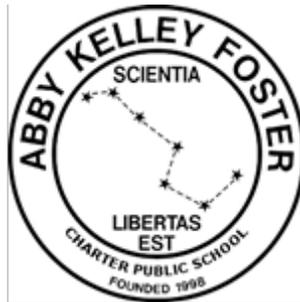




# **Bullying Prevention and Intervention Plan 2018-2019**



## **Abby Kelley Foster Charter Public Elementary School**

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*The mission of the Abby Kelley Foster Charter Public School is to assist parents in their role as primary educators of their children by providing a classical liberal arts education grounded in the great works of Western Civilization and aimed at academic excellence, musical competence and character formation.*

**Abby Kelley Foster Charter Public School**  
**Bullying Prevention and Intervention Plan**

Updated August 2014

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## I. Purpose

The Abby Kelley Foster Bullying Prevention and Intervention Plan (Plan) meets the requirements of M.G.L. c71 S370 and is modeled after the Massachusetts Department of Elementary and Secondary Education's plan for dealing with bullying behaviors. The plan includes strategies for identifying, reporting and responding to bullying behaviors. The plan is consistent with our mission to assist parents in their role as primary educators of their children by providing a classical liberal arts education grounded in the great works of Western Civilization and aimed at academic excellence, musical competence and character formation.

This plan applies 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 and paraprofessionals.

## II. Leadership and Implementation

Our school leaders have a primary role in teaching students to be civil to one another and promoting understanding of and respect for diversity and difference. Our leadership team will work collaboratively with all stakeholders to promote the character virtues detailed in our character education curriculum and promote a safe and orderly learning environment for all students.

### A. Public involvement in developing the plan.

Abby Kelley Foster developed this plan in consultation with teachers, school staff, administrators, special education staff, counselors, community representatives, parents, students and members of the Board of Trustees. The plan is distributed annually to all members of the school community for comment.

### B Assessing needs and resources.

The Abby Kelley Foster Bullying Prevention and Intervention Plan is our blueprint for enhancing capacity to prevent and respond to issues of bullying within the context of other healthy school climate initiatives. The school will continue to 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 our school in identifying resource gaps and the most significant areas of need. Based on these findings, we will revise or develop policies and procedures; establish partnerships with community agencies, including law enforcement; and set priorities.

Abby Kelley Foster will survey our students, staff and families on an annual basis to assess school climate and safety issues. In addition, the school will collect and analyze school safety data on a monthly basis to determine areas of concern. The student survey can be used with faculty, staff, and parents/guardians to assist in determining school climate needs. All data collection will be completed by the Assistant Principal and reported to the school administration on a monthly basis. The school will monitor behavior in all school buildings, on the school bus and during school sponsored activities. The data collected 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. Abby Kelley Foster will 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 will annually report bullying incident data to the Department.

### C. Planning and oversight.

Abby Kelley Foster has identified the Elementary, Middle and High School Principal/Assistant Principal or their designee as the individual(s) responsible for receiving all reports on bullying. The school administration is responsible for planning on-going professional development that is required by law. The School Administration is responsible for the following tasks under the Plan: 1) receiving reports on bullying; 2) collecting and analyzing building-and/or school-wide data on bullying to assess the present problem and to measure improved outcomes; 3) creating a process for recording and tracking incident reports, and for accessing information related to targets and aggressors; 4) planning for the ongoing professional development that is required by the law; 5) planning supports that respond to the needs of targets and aggressors; 6) choosing and implementing the curricula that the school or district will use; 7) developing new or revising current policies and protocols under the Plan, including an Internet safety policy, and designating key staff to be in charge of implementation of them; 8) amending student and staff handbooks and codes of conduct to, among other things, make clear that bullying of students by school staff or other students will not be tolerated; 9) leading the parent or family engagement efforts and drafting parent information materials; and 10) reviewing and updating the Plan each year, or more frequently.

### D. Priority Statement

Our school is committed to providing all students with a safe learning environment that is free from bullying and cyber bullying. 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.

Abby Kelley Foster has established separate discrimination or harassment policies that include these or other categories of students with the student and employee handbooks. Nothing in this section shall alter the obligations of a school district, charter school, non-public school, approved private day or residential school or collaborative school to remediate any discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law.

