

BLACKSTONE-MILLVILLE REGIONAL SCHOOL DISTRICT Bullying Prevention and Intervention Plan¹

M.G.L. c. 71, § 37O requires that school districts develop, adhere to and update a Bullying Prevention and Intervention Plan, in accordance with statutory requirements. The Department of Elementary and Secondary Education (DESE) has created a Model Bullying Prevention and Intervention Plan in accordance with M.G.L. c. 71, § 37O (“Model Plan”), in consultation with state agencies, school personnel, advocacy organizations, and other interested parties.

The Blackstone-Millville Regional School District (BMRSD) has adapted the Model Plan to create the BMRSD Bullying Prevention and Intervention Plan (“BMRSD Plan,” “Plan”). The BMRSD Plan was developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, and parents/guardians.

The BMRSD Plan applies to both students and school staff members, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals. Please note that the DESE’s Model Plan, DESE Publications, and the BMRSD Plan all use the term “target” instead of “victim” and “aggressor” instead of “perpetrator.”

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¹ The Model Plan and the BMRSD Plan have been updated to reflect M.G.L. c. 71, § 37O, as amended by Chapter 38 of the Acts of 2013 and Chapter 86 of the Acts of 2014. The Acts of 2013 changed the definition of “perpetrator” to include “a member of a school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional,” and made the plan applicable to school staff, including but not limited to, the individuals listed in the amended perpetrator definition. The Acts of 2014 requires districts and schools to “recognize” in their plans that “certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability, or by association with a person who has or is perceived to have 1 or more of these characteristics.

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I. LEADERSHIP

Leadership at all levels has played a critical role in developing the BMRSD Plan. Leadership at all levels plays a critical role in implementing the BMRSD Plan in the context of other whole school and community efforts to promote positive school climate. Leaders have a primary role in teaching students to be civil to one another and promoting understanding of and respect for diversity and difference. Leadership is defined by the district or school, depending on existing roles and responsibilities and locally identified priorities for this initiative. 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 development and implementation of the BMRSD Plan.

A. Assessing needs and resources.

The BMRSD Plan is the school'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, have and 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 BMRSD and individual schools in identifying resource gaps and the most significant areas of need. BMRSD and individual schools have and will revise and develop policies and procedures; establish partnerships with community agencies, including law enforcement; and set priorities.

At a minimum of once every four (4) years, beginning with the 2017-2018 school year, BMRSD will administer a District or DESE-developed student survey to assess school climate and the prevalence, nature and severity of bullying in BMRSD schools. BMRSD will report bullying incident data to DESE annually.

BMRSD plan has done the following to allow for initial and periodic needs assessments:
1) surveyed students, staff, parents, and guardians on school climate and school safety issues; and 2) collected and analyzed building-specific data on the prevalence and

characteristics of bullying. BMRSD intends to use this information 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. BMRSD will use the following methods to conduct needs assessments:

- Develop/select the survey
- Establish the appropriate timelines for administration
- Administer the survey
- Review and analyze results with the District's Leadership Team
- Modify District Blueprint for Improvement and School Improvement Plans with the appropriate goals, strategies and actions based on survey feedback

B. Planning and oversight.

All BMRSD staff is responsible for alerting appropriate personnel about bullying related issues, and taking appropriate steps to prevent, mitigate and eliminate bullying in BMRSD schools, relative to both students and staff. BMRSD recognizes that it is charged with employing best practices to provide for the safety and wellbeing of all students, staff, and members of the school community. Building principals/assistant principals are designated as reporting agents to receive reports of bullying and bully type behavior at their given school.

The role of the building principal:

- 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) Plan for the ongoing professional development that is required by the law;
- 5) Plan supports that respond to the needs of targets and aggressors;
- 6) Choose and implementing the curricula that the school or district will use;
- 7) Develop 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) Amend 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) Lead the parent or family engagement efforts and drafting parent information materials;
- 10) Review and update the plans each year, or more frequently.

