



Bullying Prevention And Intervention Plan

Revised February 16, 2023

TABLE OF CONTENTS

SECTION 1	INTRODUCTION
SECTION II	LEADERSHIP
SECTION III	DEFINITIONS
SECTION IV	TRAINING & PROFESSIONAL DEVELOPMENT
SECTION V	ACADEMIC & NON-ACADEMIC ACTIVITIES
SECTION VI	ACCESS TO RESOURCES & SERVICES
SECTION VII	COLLABORATION WITH FAMILIES
SECTION VIII	POLICIES & PROCEDURES
SECTION IX	PROBLEM RESOLUTION SYSTEM
SECTION X	RELATIONSHIP TO OTHER LAWS

I. INTRODUCTION

In accordance with M.G.L. c. 71, § 370 prohibiting school bullying, the Commonwealth of Massachusetts requires all schools to develop, adhere to, and update a plan to address bullying prevention and intervention. The plan shall apply 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.

The Needham Public Schools Bullying Prevention and Intervention plan (BPIP) was originally developed in 2010 and continues to be reviewed and updated as needed every two years.

Anti-bullying Priority Statement

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

The Needham Public Schools recognizes 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 one or more of these characteristics. The Needham Public Schools will take specific steps 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.

In order to create a school culture that prevents bullying, students, staff, and parents/guardians all have a responsibility to recognize and report bullying when they see it. We will promptly investigate all reports and complaints of bullying, cyber-bullying, and retaliation, and take prompt action to end that behavior and restore a sense of safety. We must also build a school environment that, by its very nature, prevents bullying before it occurs. This requires curricula and instructional programs, clear expectations for students, sound policies and procedures, professional development for all staff, and community education and outreach.

II. LEADERSHIP

A. Development of the plan

During school year 2022-23 the District Social Emotional Learning Committee comprised of school and district leaders, teachers, counselors, and special educators reviewed and revised the existing plan to reflect current policy, procedures, and best practices to prevent and respond to bullying. A draft plan was circulated for review and feedback from the District Leadership Team, Guidance Department, and Needham Education Association. Additionally, the plan has been made available for public comment prior to finalizing and approval by the School Committee.

B. Assessing needs and resources

The plan is the district's blueprint for enhancing its capacity to prevent and respond to issues of bullying within the context of other healthy school climate initiatives. The district has a long-standing commitment to Social and Emotional Learning for all students and has established a foundation of teaching approaches, curriculum, and leadership to support the continued implementation of social emotional and anti-bullying education.

Every two years, our district utilizes surveys to gather and analyze input from students, staff, parents and guardians on school climate and school safety issues as well as the prevalence and characteristics of bullying. This information helps to identify patterns of behaviors and areas of concern, and will inform future decision-making for prevention strategies including, but not limited to, adult supervision, professional development, age-appropriate curricula, and in school support services.

C. Planning and oversight

School and district leaders are responsible for specific tasks under the Plan as follows:

The Principal or Designee shall be responsible for the implementation and oversight of the Plan at their school including receiving and investigating reports on bullying as specified under policies and procedures, collecting and analyzing schoolwide data on bullying to assess the present problem and to measure outcomes, creating a process for recording and tracking incidents and accessing information related to targets and aggressors, planning supports for targets and aggressors, choosing and implementing appropriate bullying curricula, and leading family engagement efforts.

The Director of Media and Digital Learning in collaboration with the Principal or Designee is responsible for choosing and implementing appropriate cyber-bullying curricula.

The Superintendent is responsible for the development and oversight of policies and procedures under the plan including an Internet Safety Policy/Acceptable Use Policy and ensuring the district's policies and Bullying Prevention plan are implemented and evaluated.

The Assistant Superintendent for Student Support Services in collaboration with the Assistant Superintendent for Human Resources and other District leaders is responsible for collecting and analyzing district-wide data on bullying to identify strengths and challenges and measure outcomes from bullying prevention initiatives, planning for professional development required by law, amending student and staff handbooks and codes of conduct, and reviewing and updating the plan.