We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber bullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. We will investigate promptly all reports and complaints of bullying, cyber bullying, 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 cyber bullying, 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, cyber bullying, 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 victim. 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

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Abby Kelley Foster’s school-wide professional development plan reflects the requirements under M.G.L. c. 71, § 37O to 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.

#### A. Annual staff training on the Plan

Annual training for all school staff on our Bullying Prevention and Intervention Plan will include staff responsibilities, 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 is required to participate in the training online on the HR Knowledge website. Staff members will acknowledge receiving this training through electronic sign off.

#### 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, § 37O, the content of schoolwide 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 cyber bullying; and
- Internet safety issues as they relate to cyber bullying.

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students’ Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

Additional areas identified by the school or district for professional development includes:

- 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; and
- engaging staff and those responsible for the implementation and oversight of the Plan to distinguish between acceptable managerial behaviors designed to correct misconduct, instill accountability in the school setting, etc and bullying behaviors

#### C. Written notice to staff

The school or district will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties and bullying of students by school staff, in the school or district employee handbook and the code of conduct. All members of the staff are required to submit written notice that they have read and understand the school’s policy.

### IV. Access to Resources and Services

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*A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, student aggressors, families, and others are addressed. The Plan should describe the strategies for providing supports and services necessary to meet these needs. In order to enhance the school’s or district’s capacity to prevent, intervene early, and respond effectively to bullying, available services should reflect an understanding of the dynamics of bullying and provide approaches to address the needs of targets and student aggressors. Plans must include a strategy for providing counseling or referral to appropriate services for student aggressors, targets, and family members of those students. These locally established strategies should be reflected in the school or district Plan.*

#### A. Identifying resources.

The Plan should include the school’s or district’s process for identifying its capacity to provide counseling and other services for targets, student aggressors, and their families. The Abby Kelley Foster Charter School administration in consultation with our school guidance counselors, school psychologists and school adjustment counselor will work to identify the school’s capacity to provide counseling, case management, and other services for students in need.

The school will annually review program availability and curriculum materials to address the needs of our families and students, including the implementation of a K-12 character education curriculum. The school will focus on early interventions and will identify areas of concern, gaps in services through the annual family and staff surveys. The school will work in collaboration with local and state agencies to provide additional preventative resources for students, families and staff.

### **B. Counseling and other services.**

School counselors, nurses, school psychologists and special educators provide a variety of skill-based services to students within the educational setting that include on-going emotional support, risk assessment, crisis intervention, and help with community based counseling referrals when appropriate. School counselors meet with parents and teachers as needed to help address students' academic, emotional and behavioral concerns as collaboratively as possible. School counselors work with administrators to provide linguistically appropriate resources to identified families. School counselors maintain up-to-date information on community based mental health referrals as well as Community Service Agencies (CSAs) such as the Multi Cultural Wellness Center, within the local vicinity, providing services to Medicaid eligible students. School counselors, school psychologists and special needs educators work collaboratively to develop behavior plans and social thinking groups for students with social skill weaknesses. In addition, school counselors, school psychologists and special education professionals' work together to educate and support parents, conduct parent workshops and apprise parents of outside resources to enhance parenting skills and provide for the needs of children. In addition Abby Kelley Foster consults with specialists to develop and implement effective classroom management and positive behavior strategies. All members of the staff are required to participate in professional development regarding classroom management, civil rights, bullying, and sexual harassment at the beginning of the school year.

It is important to note that school-based counseling services are limited in scope and are related to school-related issues, while more intensive or long term counseling for social-emotional issues should be provided by resources outside the school district. The school district may engage the services of individuals with expertise, such as social workers, counselors, psychologists or psychiatrists, to assist families with accessing appropriate outside counseling and mental health services.

When a school becomes aware of a problematic situation involving bullying that may require a coordinated response to provide intervention, support, and follow-up for the students involved, the school will convene a team which will include representation from the school administration, school psychologist and/or adjustment counselor, school nurse, and other education professionals as deemed appropriate by the principal.

