

# ***Fairhaven Public Schools***

## **Bullying Prevention and Intervention Plan**

*Submitted:  
December 2010*

*Revised:  
May 2013  
October 2015*

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**TABLE OF CONTENTS**

I. INTRODUCTION/LEADERSHIP.....4

II. TRAINING AND PROFESSIONAL DEVELOPMENT.....5

III. ACCESS TO RESOURCES AND SERVICES.....6-8

IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES.....8

V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION.....9-14

VI. COLLABORATION WITH FAMILIES.....15

VII. PROHIBITION AGAINST BULLYING AND RETALIATION.....16

VIII. PROBLEM RESOLUTION SYSTEM.....16

IX. DEFINITIONS.....16-17

X. RELATIONSHIP TO OTHER LAWS.....17

**APPENDIX A: District Reporting Forms**

## Plan Development

In the Fall 2010, this plan was developed by a broad-based community *Civil Rights Task Force*. In 2013 the document was revised. In the Fall 2015, the Civil Rights Task Force, comprised of new community and school leaders revised the plan to reflect Chapter 86 of the Acts of 2014, which amended G.L.c.71, §370, the anti-bullying statute, and was signed into law on April 24, 2014.:

Alana Burke	Social Worker, Fairhaven High School
Andrew Davey	Assistant Principal, Hastings Middle School
Jocelyne Fennelly	School Adjustment Counselor, Wood Elementary School
Amy Furtado	Assistant Principal, Wood Elementary School
Scott Joseph	Police Resource Officer and Designee for the Chief of Police
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Donna McKenna	Parent, School Committee Representative
Robert Mota	Assistant Principal, Student Services, 6-12
Mary Jane Muello	Assistant Principal, Fairhaven High School
Patrice Nogueira	School Adjustment Counselor, East Elementary School
Kevin Swain	Police Resource Officer
Wendy Williams	Principal, East Elementary School, and District Equity Coordinator

### **Student Representatives**

Mary Abernathy	Student, Fairhaven High School
Elizabeth Rodericks	Student, Fairhaven High School
Madison Docca	Student, Hastings Middle School

## I. LEADERSHIP

### A. *Public involvement in developing the Plan*

As required by M.G.L. c. 71, § 370, this 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. In order to solicit the input of all stakeholders, surveys were initially created and distributed to teachers (including support staff, administrators, and other school staff), parents (including volunteers) and students (grades 3 through 12). These surveys were analyzed by the Task Force and the findings helped to inform the development of the initial Plan. In addition, parents continue to have further opportunities to comment on the development of the Plan via PTO meetings and/or school council meetings. Local law enforcement have input via their representative on the Task Force. In addition, the school committee reviews the plan biennially.

### B. *Assessing needs and resources*

This Plan is the Fairhaven Public Schools' blueprint for enhancing our capacity to prevent and respond to issues of bullying within the context of other healthy school climate initiatives. As part of the planning process, the Task Force, with input from families and staff:

- assessed the adequacy of current programs and practices by reviewing our current
- policies and practices relative to previous/amended legislation and in the light of recent training in best practices
- reviewed available data on bullying and behavioral incidents in our district

- assessed the available resources including curricula, training programs, and behavioral health services currently available and used by the district.

This “mapping” process will assist the district in identifying resource gaps and the most significant areas of need. Based on these findings, the district has revised our policies and procedures; established partnerships with community agencies, including law enforcement; and set priorities for improving curricular and training resources.

Further needs assessment will focus on identifying vulnerable populations and “hot spots” in school buildings, on school grounds, or on school buses through the analysis of incident reports generated by each school. This data will be analyzed by counselors at each school by the end of the third marking period. Student input will also be solicited through surveys or other means. The resulting information and input will then be used to help 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.

At least once every four years, beginning with the 2015-2016 school year, the district will administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools. Additionally, the school or district will annually report bullying incident data to the Department.

