

Abby Kelley Foster Charter Public School

Bullying Prevention and Intervention Plan

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APPENDIX A: INCIDENT REPORTING FORM

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 model 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. Please note that throughout this document we use the words “target” instead of “victim” and “aggressor” instead of “perpetrator” to be consistent with the DESE language.

I. LEADERSHIP

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. As required by M.G.L. c. 71, § 37O, the Abby Kelley Foster Bullying Prevention and Intervention Plan is developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians.
- 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. 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 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. 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.

- C. Planning and oversight. Abby Kelley Foster Bullying Prevention and Intervention Plan has identified the elementary, middle and high school principal/assistant principal or their designee as the individual responsible for receiving all reports on bullying. The administration in consultation with the curriculum directors are responsible for planning on going professional development that is required by law.

The building principal or their designee is responsible for the following:

- collecting and analyzing building data on bullying to assess the present problem and to measure improved outcomes.
- recording and tracking incident reports, and assessing information related to targets and aggressors.
- planning for the ongoing professional development with school administration
- planning supports that respond to the needs of targets and aggressors
- choosing and implementing the curricula that the school will use
- 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;
- amending student and staff handbooks and codes of conduct;
- Leading the parent or family engagement efforts and drafting parent information materials; and
- reviewing and updating the Plan each year, or more frequently as needed.

D. The Abby Kelley Foster Charter Public School Bullying Prevention and Intervention Plan Priority Statement:

The Abby Kelley Foster Charter Public School 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 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 school-related activities. We will promptly investigate all reports and complaints of bullying, cyberbullying, and retaliation, and will 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 building principal is responsible for the implementation and oversight of the Plan.

II. TRAINING AND PROFESSIONAL DEVELOPMENT

The Abby Kelley Foster Charter Public School'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 regarding the Abby Kelley Foster Charter Public School 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 are required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.
- B. Ongoing professional development. The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, 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 cyber bullying; and
- Internet safety issues as they relate to cyberbullying.

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 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; and
- 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 Abby Kelley Foster Charter Public School's Bullying Prevention and Intervention Plan by publishing information about it, including sections related to staff duties, in the school employee handbook and the code of conduct.

III. 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. These students include targets, aggressors, or bystanders of bullying or cyberbullying. Abby Kelley Foster Charter Public School will also address the emotional needs of these students and provide their parents with access to resources in the school community. The School's Bullying Prevention and Intervention Plan includes strategies for providing supports and services necessary to meet these needs. In order to enhance the school'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 aggressors. The School will provide counseling or will refer aggressors, targets, and family members of those students to the appropriate services.

- A. Identifying resources. 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.

- C. 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) 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 Dr. Russell Maguire (Simmons College) and Laura Porter (Research For Better Teaching) 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. Abby Kelley Foster Charter Public School also has the following resources available to our students and families:

- Guidance Counselors
- School Adjustment Counselor
- School Psychologists
- Behavior Implementation Specialist
- Positive Behavior Implementation System (PBIS)
- Inclusion Training (Consultant)
- Classroom Management Training (Consultant)
- Restraint Training
- Bullying, Harassment, Civil Rights Training
- Social Skills Lunch Group K-12
- Second Step Violence Prevention Curriculum
- Study Skills/Tutoring Services
- Parent Teacher Conferences
- Curriculum Parent Nights
- Behavior Plan Development
- Classroom Observations
- College Counselor

- 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.

IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES

The Abby Kelley Foster Charter Public School 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 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 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 Abby Kelley Foster Charter Public School Bullying Prevention and Intervention Plan through school assemblies and/or class meetings at the beginning of each year.

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

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

V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

To support efforts to respond promptly and effectively to bullying and retaliation, Abby Kelley Foster Charter Public School has policies and procedures for receiving and responding to reports of bullying or retaliation. These policies and procedures ensure that members of the school community – students, parents, and staff – know what will happen when incidents of bullying occur.

- 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 staff member is required to report immediately to the principal or designee 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 staff members, may be made anonymously. The school will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form see Appendix A, a designated mail box in each building and the availability of the Incident Reporting Form on the school website.

Use of an Incident Reporting Form is not required as a condition of making a report. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

Abby Kelley Foster Charter Public School will:

- 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians (student handbook)
- 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;
- 3) post it on the school website

At the beginning of each school year, Abby Kelley Foster Charter Public School will provide the school community, including administrators, staff, 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, 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.

1. 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.

2. 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.

B. Responding to a report of bullying or retaliation.

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. Abby Kelley Foster Charter School administration may contact the parent/guardian prior to the investigation in certain circumstances. All notices will be consistent with 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; 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. The confidentiality of students and witnesses reporting alleged acts of bullying will be maintained to the extent possible given the school’s obligation to investigate incidents.

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 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, 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.

In making this determination, the principal will, consistent with the Abby Kelley Foster Bullying Prevention and Intervention 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.

- C. Investigation. The principal or designee will promptly investigate 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, 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 policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation.

- 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 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.

E. Responses to Bullying

The Abby Kelley Foster Charter Public School has a range of strategies and interventions available to all members of the staff that may be used in response to acts of bullying or preventative education regarding bullying or retaliation.

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 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 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 prosocial 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 Abby Kelley Foster Bullying Prevention and Intervention 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.

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.

VI. 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 cyberbullying. 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.

VII. PROHIBITION AGAINST BULLYING AND RETALIATION

Abby Kelley Foster Charter Public School 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 promptly investigate 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 students, 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.

VIII. DEFINITIONS

M.G.L. c. 71, § 37O defines the following:

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

Bullying as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students 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 cyberbullying.

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.

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.

IX. RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the school or 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, sex, religion, national origin, or sexual orientation. Nothing in the Abby Kelley Foster Bullying Prevention and Intervention Plan prevents the school 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 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.