

**MARBLEHEAD COMMUNITY CHARTER PUBLIC SCHOOL**  
**BULLYING PREVENTION AND INTERVENTION PLAN**

The Department of Elementary and Secondary Education requires that school systems create a District Bullying Prevention and Intervention Plan as required under M.G.L. c. 71, § 370. This plan has been created in consultation with administrators, school psychologists, counselors, the district behavior specialist, teachers and parents. The Plan's format parallels the draft Behavioral Health and Public Schools Framework, and is designed to be used by the school as a framework for consistency in implementation, decision-making and planning strategies.

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## **I. INTRODUCTION**

On May 3, 2010 Governor Patrick signed an Act Relative to Bullying in Schools. This new law prohibits bullying and retaliation in all public and private schools, and requires schools and school districts to take certain steps to addressing bullying incidents. Every school district must submit their Bullying Prevention and Intervention Plan (the Plan) to the Massachusetts Department of Elementary and Secondary Education no later than December 31, 2010. The Plan includes the requirements of the new law in addition to information about the policies and procedures that the school and the school district will follow to prevent bullying and retaliation, or to respond to it when it occurs. Through coordinated efforts, Marblehead Community Charter Public School (MCCPS) reviewed, evaluated and revised existing policy and procedures where appropriate, developed a draft Plan aligned with the requirements of the new law, M.G.L. c. 71, § 370, to ensure that MCCPS is in compliance with the new legislation passed in May 2010. The draft Plan was prepared for presentation and review by site based teams.

### **Definition**

“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 of 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.

Bullying and harassment are major distractions from learning. The grades of the victims can suffer. Fear can lead to chronic absenteeism, truancy, or even dropping out of school. Bystanders feel both guilty and helpless for not standing up to the bully. As a rule bullying behavior starts in elementary school and peaks in the middle school years. However, it attracts more attention from adults when it appears in high school. There the students are older and physically larger and the behavior is recognized as being less tolerable and more inappropriate. Also, sexual harassment is, in fact, often a form of bullying. Most bullying by students starts out verbally—teasing and put downs—and may become progressively worse and assume physical dimensions. Bullying of any type has no place in a school setting.

MCCPS will endeavor to maintain a learning and working environment free of bullying.

Bullying is defined as the act of one or more individuals intimidating one or more persons through verbal, physical, mental, or written interactions. Bullying can take many forms and occur in virtually any setting, including instances on the Internet or via other electronic means (including cell phones), known as cyberbullying. Bullying can create unnecessary and unwarranted anxiety that will affect attending school, walking in corridors, eating in cafeterias, playing in the school yard or recreation areas, participating in or attending special and extracurricular activities, or riding on the bus to and from school each day.

Examples of bullying include but are not exclusive to:

1. Intimidation, either physical or psychological
2. Threats of any kind, stated or implied
3. Assaults on students, including those that are verbal, physical, psychological or emotional
4. Attacks on student property

MCCPS expects administrators and supervisors to make clear to students and staff that bullying in the school building, on school grounds, on the bus or school sanctioned transportation, or at school sponsored functions will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students, and termination for employees.

MCCPS will promptly and reasonably investigate allegations of harassment, including bullying. The Principal or designee will be responsible for handling all complaints by students alleging harassment, including bullying.

## **II. LEADERSHIP**

Leadership at all levels plays a critical role in developing and implementing Bullying Prevention and Intervention Plans (“the Plan”) in the context of other whole school and community efforts to promote positive school climate. Leaders have a primary role in teaching students to be civil to one another and promote understanding of and respect for diversity and difference. Leadership is responsible for setting priorities and for staying up to date with current research on ways to prevent and effectively respond to bullying. It is also the responsibility of leaders to involve representatives from the greater school and local community in developing and implementing the Plan. MCCPS has designated staff to provide, coordinate and oversee district professional development with respect to bullying, author the district Plan and provide consultation to administrators to ensure adherence to the new law, M.G.L. c. 71, § 370. The designated staff members attended a series of trainings, workshops and lectures related to bullying prevention, current issues in bullying and compliance with the new law, M.G.L. c. 71, § 370.

