

Barnstable Public Schools Bullying Prevention and Intervention Plan

In Barnstable Public Schools, we value commitment, collaboration, and community...

- Commitment: We are dedicated to the continuous learning and growth of all.
- Collaboration: We work together while keeping student needs at the center of all decision making.
- Community: We build strong, respectful partnerships that support student success.

The Barnstable Public Schools expect that all members of the school community will treat each other in a civil manner and with respect for differences.

The Barnstable Public Schools are committed to providing all students and staff with a safe learning environment that is free from bullying and cyberbullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

We understand that members of certain student groups, such as students with disabilities, students with cultural and linguistic difference, students who are gay, lesbian, bisexual, or transgender, and homeless students may be more vulnerable to becoming targets of bullying, harassment, or teasing. The Barnstable Public Schools will take specific steps to create a safe, supportive environment for all populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. We will investigate promptly all reports and complaints of bullying, cyberbullying, 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 our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

The Bullying Prevention and Intervention Plan ("Plan") is a comprehensive approach to addressing bullying and cyberbullying, and the Barnstable Public Schools are committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. The plan applies to students and members of a school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals.

We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, or sensory, disability, or by

association with a person who has or is perceived to have one or more of these characteristics. The school or district will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

At least once every four years 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.

I. Definition of Bullying

Aggressor is a student or a member of a school staff who engages in bullying, cyberbullying, 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 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 (cyber-bullying) or a physical act or gesture or any combination thereof, directed at a victim that:

- a) causes physical or emotional harm to the target or damage to the target's property;
- b) places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- c) creates a hostile environment at school for the target;
- d) infringes on the rights of the target at school; or
- e) 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, § 37O for the legal definition of cyberbullying.

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, cyberbullying, or retaliation has been perpetrated.

II. Prohibition of Bullying

Bullying is prohibited

1. on school grounds, 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, or through the use of technology or an electronic device owned, leased, or used by a school district; and
2. at a location, activity, function, program that is not school-related, or through the use of technology or an electronic device (cyber-bullying) that is not owned, leased, or used by a school, if the bullying 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 of the school.

As stated in M.G.L. c. 71, § 37O, nothing in this plan requires schools to staff any non-school related activities, functions, or programs.

Retaliation is any form of intimidation, reprisal, or harassment directed against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying. Retaliation is prohibited. Reports of bullying or retaliation may be made anonymously; provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report. A student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action.

III. Training and Professional Development

The Barnstable Public Schools will conduct training and professional development each school year that includes developmentally appropriate strategies for bullying prevention and intervention, research findings on bullying, and information on cyberbullying and internet safety.

School-Based:

1. Annual training for all school staff on the Plan, which includes procedures for reporting and responding to bullying and retaliation.
2. Review with staff the bullying prevention curricula, initiatives, and strategies offered at each grade level within the school.
3. As required by M.G.L. c. 71, § 37O, the content of schoolwide professional development will be informed by research and will include information on:
 - a) developmentally (or age-) appropriate strategies to prevent bullying;
 - b) developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
 - c) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
 - d) 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;
 - e) information on the incidence and nature of cyberbullying; and
 - f) Internet safety issues as they relate to cyberbullying.
4. Annual information about bullying prevention shall be provided to substitutes and volunteers.

District-Wide:

1. Annually: New staff training on bullying prevention and intervention. Training for all staff to review district practices and policy on bullying prevention and intervention.
2. Annual training of special education teachers by special education coordinators addressing ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' IEPs.
3. Written notice to staff: The school or district will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties and bullying of students by school staff, on the district website.

IV. Procedures for Reporting and Responding to Bullying and Retaliation

A. Reporting bullying or retaliation. Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee 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 school or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community including an Incident Reporting

Form in each school for anonymous reporting.

Use of an Incident Reporting Form is not required as a condition of making a report. However, the school or district will: 1) 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 or district's website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

1. Reporting by Staff

A staff member will report immediately to the principal or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

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

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee. 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 with a staff member, or with the principal or designee. Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

B. Responding to a report of bullying or retaliation.

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 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.

When 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.

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, in writing, 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 when it is determined that the complaint appears viable. 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 aggressor.

In making this determination, the principal may, 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. When a reported bullying incident involves the principal or the assistant principal as the alleged aggressor, 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.

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 will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. Given his/her obligation to investigate and address the matter, the principal or designee 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 district procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation.

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 target's or aggressor's 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 or resulted from the bullying behavior and to assess the level of need for additional support, including social skills development.

