaliation will be consistent with school and District policies. If necessary, the principal or equity coordinator will consult with the Superintendent, Title(s) IX & VI Coordinator or legal counsel about the investigation.

## **6. Determinations**

The investigator will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the investigator 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 investigator will: 1) determine what corrective action is required, and 2) the principal will determine what disciplinary action is appropriate.

Depending upon the circumstances, the principal or equity coordinator may choose to consult with the student's teacher(s) and/or school counselor, special education liaison or team chair, 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.

The principal or equity coordinator will promptly notify the parents or guardians of the target and the aggressor about the results of the

investigation if bullying or retaliation is found and 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, the principal or equity coordinator cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

Care will be exercised in releasing information or documents concerning statements made by the aggressor to the target and statements made by parties during the investigation. The regulation authorizes release of information during the investigatory phase not once the investigation is completed. Also, great care will be taken in matters which are not at the core of individual privacy concerns, such as information relating to sexual orientation or sexual behaviors.

The regulations that speak to confidentiality in 603 CMR 49.07, state:

- (1) A principal may not disclose information from a student record of a target or aggressor to a parent unless the information is about the parent's own child.
- (2) A principal may disclose a determination of bullying or retaliation to a local law enforcement agency under 603 CMR 49.06 without the consent of a student or his or her parent. The principal shall communicate with law enforcement officials in a manner that protects the privacy of targets, student witnesses, and aggressors to the extent practicable under the circumstances.
- (3) A principal may disclose student record information about a target or aggressor to appropriate parties, in addition to law enforcement, in connection with a health and safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals as provided in 603 CMR 2307(4) (e) and 34 CFR 99.31(a) (10) and 99.36. 603 CMR 49.07(3) is limited to instances in which the principal has determined there is an immediate and significant threat to the health and safety of the student or other individuals. It is limited to the period of emergency and does not allow for blanket disclosure of student record information. The principal must document the disclosures

and the reasons that the principal determined that a health or safety emergency exists.

## **7. Responses to Bullying**

The District will utilize building based initiatives, including the implementation of evidence-based curriculum with fidelity, and individualized interventions to prevent bullying and retaliation. In addition, the District anticipates working closely with parents/guardians around bullying prevention efforts and remediation.

### **a. Teaching Appropriate Behavior Through Skills-Building: Second Step, Responsive Classroom, Steps to Respect, Olweus, and Special and Regular Education Interventions:**

- School staff model pro-social behaviors.
- School adjustment counselors and guidance will facilitate individualized skill-building sessions based on the school's/district's anti-bullying curriculum: Steps to Respect, Second Step, and Olweus Prevention efforts.
- Building climate committees, school counselors, special education liaisons and team chairs will identify relevant educational activities and materials for individual students or groups of students and examine patterns of behavior within school community.
- Classroom teachers will utilize a range of academic and nonacademic interventions and positive behavioral supports to help students understand and utilize pro-social skills. Our Special Education Department has developed District programming to address and support skill building.
- The Director of Special Education & Pupil Personnel has alerted team chairs to determine if a child may need specific assistance around bullying and/or harassment. Team chairs are familiar with and have participated in trainings related to the Bullying Law and Bullying Prevention & Intervention.
- The District will convene the IEP Team if a parent or staff member believes that a student is at risk at being bullied or is exhibiting bullying behaviors. All IEP Team meetings will consider whether individual supports are needed to build a student's social skills to avoid and respond to bullying and harassment and what specific goals and objective should be included in the IEP to accomplish such.
- Equity coordinators, school adjustment counselors and classroom teachers will meet with parents and guardians to engage parental

- support and to reinforce the anti-bullying curricula and social skills building activities at home.
- Consultants will provide behavioral health consultation and develop behavioral plans to include a focus on developing specific social skills and respectful behaviors, as indicated.
  - School adjustment counselors, guidance, and Consultants will facilitate appropriate referrals for evaluation and services to community and human service agencies.

**b. Taking Disciplinary Action**

If the principal or equity coordinator decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or equity coordinator, 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 and will be administered by the building principal.

Discipline procedures for students with disabilities will include Special Education staff and will be governed by the federal Individuals with Disabilities in Education Act (IDEA) and will be consistent with state laws regarding student discipline.

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

**c. Promoting Safety for the Target and Others**

The principal or equity coordinator 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, i.e. to increase adult supervision at transition times and in specific locations (halls, recess, and playground) where bullying is known to have occurred or is likely to occur, safety plan, change in the perpetrator's schedule, referral(s), as indicated.

Within a reasonable period of time following the determination and recommendation for remedy/corrective and/or disciplinary action, the principal or equity coordinator 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 equity coordinator will work with appropriate school staff to intervene immediately.

The District website includes bullying and cyber-bullying prevention resources for students, staff, and parents/guardians. School newsletters are also used to provide parents with prevention information.

## **V. PROHIBITION AGAINST BULLYING AND RETALIATION**

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

- (i) 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
- (ii) at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that 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 disrupt 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.

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the District or school to staff any non-school related activities, functions, or programs.

## **VI. DEFINITIONS**

**Aggressor**, is a student or member of the school staff who engages in bullying, cyber-bullying, or retaliation.

**Bullying**, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students, 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, 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, Facetime, Skype and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyber-bullying.

