

# **Easton Public Schools**

## **Bullying Prevention and Intervention Policy and Plan**

### **Revised January 2022**

#### **Easton Public Schools Bullying Prevention Policy**

The Easton Public Schools district 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. The district takes specific steps to create a safe, supportive environment for vulnerable populations in the school community. We provide all students with the skills, knowledge, and strategies to identify, prevent, report, and respond to bullying, harassment, or teasing.

The Easton Public Schools does not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. We investigate promptly all reports and complaints of bullying, cyberbullying, and retaliation, and take prompt action to end such behavior and restore a safe environment. We support this commitment in all respects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

#### **Intervention and Prevention Plan**

##### **Prohibition against Bullying and Retaliation:**

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

- (i) on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and
- (ii) at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

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

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to

staff any non-school related activities, functions, or programs.

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, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

## **DEFINITIONS**

Aggressor - a student or staff member who engages in bullying, cyber-bullying, or retaliation.

Bullying - (defined in M.G.L. c. 71, § 37O) the repeated use by one or more students or staff members 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.

Bystander - a student who witnesses or becomes aware of an incident or the results of an incident of bullying or cyber-bullying.

Cyber-bullying - 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 - (defined in M.G.L. c. 71, § 37O) 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 - 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, paraprofessionals, counselors, school nurses, cafeteria workers, lunch/playground aides, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff and substitutes.

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

## **I. LEADERSHIP**

Leadership at all levels plays a critical role in developing and implementing Bullying Prevention and Intervention Plans in the context of other whole school and community efforts to promote positive school climate. Leaders have a primary role in teaching students to be civil to one another and promoting understanding of and respect for diversity and difference. Leadership is provided at the building level by principals and assistant principals, an adjustment counselor, psychologists, nurses, and guidance counselors. Leadership is provided at the district level by the health educator, adjustment counselors, school resource officer and the assistant superintendent. This leadership is responsible for setting priorities and for staying up-to-date with current research on ways to prevent and effectively respond to bullying. It is also the responsibility of leaders to involve representatives from the greater school and local community in developing and implementing the Plan.

- A. **Public involvement in developing the Plan:** The Easton Public Schools Bullying Prevention and Intervention Plan was developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians.
- B. **Assessing needs and resources:** This Plan is the district's 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, 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. Based on these findings, the district continually revises or develops policies and procedures; establishes partnerships with community agencies, including law enforcement, and sets priorities.
- C. **Planning and oversight:**  
Responsibilities of the District Leader responsible for oversight will include:
  - receiving reports on bullying
  - collecting and analyzing building- and/or school-wide data on bullying to assess the present problem and to measure improved outcomes;
  - creating a process for recording and tracking incident reports, and for accessing information related to targets and aggressors;
  - planning for the ongoing professional development that is required by the

- law;
- planning supports that respond to the needs of targets and aggressors;
- choosing and implementing the curricula that the school or district 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 to, among other things, make clear that bullying of students by school staff or other students will not be tolerated;
- leading the parent or family engagement efforts and drafting parent information materials; and
- reviewing and updating the Plan each year, or more frequently.

Responsibilities of the Principal or their designee include:

- Receive reports on student interaction incidents
- Report alleged bullying in a timely manner and make a determination of the finding
- Develop a safety plan where appropriate and communicate the results of the investigation to stakeholders
- Document and track student interaction incidents

**D. Priority Statement:**

The Easton Public Schools 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.

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

M.G.L. c. 71, § 37O requires all school districts to provide ongoing professional development for all staff in various areas.

- A. Annual staff training on the Plan - Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. 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 schoolwide and district wide professional development will be informed by research and will include information on:

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

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.

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.

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

A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, student aggressors, families, and others are addressed. Strategies for providing supports and services necessary to meet these needs are available throughout the Easton Public Schools. In order to enhance the school's or district's capacity to prevent, intervene early, and respond effectively to bullying, available services reflect an understanding of the dynamics of bullying and provide approaches to address the needs of targets and student aggressors.

- A. Identifying Resources - The Easton Public Schools is actively using Social Emotional Learning Programs in grades PK-8. Social interventions are ongoing throughout all grades and schools.
- B. Counseling and Other Services - The Easton Public Schools have dual certified Adjustment Counselors in each building to support the emotional needs of targets, student aggressors and families. In addition, the Town of Easton has access to [Interface Referral Service](#), which is a mental health and wellness referral Helpline available **9am to 5pm on Mondays, Wednesdays and Fridays and 8am to 6pm on Tuesdays and**

**Thursdays (excluding holidays), at 888-244-6843** (toll free). This is a free, confidential referral service for residents of Easton. Callers are matched with licensed mental health providers within 2 weeks of their call to INTERFACE. Each referral best meets the location, insurance, and specialty needs of the caller including cultural and linguistic needs.