### **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.

### **D. Referral to outside services.**

Abby Kelley Foster will establish a referral protocol for referring students and families to outside services. The school counselors will assist families and students in accessing appropriate services with outside agencies in a timely manner. The referral protocol will comply

with relevant laws and policies. The protocol will be evaluated on an annual basis to determine its effectiveness with the school's bullying prevention and intervention plan.

## **V. Academic and Non-Academic Activities:**

Abby Kelley Foster will provide age appropriate instruction on bullying prevention in each grade that is incorporated into the School's evidenced based curricula and character education curriculum. Effective instruction includes 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 or school staff engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyber bullying, including the underlying power imbalance;
- emphasizing cyber safety, including safe and appropriate use of electronic communication technologies;
- enhancing students' skills for engaging in healthy relationships and respectful communications; and
- 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 Bullying Prevention and Intervention Plan. The Plan should include specific information about how and when the school or district will review the Plan with students.

Initiatives will also teach students about the student-related sections of Abby Kelley Foster's Bullying Prevention and Intervention Plan through school assemblies and/or class meetings annually.

### **B. Instructional programming currently in place**

Abby Kelley Foster will continue to utilize a variety of instructional approaches already in place to teach students how to prevent bullying and how to report or intervene appropriately. These include:

- Character Education Class instruction that occurs at the Elementary and Middle School levels which includes specific instruction in anti-bullying, ways to empower bystanders or those who become aware of bullying, strategies for responding to bullying situations, etc.
- Grade K-4 also utilizes the Second Step Curriculum.
- Instruction regarding the school's technology acceptable use policy that includes learning about appropriate and inappropriate use of the internet. This is also found in student handbooks grades K-12.
- Presentation by the office of the District Attorney regarding bullying/cyber bullying for grades 3-12 as well as presentations for parents.
- The use of social curricula, including elements from Responsive Classroom in Grades K-5.
- The use of all school meetings or student assemblies where staff emphasizes expectations regarding bullying prevention, student's

present information or act out scenarios, guest speakers address the topic, etc.

### **C. General teaching approaches that support bullying prevention efforts.**

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

- Setting clear expectations for students and establishing school and classroom routines;
- Creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- Using appropriate and positive responses and reinforcement, even when students require discipline;
- Using positive behavioral supports;
- Encouraging adults to develop positive relationships with students;
- Modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- Using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- Using the Internet safely; and
- Supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

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

*To support efforts to respond promptly and effectively to bullying and retaliation, schools or districts must put in place policies and procedures 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 school staff – know what will happen when incidents of bullying occur. Schools and districts should describe in the Plan 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, or the superintendent or designee when the Principal or Assistant Principal is the alleged aggressor, or the school committee or designee when the superintendent is the alleged aggressor once a report is made. The Department recommends that districts and schools develop different procedures for reviewing and investigating reports of bullying by students, and of bullying by school staff. Incorporate these procedures into the local Plan.*

*A school district, charter school, non-public school, approved private day or residential school or collaborative school may establish separate discrimination or harassment policies that include these or other categories of students. Nothing in this section shall alter the obligations of a school district, charter school, non-public school, approved private day or residential school or collaborative school to remediate any discrimination or harassment based on a person's*

*membership in a legally protected category under local, state or federal law.*

*The following is sample language that may be included in a Plan, and is based on the requirements of M.G.L. c. 71, § 37O, as amended (see footnote 1). Schools or districts may modify this to include local procedures and provide due process as required. Schools also may choose to address the reporting of bullying by school staff in proposed section F.*

### **A. 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. A school or district staff member is required to report immediately to the principal or designee, or to the superintendent or designee when the Principal or Assistant Principal is the alleged aggressor or to the school committee or designee when the superintendent is the alleged aggressor, any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form, a voicemail box, a dedicated mailing address, and an email address.

Use of an Incident Reporting Form is not required as a condition of making a report. The school or district will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined by the principal or designee; and 3) post it on the school's website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each school year, the school or district will provide the school community, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, and the superintendent or designee when the Principal or the Assistant Principal is the alleged aggressor, will be incorporated in student and staff handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians.