#### C. *Planning and Supervision*

The following school or district leaders will be responsible for the stated tasks under the Plan:

- 1) Receiving reports on bullying: Principals at the elementary level, and Assistant Principals and Social Workers at the secondary level.
- 2) Collecting and analyzing building- and/or school-wide data on bullying to assess the present problem and to measure improved outcomes: District Data Coordinator, Principals and District Equity Coordinator, Civil Rights Task Force
- 3) Reviewing and monitoring the process for recording and tracking incidents and for accessing information related to targets and aggressors: District Equity Coordinator and Designated Officials.
- 4) Planning for the ongoing professional development that is required by the law: Superintendent, District Equity Coordinator, and Principals.
- 5) Planning supports that respond to the needs of targets and aggressors: Counselors and Social Workers.
- 6) Choosing and implementing the curricula that the school or district will use: Task Force with Principals and School Council approval
- 7) Updating and revising policies and protocols under the Plan, including an Internet safety policy, and designating key staff to be in charge of implementation of them: Superintendent and School Committee.
- 8) Amending student and staff handbooks and codes of conduct: Principals.
- 9) Leading the parent or family engagement efforts and drafting parent information materials: Superintendent and Principals.
- 10) Reviewing and updating the Plan every two years: District Equity Coordinator and Civil Rights Task Force.

#### D. *Priority Statement*

The Fairhaven School Committee believes that preventing bullying, cyberbullying, harassment and/or retaliation is critical for creating and maintaining a safe, secure and positive school

climate and culture, which in turn supports high level learning, increases school engagement, respects the rights of all individuals and groups, and purposefully builds community. The Committee expects that all members of the school community will treat each other in a civil manner and with respect, regardless of differences.

We recognize that certain students may be more vulnerable to becoming 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 more of these characteristics. The school or district will identify 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**

The Fairhaven School District is committed to providing ongoing professional development for all staff. The plan reflects the requirements under M.G.L. c. 71 §370, by providing ongoing professional development to all staff, including but not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities and paraprofessionals.

### *A. Annual staff training on the Plan*

Annual training on the Plan will occur for all school staff in September of each school year. The training will include staff responsibilities 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 by the principal or designee within thirty (30) days of hire. New staff will review and sign-off on participation in this training. Additional areas of training will be provided based on needs and concerns identified by school and district staff. While bus drivers are trained through their employer, the Fairhaven Public Schools encourages all bus drivers to attend the district training.

### *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, § 370, 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;
- (ii) developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- (iii) information regarding 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) information on the incidence and nature of cyberbullying; and  
(vi) Internet safety issues as they relate to cyberbullying.

Professional development will also address ways to prevent and respond to bullying, harassment, or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

Additional areas identified by the school or district 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; and
- maintaining a safe and caring classroom for all students.

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 responsibilities, in the school employee handbook or by separate publication.

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

A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, aggressors, families, and others are addressed.

A. *Identifying resources*

Currently the district has/uses the following resources for providing counseling and other services for targets, aggressors, and their families:

- 2 Middle School and 3 High School Guidance Counselors
- 1 High School Social Worker
- 1 High School Social Worker – Acushnet Students
- 1 Transition Student Support Specialist – East, Wood and HMS
- 1 Assistant Principal- Student Services, 6-12
- 2 Elementary School Adjustment Counselors
- School Resource Officer (Middle & High School levels)
- Referrals to Child & Family Services
- Referrals to New Bedford Youth Court
- Referrals to N.B. Women's Centers, Local Clinicians, and other outside Agencies

The district's Civil Rights Task Force, with the help of various support personnel, will examine the effectiveness and sufficiency of these resources. In addition to assessing the appropriateness of staffing and programs, the Task Force will review various programs currently in place that are intended to support positive school environments through a focus on early interventions and intensive services.