III. DEFINITIONS

Aggressor is a student or a member of 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 who engages in bullying, cyberbullying, or retaliation.

Bullying, as defined in M.G.L. c.71, s. 370, is the repeated use by one or more students or by a staff member of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- causes physical or emotional harm to the target or damage to the target's property
- places the target in reasonable fear of harm to himself or of damage to his property
- creates a hostile environment at school for the target
- infringes on the rights of the target at school, or
- materially and substantially disrupts the education process or the orderly operation of a school

Bullying may include conduct such as physical intimidation or assault, including intimidating an individual into taking an action against their will; oral or written threats; teasing; putdowns; name-calling; stalking; threatening looks, gestures, or actions; cruel rumors; false accusations; and social isolation.

Cyber-bullying, as defined in M.G.L. c.71, s. 370 is bullying through the use of technology or any electronic communication, which shall include, but 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 also includes:

- creation of a web page or blog in which the creator assumes the identity of another person;
- knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated above in clauses 1-5, inclusive, of the definition of bullying, and
- 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 above in clauses 1-5, inclusive, of the definition of bullying

Cyber-bullying may include conduct such as sending derogatory, harassing, or threatening email messages, instant messages, or text messages; creating websites that ridicule, humiliate, or intimidate others; and posting on websites or disseminating embarrassing or inappropriate pictures or images of others.

Hostile Environment, as defined in M.G.L. c. 71, s. 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 person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

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

IV. TRAINING AND PROFESSIONAL DEVELOPMENT

A. Annual Staff Training

All employees are required to complete training on the district's bullying plan on an annual basis.

Training includes:

- Staff duties/responsibilities described in the district Policy and Handbooks
- Reporting and investigation procedures
- Overview of anti-bullying curricula offered in the district

The district will provide in-person or synchronous online staff training for new employees during summer orientation sessions. Staff members hired after the start of the school year will complete training within 30 days of their employment.

The district will provide annual training to all employees including but not limited to educators, teaching assistants, nurses, office staff, recess and lunch duty teachers, athletic coaches, extra-curricular advisors, nutrition service workers, bus drivers and monitors, administrators, and custodians.

Annual Staff Training for returning employees will take place in several ways:

- An on-line training module will be completed by each returning employee within 30 days after the start of the school year
- In-person training will be provided periodically and in response to any district or legislative changes
- Reporting and Investigation procedures will be reviewed with Principals and their designees within 30 days after the start of the school year

School Counselors will review the Bullying Prevention and Intervention plan each year and will work with their school principal or designee to ensure that procedures are in place in each of the schools to implement the plan.

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.

Professional development will include:

- Age-appropriate strategies to prevent and stop bullying
- Information regarding the complex interaction and power differential that can take place among an aggressor, a target, and witnesses to bullying
- Information about specific categories of students who are particularly at risk for bullying in the school environment
- Information on cyber-bullying
- 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 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
- Disability awareness among staff and students to increase understanding and empathy for students with social, emotional, communication, and behavioral differences
- Building relationships and communicating with families
- 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

C. Written notice to staff

The district will provide all staff with an annual written notice of the plan by publishing information about it, including sections related to staff duties, in the school or district employee handbook and the code of conduct.

V. ACADEMIC AND NON-ACADEMIC ACTIVITIES

The Needham Public Schools provides age-appropriate instruction on bullying prevention and social skills development that is incorporated into the curricula as well as through classroom approaches, whole school initiatives, and focused strategies PreK-12.