The principal or designee will promptly notify, in writing, 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 the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

E. Responses to Bullying

1. Teaching Appropriate Behavior Through Skills-building

Upon the principal or designee determining that bullying or retaliation has occurred, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior. (M.G.L. c. 71, § 37O(d)(v)).

Skill-building approaches that the principal or designee may consider include:

- Offering individualized skill-building sessions based on the school's/district's Bullying Prevention curricula;
- Providing relevant educational activities for individual students or groups of students, in consultation with school 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 Bullying Prevention curricula and social skills building activities at home;
- Adopting behavioral plans to include a focus on developing specific social skills.

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's or district's code of conduct. Discipline for bullying may range from a parent conference to expulsion (see appendix A for the District Scope of Consequences chart.)

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

If the principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

3. Promoting Safety for the Target and Others

The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others 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 implementation of intervention strategies 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.

4. Other

- Consider a referral of either the target and/or aggressor for an evaluation under Section 504 or Special Education
- Consider conducting a Danger Assessment of the Aggressor

V. Access to Resources and Services

A. Counseling Resources

School Counseling services are available for the target, the aggressor, and bystanders. When deemed appropriate, students and their families may be referred to community based agencies. The district ELL Parent Liaisons are available to assist principals and/or counselors in communicating and collaborating effectively with our culturally and linguistically diverse population.

B. Students with disabilities

When the IEP Team determines the student has a disability that affects social skills development or the student is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider if and/or what should be included in the IEP to develop skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

VI. Bullying Prevention Approaches

A. Specific bullying prevention approaches. 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 engaged in acts of bullying or retaliation, including seeking adult assistance, speaking up, and not joining in the laughter, teasing, gossip, or rumors;
- helping students understand the dynamics of bullying and cyberbullying, 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.

Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan. School Principals will determine how and when their school will review the Plan with students.

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 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, including for students with disabilities, lesbian, gay, bisexual, transgender students, students with cultural and linguistic differences, 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;
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength; and
- telling the aggressor "I don't like what I saw you do", I don't like what I heard you say". Do not dismiss what you saw or heard.

School Principals will determine how and when they will review these teaching approaches with staff.

VII. Collaboration with Families

Each year the school principals will inform parents or guardians about:

- the bullying prevention curricula used at each grade level;
- how parents and guardians can reinforce the curriculum at home and support the school plan;
- the dynamics of bullying; and
- online safety and cyberbullying.

School principals may seek district support from the Director of Student Services and/or the Director of Technology.

In addition, the student-related sections of the district's Bullying Prevention and Intervention Plan, and Internet Safety Policy, will be in each school handbook, which is provided to parents and guardians at the beginning of each school year.

VIII. Relationship to Other Laws

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, 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.

IX. Problem Resolution

Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pqa>, 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.

**Barnstable Public Schools
District Scope of Consequences for Bullying**

Bullying is the repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim’s property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) 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.

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. **Below please find a table of possible consequences for bullying behavior.** This spectrum of consequences will allow administrators to determine appropriate consequences recognizing that each case will present different circumstances requiring an exercise of judgment as to the scope of consequence and the disclosure of information to or about the aggressor or a target. We understand that the issue of bullying is not susceptible to a one size fits all approach.

Pre K - 3	Grades 4 - 5	Grades 6 - 7	Grades 8 - 12
<ul style="list-style-type: none"> ●Loss of Privileges For Example: Recess Field Trips School Activities ●Lunch Detention ●Meeting with Parents ●In School Suspension ●Out of School Suspension ●Expulsion ●Police Notification if Necessary 	<ul style="list-style-type: none"> ●Loss of Privileges For Example: Recess Field Trips School Activities ●Lunch Detention ●Meeting with Parents ●After School Detention ●Saturday School ●In School Suspension ●Out of School Suspension ●Expulsion ●Police Notification if Necessary 	<ul style="list-style-type: none"> ●Loss of Privileges For Example: Field Trips Clubs and/ or Activities School Events ●Lunch Detention ●Meeting with Parents ●After School Detention ●In School Suspension ●Out of School Suspension ●Expulsion ●Police Notification if Necessary 	<ul style="list-style-type: none"> ●Loss of Privileges For Example: Field Trips Clubs, Activities and/or Athletic events School Events ●Meeting with Parents ●After School Detention ●Saturday School ●Out of School Suspension ●Expulsion ●Contact School Resource Officer ●Required Student Meeting with Administration/Guidance ●Immediate Referral Center

* Consequences will vary depending upon the nature of the infraction, the age and grade level of the students involved, the degree to which there have been previous incidents, and other relevant factors deemed pertinent by the building principal. The table is not progressive in nature.