Programs currently in place:

- PeaceBuilders Program (Elementary level)
- MARC Program (Elementary)
- Life Skills Curriculum (gr. 6-10) Full Implementation Fall 2013
- Student Problem Solvers (Elementary & Middle School)
- S.T.A.N.D. (Students & Teachers Against Needless Discrimination)(High School level)
- Katie Brown Program (gr. 6-12)
- Gay/Straight Alliance (High School level – on hold)
- Counselor Run Groups (at all levels) such as:
  - Breakfast Club
  - Lunch Bunch
  - Recess Club
  - Facilitated Mediation
  - Social Skills Group (K-8)
  
- Sole Sisters/Band of Brothers

Once this mapping of resources is complete, the district will develop recommendations and action steps to fill any resource and service gaps. This may include actions such as adopting new curricula, reorganizing staff, establishing safety planning teams, and identifying other agencies that can provide services.

**B. *Special Considerations for Counseling and other services***

The district will access personnel/agencies such as the following to help provide linguistically and culturally appropriate counseling and other services to students or families impacted by bullying:

- The District's ELL teacher
- Portuguese speaking School Psychologist
- Child and Family Services

These resources can help to identify the unique needs of linguistically and culturally different students and families. They can also help to translate, orally, visually, or in written form any communications between the school and the students or their families.

Other than district staff, the Child and Family Services Community Service Agency will be the primary source of services for Medicaid eligible students.

The following staff/service providers may assist in the development of safety plans for students who have been targets of bullying, harassment or retaliation, or may offer education and/or intervention services for students exhibiting bullying behaviors: School Staff will consult and refer family to outside agencies as necessary. School staff will assist families in accessing appropriate and timely services. If consent is obtained, school staff will collaborate with outside providers.

- School Administrators
- School Guidance Counselors
- School Social Worker
- School Psychologist
- School Adjustment Counselors
- School Security/Resource Officers

Parents will also be consulted in the development of safety plans.

*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 that a student has a disability that affects social skills development or that 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. It will be the responsibility of the chairperson of each Special Education Team to ensure this topic is addressed by the Team.

*D. Referral to Outside Services*

The established protocol for referring students and families to outside services is consistent throughout the district. If a student or family is identified for outside services, a referral is made to the school social worker, school guidance counselor and/or assistant principal for student services. They will facilitate a plan of action to begin the referral process to outside agencies. Contact information is provided to the family and instructions regarding the process. If requested, the parent/guardian will provide to the counselor a release of information, to contact the agency.

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

A. The Fairhaven Civil Rights Task Force will oversee the selection of specific bullying prevention approaches. Bullying prevention curricula will be based on current research, which, among other things, emphasizes the following approaches:

- using scripts and role plays to develop skills;
- empowering students to take action by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance;
- emphasizing 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.



The education of the student population on the process and protocols of the student related portions of this Plan will occur annually within the first month of the school year. The details about how the education of students will occur will be made individually at each school level. The Plan and district policies will also be referenced in the student/parent handbooks along with information on how complete copies of the Plan and policies can be accessed. If students transfer into the district after the first month of the school year, the school counselor will provide them training on the district's Plan and policies within one month of their enrollment.

B. The Fairhaven Civil Rights Task Force believes that the following general teaching approaches support bullying prevention efforts. These underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines;
- creating safe school and classroom environments for all students, regardless of race, sexual orientation, housing status, etc. as covered by law
- 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.

Other resources are available on the DESE website at:  
<http://www.doe.mass.edu/ssce/bullying>

## **V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING, HARRASSMENT AND RETALIATION**

### **A. *Reporting bullying, harassment or retaliation***

Reports of bullying, harassment or retaliation may be made by staff, students, parents or guardians, or others, may be oral or written. Oral reports made by a student to a staff member shall be recorded in writing and by that staff member. A school or district staff member is required to report immediately to the principal or designee any instance of bullying, harassment or retaliation the staff member becomes aware of or witnesses. The Fairhaven School District has developed an Incident Reporting Form<sup>1</sup> which is accessible at each school, through the police department, and on the school website. Oral or email reports by a parent/guardian are also accepted. Reports should be addressed to the principal or assistant principal of the school. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. Though no disciplinary action will be taken based solely on anonymous reports, all reports will be investigated.

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<sup>1</sup> See Appendix A for the Fairhaven Public Schools Incident Reporting Form.