A. Specific bullying prevention approaches:

- Using scripts and role plays to develop skills
- Empowering students to take action by knowing what to do when they witness other students or school staff engaged in acts of bullying or retaliation, including seeking adult assistance
- Helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance
- Emphasizing 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 differences
- Modeling problem solving language for peer conflict resolution
- Teaching students about the student-related sections of the Bullying Prevention and Intervention plan through the student handbook, curricula, and schoolwide activities

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, especially those vulnerable to bullying (e.g. students with disabilities, LGBTQ 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

B. Examples of the curricula and lessons used at each level:

- **PreK:** Responsive Classroom, Friendship Groups
- **Elementary:** Responsive Classroom, Second Step Bullying Prevention Lessons, Digital Citizenship and Cyberbullying Prevention Lessons, PE/Health Curriculum
- **Middle School:** Advisory Units & Lessons, Digital Citizenship, Counselor-led sessions, PE/Health/Wellness Curriculum
- **High School:** Homeroom Units, Counselor-led sessions, PE/Health/Wellness Curriculum

VI. ACCESS TO RESOURCES AND SERVICES

Creating a positive school climate requires that the underlying emotional needs of all students are addressed. These students include targets, aggressors or bystanders of bullying or cyberbullying. In addition, the emotional needs of these students' families must also be addressed. The Needham Public Schools Bullying Prevention and Intervention plan includes strategies for providing supports and services necessary to meet these needs and enhance the districts' capacity to effectively prevent, intervene and respond to bullying. The district currently has many services available for students and families that will be used to address the needs of targets, aggressors and bystanders. These services include counseling or referral to appropriate services for students and family members.

A. Identifying resources

On an ongoing basis and as a key component of the annual budget process, the district reviews and identifies resources including staff, professional development programs, curriculum, and instructional materials necessary to support the creation of positive and supportive school environments for all students. This includes schools' capacity to provide counseling, case management, and other services for students (targets, aggressors, bystanders) and their families. Additionally, the district works in partnership with local and state agencies to adopt evidenced based curricula and to provide additional preventative services to students, parents/guardians, and faculty.

B. Counseling and other services

School counselors, nurses, school psychologists and special educators currently provide a variety of skill-based services to students within the educational setting that include on-going emotional support, risk assessment, crisis intervention, and help with community-based counseling referrals when appropriate. School counselors meet with parents/guardians and teachers as needed to collaboratively address students' academic, emotional and behavioral concerns. The district provides linguistically appropriate resources to identified families. The staff maintains up-to-date information on community-based mental health referrals, outside agencies and services for Medicaid eligible students. School counselors, behavior specialists, and special education teachers work collaboratively to develop behavior plans and provide social skill groups for students. They also work to support parents/guardians, conduct parent workshops and inform parents/guardians of outside resources to enhance parenting skills and provide for the needs of children.

Supports and services offered include:

- One-on-one and small group counseling
- Case management
- Crisis intervention
- Facilitating classroom meetings to resolve problems
- Anti-bullying lessons
- Peer mediation
- Lunch/friendship groups
- Parent-teacher conferences
- Behavioral plan development
- Classroom observations
- Teacher consultation

C. Students with Disabilities

As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may be vulnerable to bullying, harassment, or teasing because of a 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.

The provisions apply if the student's disability (a) is on the autism spectrum, or (b) affects social skills development, or (c) makes the student vulnerable to bullying, harassment, or teasing.

For students on the autism spectrum, protection under the law will be automatic. For students in the other two categories, the Team must make a determination as to whether the student's disability affects social skills development or renders the student vulnerable to bullying, harassment, or teasing. Teams should be aware that students with emotional impairments, developmental delays, health impairments, communication disorders, and neurological impairments are likely to have a disability that affects their social skills development. However, Teams should carefully evaluate whether students with any type of impairment have delays in

social skills development or are otherwise vulnerable to bullying, harassment, or teasing because of their disability.

[Addressing the Needs of Students w/ Disabilities](#), a resource developed by the Department of Elementary and Secondary Education, provides guiding questions and additional information that can be used to assist special education teams with this process.

D. Referral to outside agencies

The Needham Public Schools has current protocols for referring students and families to outside services. School counselors and other specialists help students and families access appropriate and timely services. Referrals comply with relevant laws and policies. Current local referral protocols will be evaluated to assess their relevance to the Needham Public Schools Bullying Prevention and Intervention plan, and revised as needed.

E. Responses to Bullying

The Needham Public Schools have a range of individualized strategies and interventions that may be used in response to bullying to remediate a student's social skills or to prevent further incidents of bullying and/or retaliation.