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

A staff member will report immediately to the principal or designee, or to the superintendent or designee when the Principal or the Assistant Principal is the alleged aggressor, or to the school committee or designee when the superintendent is the alleged aggressor when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report as provided does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

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

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee, or superintendent or designee when the Principal or Assistant Principal is the alleged aggressor. 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, or superintendent or designee when the Principal or Assistant Principal is the alleged aggressor.

## **B. Responding to a Report of Bullying or Retaliation – Allegations of Bullying by a Student.**

### **1. Safety**

Before fully investigating the allegations of bullying or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the aggressor’s schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

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. (Include locally established student safety planning policies and procedures here.)

### **2. 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 student 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 student aggressor. In making this determination, the principal

will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

### **C. 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 student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. 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.)

### **D. 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, and 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 student 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.

## **E. Responses to Bullying.**

*Use this section of the Plan to enumerate the school's or district's chosen strategies for building students' skills, and other individualized interventions that the school or district may take in response to remediate or prevent further bullying and retaliation. The following is sample language that may be included in school or district Plans:*

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

Upon the principal or designee determining that bullying or retaliation has occurred, 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. M.G.L. c. 71, § 37O(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; and
- making a referral for evaluation.

### **2. Taking Disciplinary Action**

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the school's or district's code of conduct.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

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

### **3. 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.

## **F. Responding to a Report of Bullying by School Staff.**

*Schools and districts need to develop policies and procedures that address how school or district administration will respond to and resolve a report of bullying of a student by school staff. The policies and procedures must address safety planning, notification to parent or guardians and others, investigation, and response – areas that are addressed when a student is alleged to have bullied another student (see Section V. B – E above). Policies and procedures currently in place that addresses unacceptable conduct by school staff may be a useful starting place. Schools and districts should consider consulting with local counsel. The policy should emphasize the importance of the investigation, the need for the aggressor, target, and witnesses to be truthful, and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.*

## **VII. Collaboration with Families**

The Abby Kelley Foster Bullying Prevention and Intervention Plan includes strategies to engage and collaborate with students' families in order to increase the capacity of the school to prevent and respond to bullying. Resources for families and communication with them are essential aspects of effective collaboration. The provisions for informing parents or guardians about the bullying prevention and intervention curricula used by the school include: (i) how parents and guardians can reinforce the curricula at home and support the school plan; (ii) the dynamics of bullying; and (iii) online safety and cyber bullying. Parents and guardians will be notified in writing each year about the student-related sections of the Bullying Prevention and Intervention Plan, in the language(s) most prevalent among the parents or guardians.

### **A. Parent Education and Resources.**

The school 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 school. The programs will be offered in collaboration with the PTO, Board of Trustees, Special Education Parent Advisory Council, or similar organizations.

### **B. Notification Requirements.**

Each year the school 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 cyber bullying and online safety. The school will send parents written notice each year about the student-related sections of the Abby Kelley Foster Bullying Prevention and Intervention 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 Abby Kelley Foster Bullying Prevention and Intervention Plan and related information on its website.

## VIII. Prohibition Against Bullying and Retaliation

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Abby Kelley Foster will not tolerate any unlawful or disruptive behavior including any form of bullying, cyber bullying, or retaliation in our school, on school grounds, on school buses, at school bus stops, or in school related activities. The school will investigate promptly all reports of bullying and complaints of bullying, cyber bullying, and retaliation, and take prompt action to end that behavior and restore the target's safety. The Abby Kelley Foster Public School will support this plan and the safety of all our student, families and staff including the use of curricula, instructional programs, professional development, extracurricular activities, and parent/guardian involvement.

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; or through the use of technology or an electronic device owned, leased, or used by a 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, 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 the Abby Kelley Foster Behavior Prevention and Intervention Plan requires the school to staff any non-school related activities, functions, or programs.

## IX. Problem Resolution System:

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*Chapter 86 of the Acts of 2014 amended Section 37O 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: their [website](#) (<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 Executive Director's office.