**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 and/or a staff member's workplace.

**Retaliation** is any form of intimidation, reprisal, or harassment directed against a student or staff member 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, an educator, administrator, school counselor, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to extracurricular activities, support staff, and or paraprofessional.

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

## **VII. RELATIONSHIP TO OTHER LAWS**

Some student and staff misconduct that falls under a school's anti-bullying policy also may trigger responsibilities under one or more of the federal anti-discrimination laws and regulations enforced by the Department's Office for Civil Rights (OCR) and will be responded to consistent with the District's Discrimination/Harassment Policy. Consistent with state and federal laws,



and the policies of the Beverly Public Schools, no person shall be discriminated against in admission to the Beverly Public Schools or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, ethnicity, sexual orientation, gender identity, homelessness, age and/or disability. 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. Beverly Public Schools will seek to prevent bullying and civil rights violations by addressing gateway behaviors to protect students and employees from potential physical and emotional harm.

Conduct need not meet the legal definition of bullying to violate the schools expectations for appropriate behavior. Conduct that violates, or is prohibited by other policies, may be subject to disciplinary measures and corrective action. The District will take prompt and effective steps to end and prevent discrimination/harassment and prevent any hostile environment or retaliation.

## APPENDIX A

### **BULLYING PREVENTION POLICY**

The Beverly Public Schools is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No 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, shall be subjected to harassment, intimidation, bullying, or cyber-bullying.

“Bullying” 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 him/herself, or of damage to his/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” 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
- photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages, Facetime, Skype 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 knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in 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 the definition of bullying.

#### Definitions

Massachusetts law defines bullying, cyberbullying, hostile environment, retaliation, “perpetrator” and “victim”. We will use the terms “aggressor” and “target”.

“Aggressor” is 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 in bullying, cyberbullying, or retaliation.

“Target” is a person against whom bullying, cyberbullying, or retaliation has been perpetrated.

“Hostile environment” 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 the student’s education and staff’s workplace.

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

### Prohibition Against Bullying

Bullying and cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents and families are expected.

For the purpose of this policy, whenever the term bullying is used it is to denote either bullying, or cyber-bullying.

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 Beverly Public Schools;
- in rental facilities used by the school department;

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 Beverly School District 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 disrupt the education process or the orderly operation of a school.

## Prevention and Intervention Plan

The Superintendent and/or his/her designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which includes teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of this policy, as well as state and federal laws. The Bullying Prevention and Intervention Plan shall be reviewed and updated at least biennially.

The Bullying Prevention and Intervention Plan shall apply to students and members of a school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity or paraprofessionals.

The Principal is responsible for the implementation and oversight of the Bullying Prevention and Intervention Plan within his or her school.

## Reporting

Students and staff, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The target shall, however, not be subject to discipline for failing to report bullying.

Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any 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 knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Parents or guardians, students, staff or members of the community, are encouraged to report an incident of bullying as soon as possible.

A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or building equity coordinator who will promptly notify the building principal.

## Investigation Procedures

The school principal or equity coordinator shall promptly investigate the report of bullying, using a Bullying/Cyber-bullying Report Form which may include interviewing the alleged target, alleged aggressor, staff members, students and/or witnesses. Appropriate strategies will be implemented to protect the target and witnesses during the investigation.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the school principal or equity coordinator determines that bullying has occurred he/she shall promptly contact the parents or guardians of the student who has been the target and/or aggressor, of bullying. Additionally, the school principal or equity coordinator shall take appropriate corrective and disciplinary action and if it is believed that criminal charges may be pursued against the aggressor, the principal shall consult with the school's liaison to the police department and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within fourteen (14) school days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether corrective or disciplinary action have been implemented. At a minimum, the Principal or equity coordinator shall contact the parents or guardians as to the status of the investigation on a weekly basis.

Disciplinary actions for students or staff members who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies.

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or equity coordinator. A monthly report shall be provided to the Superintendent.

Confidentiality shall be maintained to the extent consistent with the school's obligations under law.

#### Retaliation

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

#### Target Assistance/Aggressor Assistance

The Beverly Public Schools shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students and staff members, affected by bullying, as necessary.

#### Training and Assessment

Ongoing training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated

into the curriculum for all K to 12 students.

#### Publication and Notice

Annual written notice of the relevant sections of the Bullying Prevention and Intervention Plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the Bullying Prevention and Intervention Plan including the duties of faculty and staff shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the Bullying Prevention and Intervention Plan applicable to the school.

The Bullying Prevention and Intervention Plan shall be posted on the Beverly Public Schools website.

REFERENCES:            Massachusetts Department of Elementary and Secondary Education's Model Bullying Prevention and Intervention Plan

LEGAL REFS.:            Title VII, Section 703, Civil Rights Act of 1964 as amended  
Federal Regulation 74676 issued by EEO Commission  
Title IX of the Education Amendments of 1972  
603 CMR 26.00  
MGL 71:37O  
MGL 265:43, 43A  
MGL 268:13B  
MGL 269:14A

CROSS REFS.:            AC, Nondiscrimination  
ACAB, Sexual Harassment  
JBA, Student-to-Student Harassment  
JICFA, Prohibition of Hazing  
JK, Student Discipline Regulations

Adopted: November 10, 2010

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