

# **BULLYING PREVENTION POLICY**

## **Overview**

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

“Bullying” is the repeated use by one or more students/staff [aggressor(s)] 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 or 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.

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

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, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

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

Examples of bullying include:

1. Teasing
2. Exclusion
3. Taunting (verbal or physical intimidation)
4. Cyber-bullying
5. Pushing, kicking, hitting or spitting
6. Non-verbal gestures
7. Taking or damaging another person’s personal property

“Cyber-bullying” means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- wire
- radio
- electromagnetic

- photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Cyber-bullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

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

Our school expects that all members of the school community will treat each other in a civil manner and with respect for differences. 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 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.

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

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds;
- At school bus stops;
- On school buses or other vehicles owned, leased, or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the Richmond Consolidated School.

Bullying and cyber-bullying are prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the Richmond Consolidated School if the act or acts in question:

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupts the education process or the orderly operation of a school.

## **Prevention and Intervention Plan**

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

The Principal is responsible for the implementation and oversight of the bullying prevention and implementation Plan within his or her school. The Plan will include steps to be taken by the principal or designee to follow upon receipt of a report of bullying or retaliation, staff responsibilities, and nature of training staff and students.

Our 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 or district employee handbook and the code of conduct.

### **Reporting**

Anyone, including a parent, guardian, student or school staff member, can report bullying or retaliation. Reports can be made in writing or orally. Oral reports made by or to a staff member shall be recorded in writing. Persons other than school or district staff can make reports anonymously. Anonymous reports may limit further investigation if the parties involved cannot be identified. 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 who have been, or parents of students who have been bullied, or who observe incidents of bullying are encouraged to report this behavior to a staff member or school administrator. The target shall, however, not be subject to discipline for failing to report bullying. Our school will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form,<sup>1</sup> voicemail, a dedicated mailing address, and an email address

Staff must immediately report bullying and/or peer harassment to the building principal if they either witness or become aware of bullying or retaliation in another manner. Staff members responsible for reporting acts of bullying include, but are not limited to, the following: educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity, or paraprofessionals. Acts of reprisal or retaliation against any person who reports an incident of bullying and/or peer harassment are prohibited. Any student who is determined to have falsely accused another of bullying and/or peer harassment shall be subject to disciplinary consequences.

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.

### **Investigation Procedures**

The Principal or his/her designee, upon receipt of a viable report, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged perpetrator of bullying. The actions being taken to prevent further acts of bullying shall be discussed. The principal or designee conducting the investigation will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

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.

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<sup>1</sup> See Appendix A for Sample Incident Reporting Form.

The school principal or a designee shall promptly investigate the report of bullying, using a ***Bullying/Cyber-bullying Report Form***, which may include interviewing the alleged target, alleged perpetrator, staff members, students and/or witnesses.

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

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

If the school principal or a designee determines that bullying has occurred he/she shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the principal shall consult with the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within fourteen school days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or his/her designee shall contact the parents or guardians as to the status of the investigation on a weekly basis. The principal or designee will maintain a written record of the investigation.

The school shall document any incident of bullying that is reported per this policy and the Principal or designee shall maintain a file. A monthly report shall be provided to the Superintendent.

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

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.

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

### **Retaliation**

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

### **Counseling and other Services**

The Richmond Consolidated School shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and perpetrators and to appropriate family members of involved students, affected by bullying as necessary. The school's School Adjustment Counselor and Psychologist can assist with identifying staff and service providers who assist schools in developing safety plans for students who have been targets of bullying or retaliation, providing social skills programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors.

### **Training and Assessment**

Annual training shall be provided for all school staff and volunteers on the Plan to 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, steps to

prevent retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district.

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:

- Age-appropriate, evidence-based instruction on bullying prevention that is incorporated into the curriculum for all Pre-K through eighth grade students at Richmond Consolidated School.
- 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.

### **Publication and Notice**

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff the school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

At the beginning of each school year, the 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 or district website, and in information about the Plan that is made available to parents or guardians. Parents will receive information about (a) the school's bullying prevention curricula, (b) ways to help reinforce prevention at home, (c) the broader social dynamics of bullying and (d) computer/ electronic safety and cyber-bullying.

The bullying prevention and intervention Plan shall be posted on the Richmond Consolidated School website [[www.rcscares.org](http://www.rcscares.org)].

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

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended  
Federal Regulation 74676 issued by EEO Commission  
Title IX of the Education Amendments of 1972  
603 CMR 26.00  
M.G.L. c. 71, § 37O  
MGL 91:370  
MGL 265:43, 43A  
MGL 268:13B  
MGL 269:14A  
MGL Chapter 71, section 370

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