

## BEDFORD PUBLIC SCHOOLS

The Bedford Public Schools, in accordance with MGL: Chapter 92 of the Acts of 2010, and Section 370, endeavor to maintain a safe learning environment where students can achieve the highest academic standard. The Bedford Public Schools are committed to creating an environment in which every student develops emotionally, academically, and physically in a caring and supportive atmosphere free of intimidation and abuse. Bullying of any type has no place in a school setting. The Bedford Public Schools will endeavor to maintain a learning and working environment free of bullying. The Bedford Public Schools shall not tolerate bullying.

### *Definitions*

**"Bullying"** is the repeated use by one or more students or by 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, of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a victim that:

- causes physical or emotional harm to the victim or damage to the victim's property;
- places the victim in reasonable fear of harm to him/herself, or of damage to his/her property;
- creates a hostile environment at school for the victim;
- infringes on the rights of the victim at school; or
- materially and substantially disrupts the education process or the orderly operation of a school.
- For the purposes of this section, bullying shall include cyber-bullying.

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

**"Bullying a Class."** By the Department of Elementary and Secondary Education's definition, if a teacher is accused of bullying his or her class, then the District must implement the same investigation procedures that it would use if, as the law states, an allegation is made that an individual has been targeted.

**"Retaliation"** is any form of intimidation, reprisal or harassment by a current student or former student under the age of 21 directed against a person in response to an action that person has taken or knowledge that person has.

#### *Prohibitions*

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 Bedford Public Schools.

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 Bedford Public School district 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 disrupt the education process or the orderly operation of a school.

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

The Superintendent and/or his/her designee shall oversee the development of a prevention and intervention plan, in consultation with all district 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.

## **Reporting**

Students who believe that they are a victim of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The victim shall not, however, be subject to discipline for failing to report bullying.

Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report. Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action. Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible. Any member of a school staff shall immediately report any instance of bullying the staff member witnessed or became aware of to the school principal or their designee.

### **Investigation Procedures**

The Principal or their designee, upon receipt of a report, shall promptly contact the parents or guardians of a student who has been the alleged victim or alleged perpetrator of bullying. The actions being taken to prevent further acts of bullying shall be discussed.

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 victim, alleged perpetrator, staff members, students and/or witnesses.

Staff shall assess an alleged victim's needs for protection and respond as needed to 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 school's resource officer and 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 a timely manner. The parents or guardians shall be contacted upon completion of the investigation and informed of the results. The report provided to parents or guardians shall include 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. The Principal or his/her designee shall contact the parents or guardians as to the status of the investigation.

Disciplinary actions for students who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies. Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. 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.

### **Victim Assistance**

The Bedford Public Schools shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both victims and perpetrators, affected by bullying, as necessary.

### **Training and Assessment**

Training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying. Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for K-12 students.

### **Communication with Other School Districts**

If an incident of bullying or retaliation involves students from more than one school district, the school district or school first informed of the bullying or retaliation shall, consistent with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action. If an incident of bullying or retaliation occurs on school grounds and involves a former student under

the age of 21 who is no longer enrolled in a local school district, the school district or school informed of the bullying or retaliation shall contact law enforcement.

#### Special Education

Whenever the evaluation of the Individualized Education Program team indicates that the child has a disability that affects social skills development or that the child is vulnerable to bullying, harassment or teasing because of the child's disability, the Individualized Education Program shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing.

#### 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 at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

The bullying prevention and intervention plan shall be posted on the Bedford Public Schools website.

REFERENCES: MA Department of Elementary and Secondary Education's Model Bullying Prevention and Intervention Plan

LEGAL REFERENCES: Title VII, Section 703 Civil Rights Act of 1964 as amended

Federal Regulation 74696 issued by EEO Commission

Title IX of the Education Amendments of 1972

603 CMR 26.00

M.G.L. 71:37O

M.G.L. 265:43, 43A

M.G.L. 268:13B

M.G.L. 269:14A

MGL c.71, 370 as amended by Sections 72-74 of Chapter 38 of the Acts of 2013

CROSS REFERENCES: AC, Nondiscrimination

ACAB, Sexual Harassment

JBA, Student-to-Student Harassment

JICFA, Prohibition of Hazing

JK, Student Discipline Regulations

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