C. Developing priority statements.

BMRSD priority statements for communicating BMRSD's vision in creating and implementing its bullying prevention and intervention strategies are as follows, and will continue to be developed:

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

BMRSD 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 BMRSD's 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.

BMRSD recognizes and understands 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, pregnant or parenting status, sexual orientation, 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. BMRSD has identified and will continue to identify and take the specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and to provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

The District recognizes that students with disabilities are disproportionately affected by bullying. The District has adopted these steps described in the plan to support vulnerable students and to provide all students with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment.

BMRSD will ensure that a student with a disability who is a target of bullying behavior continues to receive Free and Appropriate Education (FAPE) in accordance with his/her IEP through the implementation of the following process:

- IEP Team will reconvene to determine whether or not the effects of the bullying resulted in a change in the student's needs to the degree that an amendment or revision to the IEP must be made to ensure FAPE within the least restrictive environment (LRE)

- During the investigation process, the District will inform the parent/guardian that they have the right to request an IEP Team meeting
- IEP Team will exercise caution if it is considering a change in placement of the location of where IEP services are to be delivered to the student with a disability
- Change in placement will be considered when the student can no longer receive FAPE in his/her current LRE placement
- If the student who engaged in the bullying behavior is a student with a disability, the IEP Team will reconvene to determine if additional supports and/or services are required to address the inappropriate behavior
- A Functional Behavioral Assessment may be proposed and subsequent development and implementation of a Behavioral Intervention Plan may be a result of the IEP Team meeting conducted to address the inappropriate behavior of a student with a disability
- IEP Team along with other school personnel will examine the environment in which the bullying occurred to determine if changes to the environment are warranted.

IEP Teams will carefully consider if a student's disability makes a child vulnerable to bullying, harassment, and teasing and will address the skills and proficiencies needed to avoid and respond to bullying, harassment, and teasing.

BMRSD may, but is not required, to establish separate discrimination or harassment policies that include these or other categories of students. Nothing in this section shall alter BMRSD obligations to remediate any discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law.

BMRSD will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber bullying, or retaliation, in 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 the school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

The BMRSD Plan is a comprehensive approach to addressing bullying and cyber bullying, and BMRSD 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.

II. TRAINING AND PROFESSIONAL DEVELOPMENT

BMRSD will 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, in accordance with M.G.L. c. 71, § 37O requirements. Staff training and ongoing professional development shall be provided to all staff as described herein, and shall address concerns identified by school and district staff.

A. Annual staff training on the BMRSD 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 school wide and district wide professional development will be informed by research and will include information on:

- (i) Developmentally (or age-) appropriate strategies to prevent bullying;
- Developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- (iii) The complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- (iv) 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;
- (v) The incidence and nature of cyber bullying; and
- (vi) 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 for professional development include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making;
- maintaining a safe and caring classroom for all students; 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. BMRSD 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 BMRSD 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. The BMRSD Plan describes the strategies for providing supports and services necessary to meet these needs. In order to enhance BMRSD'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. BMRSD Plans 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 are reflected in the BMRSD Plan.

A. Identifying resources.

Annually, the district will review staffing and counseling services to ensure access for targets, aggressors, and their families. Recommendations may include reorganizing staff, establishing safety planning teams, and identification and partnership with local or community mental health service providers. The safety team will focus on early intervention and intensive services to maintain a positive school environment for all students.

B. Counseling and other services. The local police and safety officers as well as outside consultants will 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. Board Certified Behavior Analyst and counseling staff will work with school staff to develop strategies and implement current tools including, but not limited to, behavioral intervention plans, social skills groups, and individually focused curricula.

C. Students with disabilities. As required by M.G.L. c. 718, § 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. BMRSD has established a referral protocol for referring students and families to outside services. Clear protocols will help students and families' access appropriate and timely services. Referrals must comply with relevant laws and policies. Current local referral protocols will be evaluated to assess their relevance to the Plan, and revised as needed.

IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES

The law requires that BMRSD provide age-appropriate instruction on bullying prevention in each grade that is incorporated into schools' curricula. Curricula must be evidence-based. Effective instruction will include classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development. BMRSD will review, and may utilize as appropriate, other resources made available by DESE.

A. BMRSD bullying prevention approaches may include. 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.

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 BMRSD's 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, BMRSD has 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. These steps are listed below:

BMRSD may establish separate discrimination or harassment policies applicable to certain categories of students; Nothing in this section shall alter BMRSD's obligations to remediate any discrimination or harassment based on a person's membership in a legally protected class (under local, state or federal law).

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 BMRSD 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 BMRSD staff members, may be made anonymously. BMRSD will make a variety of reporting resources available to the school community including, but not limited to, an

Incident Reporting Form², 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. BMRSD 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, BMRSD 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 BMRSD 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 BMRSD's policies and procedures for behavior management and discipline.

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

BMRSD 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

² See Appendix A for Sample Incident Reporting Form.

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 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. Established student safety planning policies and procedures include:

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 BMRSD policies and procedures for investigations. The principal or designee may consult with legal counsel about the investigation, in accordance with BMRSD 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 DESE's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

E. Responses to Bullying. BMRSD's strategies for building students' skills, and other individualized interventions that BMRSD may take in response to remediate or prevent further bullying and retaliation, include:

1. Teaching Appropriate Behavior Through Skills-building

Upon the principal or designee determining that bullying or retaliation has occurred, the law requires that BMRSD use a range of responses that balance the need for accountability with the need to teach appropriate behavior. See 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 (academic or social-emotional/behavioral.)

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 BMRSD'S code of conduct.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which will 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

BMRSD has developed policies and procedures that address how the BMRSD administration will respond to and resolve a report of bullying of a student by school staff. The policies and procedures 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). BMRSD may consult with local counsel re. such policies and procedures. BMRSD's policies and

procedures 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.

VI. COLLABORATION WITH FAMILIES

BMRSD will engage and collaborate with students' families in order to increase the capacity of the school or district to prevent and respond to bullying. Resources for families and communication with them are essential aspects of effective collaboration. The law requires BMRSD's to include provisions for informing parents or guardians about the bullying prevention and intervention curricula used by the school district or school including: (i) how parents and guardians can reinforce the curricula at home and support the school or district plan; (ii) the dynamics of bullying; and (iii) online safety and cyber bullying. Parents and guardians must also 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. School- or district-specific approaches to collaboration will take into account age, climate, socio-economic factors, linguistic, and cultural make-up of students and the parents.

- A. Parent Education and Resources BMRSD 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 BMRSD. The programs will be offered in collaboration with the PTO, PTA, School Councils, Special Education Parent Advisory Council, or similar organizations.
- B. Notification Requirements BMRSD will inform parents and guardians of enrolled students, annually, 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. BMRSD will send parents written notice each year about the student related sections of the Plan and the BMRSD Internet Safety Policy. All notices and information will be 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. BMRSD will post the Plan and related information on its website.

VII. PROHIBITION AGAINST BULLYING AND RETALIATION

In accordance with M.G.L. c. 71, § 37O, BMRSD's statement prohibiting bullying, cyber bullying, and retaliation is as follows, and is reproduced in the student code of conduct,

the student handbook, and the staff handbook.

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

VIII. PROBLEM RESOLUTION SYSTEM

In accordance with M.G.L. c. 71, § 37O(g)(v), parents and guardians of the target shall be informed about DESE'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 seek assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/prs/>. Emails can be sent to compliance@doe.mass.edu or individuals can call 781-338-3700. Hard copies of this information are also available at the Superintendent's office.

IX. DEFINITIONS

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 full 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, 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.

X. RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and BMSRD policies, 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, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, 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 BMRSD 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 37H, 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.

The BMRSD Plan shall afford all students the same protection, regardless of a student's legal status. Should any provision of this Plan be deemed to be in conflict with applicable state or federal law or regulation, such law or regulation shall control.

Date of Review: January 2023