Additionally, several administrators and counseling staff attended a workshop focused on the overview of the new law, the impact bullying and cyber-bullying will have on educators, potential accreditation additions/concerns, potential legal issues, preventive strategies, how to develop district-wide intervention/prevention plans, and the necessary requirements to meet the 12/31/2010 deadline for plan submission to The Department of Secondary and Elementary Education.

Additionally, there are a number of levels of leadership with both specific and broad responsibilities for setting priorities and for staying up to date with current research on ways to prevent and effectively respond to bullying. The Principal and designees have specific responsibilities with respect to implementation and oversight of the Plan as well as professional development. Members of the school based task force(s) and site based teams are also considered to have responsibilities related to contribution, development, assessment, and implementation of the Plan.

Additionally, school staff, including but not limited to, educators, administrators, support staff, related service providers, school nurses, secretaries, cafeteria workers, custodians, bus drivers, athletic coaches and advisors to extra curricular activities also have both specific and broad responsibilities as leaders in the school.

A school wide reporting form has been developed to track and document incidents. This form aligns with the model form offered by the Massachusetts Department of Elementary and Secondary Education. The building principal or his/her designee is responsible for creating a process for tracking incident reports, accessing information related to targets and aggressors and sharing information across grade spans.

### **Public involvement in developing the Plan:**

As required by M.G.L. c. 71, § 370, MCCPS' Plan was developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians.

- Parent Task Force – Scheduled meetings to develop school based plans, review the district's draft plan and provide input for recommended revision.
- Site Based Management Teams with parent and faculty representation, Scheduled meetings to review school based plans and the district's draft plan and provide input for recommended revision.
- Student Assistance Team – Meetings to respond to draft plan
- Parent Teacher Organization , PTO Sponsored Training on Bullying/Bully Prevention
- Parents & Staff for Q and A

### **Assessing needs and resources.**

MCCPS' Bullying Prevention and Implementation Plan is the schools blueprint for enhancing capacity to prevent and respond to issues of bullying within the context of other healthy school climate initiatives. As part of the planning process, school leaders, with input from families and staff will assess the adequacy of current programs; review current policies and procedures; review available data on bullying and behavioral incidents; and assess available resources including curricula, training programs, and behavioral health services. This "mapping" process will assist schools and districts in identifying resource gaps and the most significant areas of need. Based on these findings, the district will revise or develop policies and procedures; establish partnerships with community agencies, including law enforcement; and set priorities. MCCPS will assess needs and resources in the following ways:

At least once every year guidance counselors, school psychologists, school counselors, social workers and other staff designated by the building principal will review the adequacy of current programs, review current policies and procedures, review available data on bullying and behavioral incidents and assess existing resources including curricula, training programs and available behavioral health services and present any recommendations to the Head of School for review. If needed, staff will review more frequently.

At least once every four years beginning with 2015/16 school year, the district will administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our

schools. Additionally, the school or district will annually report bullying incident data to the Department.

To allow for initial and periodic needs assessments: 1) surveying students, on school climate and school safety issues; and 2) collecting and analyzing building-specific data on the prevalence and characteristics of bullying (e.g., focusing on identifying vulnerable populations and “hot spots” in school buildings, on school grounds, or on school buses). Similar tools to the student survey can be used with faculty, staff, and parents/guardians to assist in determining school climate needs. This information will help to identify patterns of behaviors and areas of concern, and will inform decision-making for prevention strategies including, but not limited to, adult supervision, professional development, age-appropriate curricula, and in-school support services. The Plan should describe the methods the school will use to conduct needs assessments, including timelines and leadership roles.