- 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.

#### **IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES**

The Easton Public Schools provides age-appropriate instruction on bullying prevention in each grade that is incorporated into the school's or district's curricula. The curricula is evidence-based. 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 is 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 cyberbullying, including the underlying power imbalance;
  - emphasizing cybersafety, including safe and appropriate use of electronic communication technologies;
  - enhancing students' skills for engaging in healthy relationships and respectful communications; and
  - engaging students in a safe, supportive school environment that is respectful of diversity and difference.
- 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 the Easton Public Schools 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, the Easton Public Schools put in place policies and procedures for receiving and responding to reports of bullying or retaliation.

- 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, any possible 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 (See appendix A), voicemail, and email.

Use of an Incident Reporting Form is not required as a condition of making a report. The school or district: 1) includes a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) makes 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 provides the school community, including but not limited to 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, and the superintendent or designee is 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 must 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 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 become 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 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 to the superintendent or designee when the principal or the 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. Reports of bullying can be made through multiple sources. Reports can be made to the classroom teacher, guidance counselor, nurse or administrator in person, by phone or in writing or email. 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 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. Students may verbally report bullying through a guidance counselor, an adjustment counselor, a teacher, a staff member, an administrator, a nurse or through a parent.

### **B. Responding to a Report of Bullying or Retaliation:**

#### **1. Safety**

Before fully investigating the allegations of bullying or retaliation, the principal or designee takes 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 limiting access to the target. The principal or designee takes additional steps to promote safety and a review process during the course of and after the investigation, as necessary.

The principal or designee implements 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. A developmentally appropriate student review plan is developed on an individual basis for the aggressor, the target or the bystander as needed.

**Clear procedures for restoring a sense of safety for a target or aggressor and assessing need for protection**

- Assure the parents/guardians as to the adherence to district-wide procedures for responding to reports of bullying
- Hold a meeting with the students, his/her parents/guardians, classroom teacher and principal
- Create an action plan
- Empower the victim to be responsible for reporting any further incidents
- Encourage the parents/guardians to report any somatic changes
- Recommend participation in school social group if deemed necessary
- Develop a check-in and follow up plan
- Adjust schedule where necessary
- Notify faculty/bus drivers/cafeteria workers/School Resource Officer/Substitute Teachers

**2. Obligations to Notify Others**

- a. **Notice to parents or guardians:** Upon determining that bullying or retaliation has occurred, the principal or designee must promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
- b. **Notice to Another School or District:** If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident must 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 must 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 notifies the local law enforcement agency. Notice must be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer

enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

- d. In making this determination, the principal must, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer and other individuals the principal or designee deems appropriate.

- C. Investigation:** The principal or designee investigates promptly all reports of bullying or retaliation and, in doing so, considers 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 must, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee reminds 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. Given his/her obligation to investigate and address the matter, the principal or designee maintains confidentiality during the investigative process. The principal or designee maintains a confidential written record of the investigation.

Procedures for investigating reports of bullying and retaliation are consistent with school or district policies and procedures for investigations. If necessary, the principal or designee consults with legal counsel about the investigation.

- D. Determinations:** The principal or designee makes a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee takes 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: 1) determines what remedial action is required, if any, and 2) determines 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 must 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. Notice must be consistent the requirements of 603 CMR 49.00 such that a principal may not disclose information from a student record of a target or aggressor to a parent unless the information is about the parent's own child.

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:**

##### **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 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 is 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 must be consistent with the Plan and with the school's or district's code of conduct as defined in the student handbook.

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. 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**

Resources for families and communication with them are essential aspects of effective collaboration. Our Plan includes provisions for informing and educating parents or guardians about the bullying prevention and intervention curricula used by the school district or school including:

- how parents and guardians can reinforce the curricula at home and support the school or district plan;
- the dynamics of bullying; and
- 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. The school and district post the Plan and related information on their respective websites.

## **VII. PROBLEM RESOLUTION SYSTEM**

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: <https://www.doe.mass.edu/prs/>, emails can be sent to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or individuals can call 781-338-3700. Hard copies of this information is also available at the Superintendent's office.

## **VIII. RELATIONSHIP TO OTHER LAWS**

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any

town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, M.G.L. c. 71, §§41 and 42, M.G.L.c 76 § 5, or other applicable laws, or local school or district policies, or collective bargaining agreements, in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.