## X. Definitions

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*Several of the following definitions are copied directly from M.G.L. c. 71, § 37O, as noted below. Schools or districts may add specific language to these definitions to clarify them, but may not alter their meaning or scope. Plans may also include additional definitions that are aligned with local policies and procedures.*

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

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or a member of a school staff of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- i. causes physical or emotional harm to the target or damage to the target's property;
- ii. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school; or
- v. materially and substantially disrupts the education process or the orderly operation of a school.

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, 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.

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

School Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, and bus drivers, and athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

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

## XI. Relationship to Other Laws

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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 Abby Kelley Foster Bullying Prevention and Intervention Plan is designed or intended to limit the authority of the school to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

# Appendices to Policy

## Responsibilities of School Personnel and Students in Relation to Witnessed or Reported Bias Incidents

### 1. All Personnel and Students

- Report bias incidents and civil rights violations to school civil rights administrator.
- Be familiar with basic facts about hate and hate crimes so as to be able to identify bias incidents and have an understanding of the dynamics.
- Challenge biased attitudes and behavior whenever encountered in school and outside.
- Report hate crimes to police, and summon help in an emergency.
- Uphold school civil rights and safety policies and remain vigilant and alert to violations.
- Take responsibility so as to make a difference in stopping hate, finding and creating individual and group opportunities for action and involvement.

### 2. Teachers Only

- Set guidelines for classroom behavior to avoid hurt feelings and promote respect.
- Respond to and challenge insensitive behaviors like name calling and exclusion of children who are different.
- Instruct against hate and prejudice, where this message is apropos to classroom subjects and lessons.
- Look for and help implement proactive programs and strategies to promote tolerance and stop hate conduct.

### 3. School Staff Specifically

- Challenge and try to stop bias incidents when witnessed or encountered in progress, if a safe opportunity is presented.

### 4. Civil Rights Administrators Specifically

- Be available to receive reports of civil rights violations from students, faculty, and other administrators.
- Respond promptly to a report of a civil rights violation by intervening if possible, ensuring that individuals are safe and free from harassment, and by starting an investigation and quickly ascertaining the facts.
- Put a stop to ongoing harassment immediately and effectively, and refer victims to support services and resources available in the area.
- Take remedial, corrective, and disciplinary action as warranted following the investigation, and consistent with school policies and the Code of Conduct.
- Take steps to avert retaliation against individuals who report civil rights violations, and act immediately to ensure the individual's safety and freedom from harassment.
- Communicate and coordinate efforts with police on a regular, ongoing basis, and develop a working partnership with police officers assigned to Abby Kelley Foster and civil rights issues.
- Undergo specialized training to maintain knowledge of hate crimes and civil rights issues as they affect schools.
- Coordinate school prevention programming and activities, drawing on available resources and tools.

## Federal and Massachusetts Laws Bearing on Harassment and Bias Crimes in School Settings

- Title VI, 42 U.S.C. Sec. 2000 et seq. (prohibition of discrimination based on race, color, or national origin)
- Title IX, 20 U.S.C. Sec. 168 et seq. (prohibition of discrimination based on sex or gender)
- Title II of the Americans with Disabilities Act, 42 U.S.C. Sec. 12134 (prohibition of discrimination based on disability)
- M.G.L. Ch. 71, § 37H (student handbooks required to state disciplinary measures applicable to “violations of other students’ civil rights”)
- M.G.L. Ch. 76, § 5 (prohibition of discrimination “on account of race, color, sex, religion, national origin or sexual orientation,” in access to “advantages, privileges and courses of study of [local] public school “)
- M.G.L. Ch. 151C (Fair Education Practices Act, includes prohibition of sexual harassment)
- M.G.L. Ch. 214 § 1B (right of privacy)
- M.G.L. Ch. 214 § 1c (right of freedom from sexual harassment)
- M.G.L. Ch. 12, §§ 11H and 11I (prohibition of threats, intimidation, or coercion interfering with someone’s legal rights)
- M.G.L. Ch. 265 § 37 (criminal penalties for the use of force or threats to interfere with someone’s legal rights)
- M.G.L. Ch. 265 § 39 (increasing penalties for assaults, batteries and property damage motivated by bias on grounds of race, religion, ethnicity disability and sexual orientation)
- M.G.L. Ch. 266 § 127A (criminal penalties for vandalism of a school)