### **Planning and oversight.**

The following identifies MCCPS leaders who are responsible for the following tasks under the plan:

#### 1. Receiving reports on bullying:

The school principal or designee will receive reports on bullying. The following are additional staff who may receive reports on bullying if designated and/or identified:

- a) assistant principal
- b) guidance counselors
- c) school psychologist(s)
- d) social worker(s)
- e) school counselors

#### 2. Collecting and analyzing data to measure outcomes:

- a) Principal and assistant principal

#### 3. Process for recording and tracking incident reports:

- a) Individual Student Incident Files are kept in a location designated by the principal
  - b) A copy of the Incident Report Form is given to the secretary to input on State reports online
4. Ongoing Professional Development:
- a) The principal or designee is responsible for coordinating all ongoing professional development for staff as required by the law.
5. Plans to respond to identified needs of targets and aggressors:
- a) The principal or designee is responsible for developing a plan to respond to the identified needs of targets and aggressors in collaboration with assistant principals, guidance counselors, social workers, and school psychologists
6. Choosing and implementing Anti Bullying curricula:
- a) The principal or designee will determine the anti bullying curricula that will be implemented at each grade through consultation with the assistant principal, counselors, school psychologists, health and wellness teachers, and the school nurse.
7. Developing new or revising current policies/protocols:
- a) The principal or designee will develop, revise and/or update protocols and procedures.
  - b) Policy, protocols and procedures will be developed, revised and/or updated by the principal, assistant principals, guidance counselors, school psychologists, social workers, and school counselors.
8. Amending student and staff handbooks and codes of conduct:
- a) The principal or designee is responsible for any amendments made to student and staff handbooks and codes of conduct
9. Leading the family engagement efforts and drafting parent information materials:
- a) The principal or designee is responsible for leading the family engagement efforts with assistance from school and guidance counselors.

b) The principal or designee is responsible for drafting and distributing parent information materials with assistance from school and guidance counselors and anti bullying trainer(s).

10. Reviewing and updating the plan:

a) The principals and assistant principals will collaborate with the special education director, anti bullying trainers to review and update the plan each year or more frequently as needed,

**Priority Statements.**

Priority statements are used to communicate within the Plan the school's vision in creating and implementing the bullying prevention and intervention strategies.

Listed below are priority statements that are incorporated into the Plan:

MCCPS Bullying Prevention and Intervention Plan ("Plan") is a comprehensive approach to addressing bullying and cyberbullying, and MCCPS is committed to working with students, staff, families, law enforcement agencies, and the community to prevent instances of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. The principal or designee is responsible for the implementation and oversight of the Plan. MCCPS expects that all members of the school community will treat each other in a civil manner and with respect for differences.

MCCPS is committed to providing all students with a safe learning environment that is free from bullying and cyberbullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, or sensory, disability, or by association with a person who has or is perceived to have one or more of these characteristics. The school or district will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in our school buildings, on school grounds, or



in school related activities. We will investigate promptly all reports and complaints of bullying, cyberbullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. We will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

The Bullying Prevention and Intervention Plan ("Plan") is a comprehensive approach to addressing bullying and cyberbullying, and the school or district is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. The principal is responsible for the implementation and oversight of the Plan except when a reported bullying incident involves the principal or the assistant principal as the alleged aggressor. In such cases, the Superintendent or designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged target. If the Superintendent is the alleged aggressor, the School Committee, or its designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim.

### **III. TRAINING AND PROFESSIONAL DEVELOPMENT**

M.G.L. c. 71, § 370 requires that the district provide ongoing professional development 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. MCCPS is committed to providing ongoing professional development opportunities related to bullying to educate and train staff. The following outlines the content and frequency of staff training and ongoing professional development as related to the school's needs, and lists other topics to be included in the staff programs. The identified areas of training are based on needs and concerns identified by school and district staff.

The law lists six topics that must be included in professional development. School leadership may identify additional topics as they consider the unique needs of the school or school community. The Plan identifies which trainings will be provided.

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. 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.

- Trainers will provide yearly onsite training to all staff divided by grade that includes the following components:

- Education about Cyberbullying
- Cyberbullying and Cyberdynamics
- Conflict vs. Bullying
- Dynamics of Bullying Today
- Intervening in In School Bullying
- Whole School Approach (including parents)
- Gender Differences
- Current Research
- Current Issues Related to Bullying in Schools

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. As required by M.G.L. c. 71, § 370, the content of school wide professional development will be informed by research and will include information on:

- developmentally (or age,) appropriate strategies to prevent bullying;
- developmentally (or age,) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
- information on the incidence and nature of cyberbullying; and
- Internet safety issues as they relate to cyberbullying.
- Legal issues and responsibilities related to bullying and cyberbullying

Professional development will also address ways to prevent and respond to bullying or retaliation for specific student populations who are identified with an increased vulnerability to bullying, such as students with disabilities, gay, lesbian, bisexual or transgender.