1. Teaching Appropriate Behavior Through Skill Building

Upon determining that bullying or retaliation has occurred, the law requires that the district use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 370(d)(v).

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

- Offering individualized skill-building sessions based on the district's anti-bullying curricula
- Providing relevant educational activities for individual students or groups of students, in consultation with school counselors and other appropriate school personnel (e.g. mediation, conflict resolution, restorative practices)
- Implementing a range of academic and non-academic positive behavioral supports to help students understand prosocial ways to achieve their goals
- Meeting with parents/guardians to engage family 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
- Making a referral for special education evaluation

2. Taking Disciplinary Action

If the principal (or designee) decides that disciplinary action is appropriate, the disciplinary action will be based on the facts found during the investigation, 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 Needham Public Schools Bullying Prevention and Intervention Plan, the school's code of conduct as outlined in the student handbook and applicable state and

federal law. As amended on 11/8/2022, Student Discipline regulations require administrators to exercise discretion in deciding the consequence for an offense, consider ways to re-engage the student in learning, and avoid using suspension from school as a consequence until trying alternatives, unless specific reasons are documented as to why such alternative remedies are unsuitable or counter-productive.

The federal Individuals with Disabilities Education Improvement Act (IDEA), and state laws govern discipline procedures for students with disabilities.

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 consistent with the school's code of conduct/student handbook.

3. Promoting Safety for the Target and Others

Immediately following receipt of a bullying incident report, the principal (or designee) will consider what adjustments or "safety measures", if any, are needed in the school environment to enhance the target's and others' sense of safety.

Safety measures can be adjusted as needed. Examples of safety measures include:

- Providing directives for individuals involved to have no contact with one another
- Enhancing adult supervision on school premises
- Counselor support
- Limiting access to a part, or area, of a school

VII. COLLABORATION WITH FAMILIES

Needham Public Schools is committed to promoting a strong home-school partnership regarding bullying prevention. Each school will provide information to families that will support common language across the district as well as sharing prevention and identification strategies.

Communication between home and school will be via school notices, school and district websites, and parent conferences/presentations on a regular basis.

A. Parent education and resources

The school or district 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 the district or school. The programs will be offered in collaboration with the PTC, School Councils, Special Education Parent Advisory Council, METCO Parent Advisory Committee, or similar organizations.

B. Notification requirements

Each year the district will inform parents or guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. The school or district will send parents written notice each

year about the student-related sections of the plan and the school's or district's Internet safety policy. All notices and information 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. The school or district will post the plan and related information on its website.

VIII. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

Please see School Committee Policy JICFB Bullying for full statement on the district's policy regarding bullying and cyber-bullying.

Bullying, cyberbullying, and retaliation will not be tolerated in the Needham Public Schools. This includes forms of bullying that involve Needham students either on campus, on buses, or anywhere on school grounds or while engaged in school-sponsored events or activities. While it is recognized that we have an obligation to our students and school community to respond effectively to all bullying that happens while school is in session, personnel will also make every reasonable attempt to intervene with situations where bullying might happen outside of school, but the ramifications are brought into the school building.

In addition, Needham Public Schools will not tolerate retaliation against any individual who has brought harassment, bullying, and/or other inappropriate behavior to the attention of the school. Persons who engage in such behavior may be subject to disciplinary action including, but not limited to: reprimand, suspension, expulsion, or other sanctions as determined by the school administration to be appropriate.

Further, the Needham Public Schools recognizes that students may be more vulnerable to bullying based upon actual or perceived differences related to race, color, religion, ancestry, national origin, sex, socio-economic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by associations with a person who has or is perceived to have one or more of these characteristics. Needham Public Schools will provide support to students whose vulnerability is brought to the attention of a teacher, guidance counselor, or administrator through observation or direct report from a student, staff member, or parents/guardians. This support may be in the form of counseling, education to support both the student's ability to report bullying and their skills, knowledge and strategies to respond to bullying or harassment.