Use of an Incident Reporting Form is not required as a condition of making a report. However, the district will:

- 1) include a copy of the Incident Reporting Form in the Parent/Student Handbooks
- 2) make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined by the principal or designee
- 3) post it on the school's website
- 4) make it available at the Fairhaven Police Department

Every effort will be made to provide the Incident Reporting Form in the most prevalent language(s) of Spanish and Portuguese to students and parents or guardians.

At the beginning of each school year, or upon hire, each school employee will be provided with written notice of the district's policies for reporting acts of bullying, harassment and retaliation. Substitutes, upon hire, will be given a copy of the Bullying Plan and will sign stating they've received it. 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 parent handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians. The school district 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.

#### 1. Reporting by Staff

A staff member will provide a written report immediately to the principal or designee when he/she witnesses or becomes aware of conduct that may be bullying, harassment 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, harassment or retaliation involving a student to report it to the principal or designee. Reports may be made anonymously, and an investigation will ensue, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member or with the principal or designee.

## B. *Responding to a report of bullying, harassment or retaliation*

### 1. Safety

Before fully investigating the allegations of bullying, harassment 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. 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, harassment or retaliation, a student who has reported bullying, harassment, 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, harassment or retaliation.

### 2. Obligations to Notify Others

#### a. *Notice to parents or guardians*

Upon determining that bullying, harassment or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

#### b. *Notice to Another School or District*

If the reported incident involves students from more than one school 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.

Additionally when students transfer from one school to another within the district, copies of all Tracking Forms involving the transferring students will be given to the receiving school. When students transfer from the Hastings Middle School to Fairhaven High School, copies of all Incident Reporting Forms will be given. When students transfer from an elementary school to the Hastings Middle School, or within elementary schools, all Incident Reporting Forms for the last 2 years will be forwarded. All forms at all levels will be given in a face-to-face meeting between the principals and/or their designees.

#### c. *Notice to Law Enforcement*

At any point after receiving a report of bullying, harassment, 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. If it is not clear whether criminal charges could be pursued, the principal will consult with local law enforcement as well as advise the parents of their own right to involve local law enforcement. Notice will

be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

### 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. Parental permission will not be required for interviews to take place. The principal or designee (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Interviews will be conducted by the principal or designee (ordinarily the Designated Official for that school), the District Equity Coordinator, or 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, harassment, and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the principal or designee may consult with legal counsel about the investigation.

### D. *Determinations*

The investigator will make a determination based upon all of the facts and circumstances. If, after investigation, bullying, harassment or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the alleged 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, harassment, or retaliation is found, what action is being taken to prevent further acts of bullying, harassment, 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 the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcomes of the bullying determination. (See VIII page 15, for a detailed description of the PRS.)

## E. Responses to Bullying

### 1. Teaching Appropriate Behavior Through Skills-building

Upon the principal or designee determining that bullying, harassment, 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). Some of the 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

### 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 the school or district's code of conduct.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the principal or designee determines that a student knowingly made a false allegation of bullying, harassment, 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.

Following the determination that bullying or harassment has occurred and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target within a week to determine whether there has been a recurrence of the prohibited conduct or of retaliation, and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately. The principal or designee will repeat this follow-up with the target periodically for a minimum of one month, maintaining a written record of the follow-up. If warranted, follow-ups with the target will continue for the remainder of the school year.

F. *Responding to a Report of Bullying by School Staff*

1. *Safety*

Before fully investigating the allegations of bullying or retaliation, the principal or designee, or 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 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.

2. *Obligations to Notify Others*

a. *Notice to parents or guardians.*

Upon determining that bullying or retaliation has occurred, the principal or designee (or the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or the school committee or designee when the superintendent is the alleged aggressor) will promptly notify the parents of the target and the aggressor and of the procedures for responding to it. There may be circumstances in which parents are contacted prior to any investigation. Notice will be consistent with state regulations at 603 CPR 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 (or the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or the school committee or designee when the superintendent is the alleged aggressor) 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 (or the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or the school committee or designee when the superintendent is the alleged aggressor) 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.