Additionally, specific professional development will address considerations that need to be made for students with Individualized Education Programs (IEPs) who are determined to have an increased vulnerability to bullying. This will include a particular focus on the needs of students with autism or students whose disability affects social skills development. Additional areas identified by MCCPS for professional development include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision making;
- maintaining a safe and caring classroom for all students.

#### C. Written notice to staff.

The school will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties, in the school's employee handbook and the code of conduct.

### **IV. ACCESS TO RESOURCES AND SERVICES**

A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, aggressors, families, and others are addressed. MCCPS' Bullying Prevention and Implementation Plan includes strategies for providing supports and services necessary to meet these needs. Additionally, the plan includes the district's strategy for providing counseling or referral to appropriate services for aggressors, targets, and family members of those students.

#### A. Identifying resources.

The principal or designee, in collaboration with social workers, school counselors and guidance counselors, will identify the available resources and specific staff to be identified as members of an intervention team and update annually. In collaboration with the principal or designee, teams will conduct an annual review of programs, resources and curricula that support the creation of a positive school

environment. School psychologists, social workers, school counselors and the behavior specialist will meet to identify and generate a resource list of local agencies that can provide related services

B. Counseling and other services.

Social workers, guidance counselors, nurses, school psychologists, speech pathologists, and special educators provide a variety of therapeutic and skill based services to students within the educational setting that include emotional support, risk assessment, crisis intervention, and help with community based counseling referrals when appropriate. Social workers, guidance counselors, nurses, school psychologists, and special educators meet with parents and teachers as needed to help address students' academic, emotional, and behavioral concerns. Examples of interventions to help address students' needs include individually focused curricula, social skills groups, and behavioral intervention plans. A Child Study Team that meets regularly to discuss students. Staff work with administrators to provide linguistically appropriate resources to identified families. Guidance counselors and social workers maintain current information on community based mental health referrals as well as Community Service Agencies (CSAs) within the local area. Social workers, guidance counselors, school psychologists, speech pathologists, and intensive special needs educators work collaboratively to develop behavior plans and social thinking groups for students with social skill weaknesses. Additionally, they work collaboratively to educate and support parents, conduct parent workshops, parent training and apprise parents of outside resources to enhance parenting skills and provide for the needs of children.

C. Students with disabilities.

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

MCCPS recognizes that students with disabilities may need additional curricular and therapeutic supports in order to avoid bullying behaviors, or to avoid becoming the target of bullying behaviors. Within the context of their IEPs, students with disabilities who have needs in this area receive specialized instruction from speech and language pathologists, school social workers, special education teachers, and/or other special education staff. This specialized instruction may include but is not limited to direct and indirect ways to react to and avoid bullying behavior. Goals and

objectives focus on the needs of the individual students and may include such areas as self advocacy skills, social communication skills, skills for responding to teasing, “bystander” behavioral skills, problem solving skills, skills for dealing with anger and avoiding trouble, skills for recognizing the feelings of others, and conflict resolution skills. Most of our students with disabilities also participate in general education classroom instruction that supports the creation of a positive school environment, such as Responsive Classroom, Steps to Success, Allies, health and wellness classes and philosophy groups.

D. Referral to outside services.

Clear protocols help students and families access appropriate and timely services. MCCPS clinical staff have an established practice for referring students and families to outside services when determined necessary. The referral process is in compliance with relevant laws and policies. Current local referral practice will be reviewed and evaluated to assess their relevance to the Plan, and revised as needed.

**V. ACADEMIC AND NON-ACADEMIC ACTIVITIES**

MCCPS will provide age appropriate instruction on bullying prevention in each grade that is incorporated into the district’s curricula. Curricula will be evidence based. Effective instruction will include classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development.