Preventing and reducing bullying will be addressed in the following ways:

- By establishing a school-wide culture where bullying is not acceptable and where students recognize that helping students who are bullied is the right thing to do
- By training staff in the identification of bullying, prevention, and intervention techniques for bullying
- By providing time in the classroom for teachers to focus on bullying prevention so that they can provide tools for students
- By establishing and enforcing school rules and policies related to bullying

A. Definitions

Please see Section III of this plan for definitions and terms used below.

B. Bullying and Retaliation Are Prohibited and Will Lead to Discipline

The Needham Public Schools absolutely prohibits bullying, cyber-bullying, and retaliation as defined above. Students who engage in bullying or retaliation will be subject to disciplinary action, however, such disciplinary action must balance the need for accountability with the need to teach appropriate behavior. The range of disciplinary action for students includes, but is not limited to, one or more of the following: verbal warnings, written warnings, reprimands, detentions, short-term or long-term suspensions, or expulsions from school as determined by the school administration and/or School Committee. Staff who engage in bullying or retaliation will be subject to disciplinary action, based upon appropriate standards and expectations in light of the staff member's role and responsibilities. All discipline is subject to applicable procedural requirements and employee collective bargaining agreements. Nothing in this policy is intended to prevent the school administration and/or School Committee from taking disciplinary action against a student or staff member for conduct that does not meet the definition of bullying or cyberbullying, as defined above, but nevertheless is inappropriate for the school environment.

C. Reporting Obligations

Reporting by Staff: A member of 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, shall immediately report any instance of bullying or retaliation they witness or become aware of to the school principal or designee.

Reporting by students, parents/guardians, and others: The district expects students, parents/guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the school principal or designee. An individual may make an anonymous report of bullying or retaliation, however, no disciplinary action may 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.

Reporting to the Superintendent: A staff member, parents/guardians, student or others who witness or become aware of conduct by the principal or assistant principal that may be bullying or retaliation are expected to report it to the Superintendent or designee, who shall then be responsible for taking steps otherwise assigned to the principal under this Policy.

Reporting to School Committee: 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 address the safety of the alleged victim.

Reporting to parents/guardians: Upon determining that bullying or retaliation has occurred, the principal or designee will notify the parents/guardians of the target and of the aggressor of this finding, and of the school's procedures for responding to it. If the alleged target and alleged aggressor attend different schools, the principal receiving the report shall inform the principal of the other student's school, who shall notify the student's parents/guardians of the report and procedures.

Reporting to Local Law Enforcement: At any point after receipt of a report of bullying or retaliation, or during or after an investigation, if the school principal or designee has a reasonable basis to believe that the incident may involve criminal conduct, the school principal or designee will notify the local

law enforcement agency. In addition, 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, charter school, non-public school, approved private day or residential school, or collaborative school, the Superintendent of the Needham Public Schools or designee will notify local law enforcement if they believe that criminal charges may be pursued.

Reporting to Administrator of another School District or School: If an incident of bullying or retaliation involves students from more than one school district, charter school, non-public school, approved private day or residential school or collaborative school and the Needham Public Schools is the first to be informed of the bullying or retaliation, then the Superintendent of the Needham Public Schools or designee must, 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.

D. Investigation

The school principal or designee shall promptly investigate a report of bullying or retaliation, giving consideration to all the circumstances at hand, including the nature of the allegations and the ages of the students involved. The following are general guidelines for responding to a report of bullying or retaliation. The guidelines will be adapted as necessary to respond appropriately to the complaint.

Pre-Investigation: Even before fully investigating allegations of bullying or retaliation, school personnel will consider whether there is a need to take immediate steps to support the alleged target and/or protect the alleged target from further potential incidents of concern. In taking any such action, however, the rights of both the alleged target and alleged aggressor must be considered.

Written statement of the complaint: The investigator will seek to determine the basis of the complaint, gathering information from the complainant, including such matters as: what specifically happened, who committed the alleged acts, who was present or may have information about the events, when the events occurred (date, time of day), and where the events occurred.