### 3. Investigation

The principal or designee (or the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or the school committee or designee when the superintendent is the alleged aggressor) 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).

During the investigation, the principal or designee (or the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or the school committee or designee when the superintendent is the alleged aggressor) will, among other things, interview students, staff, witnesses, parents and others as necessary.

The authority responsible for the investigation will remind the alleged 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. The investigator will maintain a written record of the investigation.

### 4. Determinations

The principal or designee (or 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) will make a determination based upon all of the facts and circumstances. If, after investigating, 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.

The principal or designee (or the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or the school committee or designee when the superintendent is the alleged aggressor) will promptly notify the parents of the target and the staff 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.

## **VI. COLLABORATION WITH FAMILIES**

The Fairhaven Civil Rights Task Force believes that anti-bullying efforts will be most effective when the schools engage and collaborate with students' families. Resources for families and communication with them are essential aspects of effective collaboration. The district will inform parents or guardians about the bullying prevention and intervention curricula used by the school including:

- (i) how parents and guardians can reinforce the curricula at home and support the school or district plan;
- (ii) the effects of bullying on all involved;
- (iii) the importance of online safety and the effects of cyberbullying.

Parents and guardians will also be notified in writing at the start of each school year about the student-related sections of the Bullying Prevention and Intervention Plan via their child's Student Handbook. Copies of the Plan, Policies and all Forms will be located on the school district website. This information will be provided in the language(s) most prevalent among the parents or guardians.

**A. *Parent education and resources***

The school and/or district will offer educational programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the district or school. The programs may be offered by each individual school or in partnership with the PTO, School Councils, or Special Education Parent Advisory Council. Presentations could be sponsored by the Bristol County Sheriff's Office or School Personnel. Educational links for parents will be made available on the district website. Informational flyers may also be distributed to parents throughout the year.

**B. *Notification requirements***

Parents and guardians will be notified in writing at the start of each school year about the student-related sections of the Bullying Prevention and Intervention Plan via their child's Student Handbook. Copies of the Plan, Policies and all Forms will be located on the school district website. This information will be provided in the language(s) most prevalent among the parents or guardians.

## **VII. PROHIBITION AGAINST BULLYING, HARASSMENT AND RETALIATION**

Acts of bullying or harassment, which include cyberbullying, 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 or harassment, 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.

## **VIII. PROBLEM RESOLUTION SYSTEM**

Chapter 86 of the Acts of 2014 amended Sections 370 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 PRS. This information will be made available in both hard copy and electronic form. Any parent/guardian wishing to file a claim/concern outside the district may do so with the Department of Elementary and Secondary Education Problem Resolution System (PRS). That information can be found at <http://www.doe.mass.edu/pqa>, 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. DEFINITIONS

The following definitions are directly from M.G.L. c. 71, §370.

Aggressor is a student or member of the school staff who engages in bullying, cyberbullying, or retaliation towards a student.

Bullying, as defined in M.G.L. c. 71, § 370, 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.

Cyberbullying 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, § 370 for the legal definition of cyberbullying.

Harassment includes, but is not limited to, conduct when related to a person's sex (gender), race, color, national origin, religion, age, handicap and/or disability and sexual orientation and when such conduct is unwelcome by the recipient. In order to give rise to a complaint, harassment must be sufficiently severe, persistent, or pervasive that it adversely affects a student's education by creating an intimidating, hostile or humiliating environment. For a one-time incident to rise to the level of harassment, it must be severe. See FPS Policy 5147 for more information.

Hot Spot is any location in or around school grounds that tends to be a common area where bullying/harassment will commonly occur.

Hostile environment, as defined in M.G.L. c. 71, § 370, 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 or harassment, provides information during an investigation of bullying or harassment, or witnesses or has reliable information about bullying or harassment.

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, cyberbullying, harassment, or retaliation has been perpetrated.

## **X. 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, socio-economic 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 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.

## APPENDIX A

- Incident Reporting/Complaint Form
- Tracking Form
- Bullying Prevention Policy: File JICFB