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 engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance;
- emphasizing cybersafety, including safe and appropriate use of electronic communication technologies;
- enhancing students' skills for engaging in healthy relationships and respectful communications;
- engaging students in a safe, supportive school environment that is respectful of diversity and difference.

Initiatives will also teach students about the student related sections of the MCCPS Bullying Prevention and Intervention Plan through school assemblies, school wide and classroom community meetings.

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 MCCPS' 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;
- supporting students' interest and participation in non academic and extracurricular activities, particularly in their areas of strength.

**VI. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION**

To support efforts to respond promptly and effectively to bullying and retaliation, MCCPS has policies and consistent procedures in place for receiving and responding to reports of bullying or retaliation. These policies and procedures will ensure that members of the school community – students, parents, and staff – know what will happen when incidents of bullying occur. The following procedures describe detailed procedures for staff reporting of incidents, processes for communicating to students and families how reports can be made (including anonymous reports), and procedures to be followed by the principal or designee once a report is made. These procedures are based on the requirements of M.G.L. c. 71, § 370.

**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 shall be recorded in writing. Employees are required to report immediately to the principal or designee any instance of bullying or retaliation they become 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, principal's phone number and email address and the school's mailing address.

Use of an Incident Reporting Form is not required as a condition of making a report. A copy of the Incident Reporting Form will be provided to all families in the beginning of the year packets for students and parents or guardians. The form will be made available in each school's main office, the counseling office, the school nurse's office, and any other locations determined by the principal or designee. A link to a downloadable copy of the form will be posted on the MCCPS website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

The school community, including administrators, staff, students, and parents or guardians, will be provided with written notice of MCCPS' 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 website, and in information about the Plan that is made available to parents or guardians. If the reported incident involves students from another school (public, charter, non public), the principal or designee will notify the school's principal or designee. Staff will maintain compliance with privacy laws and regulations 603 CMR 49.00

A. 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 policies and procedures for behavior management and discipline.

B. Reporting by Students, Parents or Guardians, and Others.

The school 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. There may be circumstances in which the principal or designee, at their discretion and in accordance with applicable law, contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00. 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;
- 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.

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. The confidentiality of the student and witness reporting alleged acts of bullying and/or retaliation will be maintained to the extent



possible given the school's obligation to investigate the matter. Existing established policy related to planning for student safety will be adhered to.

### **Obligations to Notify Others**

#### A. Notice to parents or guardians.

Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

#### 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 designee first informed of the incident will promptly notify by telephone the principal or designee 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.

#### C. Notice to Law Enforcement.

At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee 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. Also, 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 or designee 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 aggressor.

#### D. Notice Across Gradespans.

Communication regarding information related to reports of bullying or retaliation will be communicated during the established 'check out' process of transitioning students, either across grades or levels. In making this determination, the principal or designee will, consistent with the Plan and with applicable school policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

### **Investigation.**

The principal or designee will investigate promptly 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.

During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee (or whoever is conducting the investigation) 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 designee, or 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. The principal or designee will maintain a written record of the investigation.

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

### **Determinations.**

The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee 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 principal or designee will:

- 1) determine what remedial action is required, if any
- 2) determine what responsive actions and/or disciplinary action is necessary.

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.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, 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 designee 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.

The principal or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

### **Responses to Bullying.**

MCCPS has incorporated a range of individualized strategies and interventions that may be used in response to remediate a student's skills and or to prevent further incidences of bullying and/or retaliation.

### **Teaching Appropriate Behavior Through Skills building.**

Upon the principal or designee determining that a violation of the district's anti bullying policy has occurred, the, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior (ref. M.G.L. c. 71, § 370(d)(v)). Skill building approaches that the principal or designee may consider include:

- offering individualized skill building sessions based on the school's/district's anti bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting with parents and guardians to engage parental support and to reinforce the anti bullying curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills;
- making a referral for evaluation.

### **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 code of conduct.

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.

A. False Accusations and Retaliation.

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.

**Promoting Safety for the Target and Others**

The principal or designee 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. One strategy that the principal or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee 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 designee will work with appropriate school staff to implement them immediately.