It is helpful to have these facts in writing. If age-appropriate, the complainant may be asked to put the complaint in writing and to sign and date it. If the complainant cannot or chooses not to write a complaint, the investigator will record the allegations, read them to the complainant to confirm the accuracy and ask the complainant to sign the document. If the complainant cannot or chooses not to sign, the investigator may sign and date the document themselves.

Interviews: Once the allegations of the complainant are established, the investigator will gather other evidence, which often involves interviews of the alleged aggressor and/or other witnesses. If appropriate, the investigator should remind the alleged aggressor and witnesses that retaliation against persons whom they believe might have reported the incidents or cooperated with the investigation is strictly prohibited and will result in disciplinary action.

Confidentiality: The confidentiality of the complainant and the other witnesses will be maintained to the extent practicable given the school's obligation to investigate and address the matter.

E. Determination

School personnel must weigh all of the evidence objectively to determine whether the alleged events occurred and, if they did, whether the events constitute bullying or retaliation. The determination

must be based upon all of the facts and circumstances and the perspective of a reasonable person. When applied to children, the "reasonable person" standard is generally "that of a reasonable person of like age, intelligence, and experience under like circumstances." See *Ellison v. Brady*, 924 F.2d 872 (9th Cir. 1991).

If bullying or retaliation is substantiated, the school will take steps reasonably calculated to prevent recurrence and ensure that the target is not restricted in participating in school or in benefiting from school activities. Persons who engage in bullying or retaliation may be subject to disciplinary action including, but not limited to: reprimand, suspension, expulsion, or other sanctions as determined by the school administration to be appropriate. As with the investigation, the response will be individually tailored to all of the circumstances, including the nature of the conduct and the age of the students involved. In addition to taking disciplinary action, supportive measures will be taken to prevent the recurrence of bullying or retaliation where appropriate. Examples of supportive measures include:

- Holding parents/guardians conferences
- Enhancing adult supervision on school premises
- Limiting or denying students access to a part, or area, of a school
- Excluding from participation in school-sponsored or school-related functions, after-school programs, and/or extracurricular activities
- Providing counselor-led educational activities for individual students or groups of students
- Providing the target with a process for reporting any concerns about future conduct immediately
- Arranging for communication between the parties, if appropriate, to assist them in resolving issues that have arisen between them (*Such an approach will be used cautiously since communication can sometimes exacerbate, rather than alleviate, the target's concerns and since the conduct often involves an imbalance of power*)
- Providing counseling (or other appropriate services) or referral to such services for the target and/or the student aggressor and/or for appropriate family members of said students
- Transferring student's classroom or school

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal (or designee) will follow-up with the target to determine whether there has been a recurrence of the prohibited conduct and if additional supportive measures are needed. If so, the principal (or designee) will work with appropriate school staff to implement them.

F. Notice of Investigative Findings

Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify parents/guardians of the target and aggressor of this, and of the procedures for responding to it. While prior notice of an investigation shall not be required, the principal shall not be precluded from notifying the parents/guardians of a target or aggressor prior to completion of the principal's investigation. This communication will be done in the language requested by the parent/guardian.

In notifying the parents/guardians of a target or aggressor of an investigation or the principal's findings thereon, the principal shall maintain the privacy and confidentiality of any individual or child who is not the child of the parents/guardians to whom the notice is provided. The principal shall

ensure that any notice to the parents/guardians complies with applicable state regulations including, but not limited to, 603 CMR 49.00, and shall not report specific information to the target’s parents/guardians about the disciplinary action taken against an aggressor unless it involves a “stay away” order or other directives that the target must be aware of in order to report violations.

IX. PROBLEM RESOLUTION SYSTEM

Any parent/guardian wishing to file a claim/concern or seeking assistance outside of the district may do so by contacting the Massachusetts Department of Elementary and Secondary Education (“DESE”) Program Quality Assurance Services: Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148-4906, Telephone: 781-338-3700; TTY: N.E.T. Relay: 1-800-439-2370.

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, 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 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!4, 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.