## **VII. COLLABORATION WITH FAMILIES**

The MCCPS Bullying Prevention and Implementation Plan will include strategies to engage and collaborate with students' families in order to increase the capacity of the school or district to prevent and respond to bullying. Resources for families and communication with them are essential aspects of effective collaboration. The law requires the district or school Plan to include provisions for informing parents or guardians about the bullying prevention and intervention curricula used by the school district or school. These provisions include:

- (i) providing parents and guardians information related to how they can reinforce the curricula at home and support the school or district plan;
- (ii) the dynamics of bullying;
- (iii) online safety and cyberbullying.

Parents and guardians will also be notified in writing each year about the student, related sections of the MCCPS Bullying Prevention and Implementation Plan, in the language(s) most prevalent among the parents or guardians. MCCPS' approach to collaboration is sensitive to and considers factors such as age, climate, socio-economic factors, linguistic, and cultural make-up of students and the parents.

The parents will be provided with resource and information networks that the school or district may collaborate with in working with parents and guardians.

### **A. Parent education and resources.**

MCCPS will offer education programs for parents and guardians that are focused on the parental components of the anti bullying curricula and any social competency curricula used by the district or school. The programs will be offered in collaboration with the PTO, Special Education Parent Advisory Council, or similar organizations.

### **B. Notification requirements.**

Each year MCCPS will inform parents or guardians of enrolled students about the anti bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. The district will send parents written notice each year about the student related sections of the Plan and the school's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. The school will post the Plan and related information on its website.

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

The Marblehead Community Charter Public School's Plan includes a statement related to the prohibition of bullying, cyberbullying, and retaliation. This statement is included in the student code of conduct, the student handbook, and the staff handbook. The following statement is incorporated directly from M.G.L. c. 71, § 370(b), and describes the law's requirements for the prohibition of bullying.

Acts of bullying, which include cyberbullying, are prohibited:

- 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, or
- 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, § 370, nothing in this Plan requires the school to staff any non-school related activities, functions, or programs.

#### **Problem Resolution System:**

*Chapter 86 of the Acts of 2014 amended Section 370 of chapter 71 of the General Laws to include (g) (v): The Plan shall inform parents or guardians of the target about the Department's problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. This information will be made available in both hard copy and electronic formats:*

Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or individuals can call 781-338-3700. Hard copies of this information is also available at the Superintendent's office.

## **IX. DEFINITIONS**

Aggressor is a student who engages in bullying, cyberbullying, or retaliation.

Bullying, as defined in M.G.L. c. 71, § 370, is 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 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.

Cyberbullying, "Cyberbullying" 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, or facsimile communications. Cyberbullying 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. Cyberbullying 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. See M.G.L. c. 71, § 370 for the legal definition of cyberbullying.

Hostile environment, as defined in M.G.L. c. 71, § 370, 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.

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.

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, cyberbullying, or retaliation has been perpetrated.

### **Prohibition Against Bullying**

Bullying is prohibited:

- on school grounds,
- on property immediately adjacent to school grounds,
- at a school sponsored or school related activity, function, or program, whether it takes place 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,
- through the use of technology or an electronic device that is owed, leased or used by a school district or school (for example, on a computer or over the Internet),
- at any program or location that is not school related, or through the use of personal technology or electronic device, 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.

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

### **Reporting Bullying or Retaliation**

Anyone, including a parent or guardian, student, or school staff member, can report bullying or retaliation. Reports can be made in writing or orally to the principal or another staff member, or reports may be made anonymously.

School staff members must report immediately to the principal or his/her designee if they witness or become aware of bullying or retaliation. Staff members include, but are not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity, or paraprofessionals.

When the school principal or his/her designee receives a report, he or she shall promptly conduct an investigation. If the school principal or designee determines that a violation of the district's anti bullying policy has occurred, he or she shall:

- (i) notify the parents or guardians of the target, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation;
- (ii) notify the parents or guardians of a aggressor;



- (iii) take appropriate disciplinary action;
- (iv) notify the local law enforcement agency if the school principal or designee believes that criminal charges may be pursued against the aggressor.

**X. 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.