

**The Public Schools of Brookline
333 Washington Street
Brookline, Massachusetts 02445**

Bullying Prevention and Intervention Plan

January 1, 2011



TABLE OF CONTENTS

| | | |
|-------|--|----|
| I. | DEFINITIONS | 2 |
| II. | LEADERSHIP | 3 |
| III. | TRAINING AND PROFESSIONAL DEVELOPMENT | 6 |
| IV. | ACADEMIC AND NON-ACADEMIC RESOURCES AND SERVICES | 8 |
| V. | REPORTING AND RESPONDING TO BULLYING AND RETALIATION | 10 |
| VI. | COLLABORATION WITH FAMILIES | 16 |
| VII. | RELATIONSHIP TO OTHER LAWS | 17 |
| VIII. | APPENDIX A | 18 |
| | ❖ BULLYING AND RETALIATION INCIDENT REPORTING FORM | 19 |
| | ❖ BULLYING PREVENTION POLICY | 20 |

The Public Schools of Brookline (PSB), in partnership with parents, guardians, and the community, and in keeping with the PSB core value of respect for human differences, believes that a positive, safe, and civil environment in school is necessary for students to learn and achieve. Bullying disrupts a student's ability to learn by preventing that student's full engagement with his or her education. Moreover, bullying compromises a school's ability to educate its students in a safe environment. The Brookline School Committee, therefore, prohibits bullying throughout the PSB.

Bullying and retaliation, as defined herein, are prohibited:

- 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 the PSB; or through the use of technology or an electronic device owned, leased, or used by the PSB; and
- At a location, activity, function, or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased, or used by the PSB, if the bullying creates a hostile environment at school for the target, infringes on the target's rights at school, or materially and substantially disrupts the education process or the orderly operation of a school.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also prohibited.

I. DEFINITIONS

“Aggressor” means a student who engages in bullying or retaliation.

“Target” means a student against whom bullying or retaliation has been perpetrated.

“Bullying” means 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 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 him/herself, or of damage to his/her 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.

Consistent with the PSB Bullying Prevention Policy, bullying and retaliation include cyber-bullying as defined herein.

“Cyber-bullying” means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Cyber-bullying also includes the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber-bullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

“Hostile environment” means 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 the student’s education.

“Retaliation” means any form of intimidation, reprisal or harassment directed against a person who reports bullying, provides information during an investigation about bullying, or witnesses or has reliable information about bullying.

II. LEADERSHIP

The PSB acknowledges the importance of leadership at all levels in developing and implementing the Bullying Prevention and Intervention Plan (hereinafter, the “Plan”). On or before December 31, 2010 the Plan will be submitted to the Massachusetts Department of Elementary and Secondary Education and posted on the school system website. The Plan will be reviewed and updated at least biennially, as mandated by M.G.L. c. 71, § 37O.

A. Priority Statements

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

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

Members of certain student groups, including, but not limited to, students with disabilities, students who are, or are perceived to be, gay, lesbian, bisexual, or transgender, and homeless students may be more vulnerable to becoming targets of bullying and retaliation. The school system 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 and retaliation.

The PSB will not tolerate any unlawful or disruptive behavior, including bullying or retaliation, in school buildings, on school grounds, or at school-related activities. The PSB will investigate promptly all reports and complaints of bullying and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. The PSB will support this commitment in all aspects of the school community, including curricula, instructional programs, staff development, extracurricular activities, and parent/guardian involvement.

The Plan is intended to function as a guide in creating a comprehensive approach to addressing bullying and retaliation, and the PSB is committed to working with students, staff, families, law enforcement agencies, and the community to prevent bullying and retaliation. In consultation with these constituencies, the PSB has established this Plan for preventing, intervening, and responding to incidents of bullying and retaliation. Each building Headmaster/Principal is responsible for the implementation and oversight of the Plan at each school, with support from the Superintendent and the central administration.

B. Public Involvement in Developing the Plan

The Superintendent and/or his designee is charged with the development of the Plan, in consultation with district stakeholders, including parents/guardians, teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, and students. As noted earlier, the Plan will be reviewed and updated at least biennially through a process to be determined by the Superintendent or his/her designee.

The following steps have been taken to involve staff members and appropriate stakeholders in the development of the Plan and PSB Policy:

- Friday, October 1, 2010: Policy Proposal at School Committee Policy Subcommittee Meeting
- Thursday, October 14, 2010: Finalize Initial Master Plan Draft
- Friday, October 22, 2010: Finalize Advisory Committee Structure and Charge
- By Monday, October 25, 2010: Feedback from Headmaster/Principals and Coordinators
- Wednesday, November 3, 2010: Announce Advisory Committee Membership
- Friday, November 5, 2010 through Wednesday, November 24, 2010: Public Comment Period (On-Line Survey) for the Plan
- Monday, December 6, 2010: Headmaster/Principal Discussion of the Plan
- Tuesday, December 7, 2010 through Tuesday, December 14, 2010: Public Comment Period (On-Line Survey) for the Plan
- Monday, December 13, 2010: Public Hearing on the Plan
- Thursday, December 16, 2010: School Committee Review of the Plan
- Thursday, December 23, 2010: Advisory Committee Comments on the Plan Due to Superintendent
- Thursday, January 6, 2011: First Reading of Policy at School Committee Meeting
- Monday, January 10, 2011: Headmaster/Principal Final Review of the Plan
- Tuesday, January 11, 2011: Finalize the Plan
- Wednesday, January 12, 2011: Begin Implementation of the Plan
- Thursday, January 20, 2011: Second Reading and Adoption of Policy at School Committee Meeting

C. Planning and Oversight

1. The Headmaster/Principals are responsible for implementation and oversight of the Plan in their buildings.
2. Designated building administrative support staff will utilize the district data management system (“X2”) to record and track incident reports that will include information related to targets and aggressors.
3. The Headmaster/Principals and school staff members will collect and analyze building-specific data on bullying to assess the present problem and to measure outcomes over time.
4. The Assistant Superintendent for Student Services in conjunction with the Office of Teaching and Learning and the Headmaster/Principals will plan ongoing professional development.
5. The Assistant Superintendent for Student Services will plan and implement system-level supports that respond to the needs of targets and aggressors.

6. The School Committee will review and revise policies related to bullying including the “Technology Education and Student Technology Use” Policy, as needed. Policy review and development will include designating key staff to be in charge of implementation.
7. Student and staff handbooks and codes of conduct will be reviewed and revised to reflect requirements of the Plan and PSB policy under the direction of the Superintendent of Schools.
8. The Plan will be reviewed and updated biennially under the direction of the Superintendent or his/her designee.

III. TRAINING AND PROFESSIONAL DEVELOPMENT

The PSB will meet the requirements under M.G.L. c.71, s. 37O to provide ongoing professional development for all staff, including, but not limited to, administrators, educators, 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 for PSB staff will include staff duties under the Plan, an overview of the steps that the Headmaster/Principal and/or his/her designee (Assistant Headmaster, Deans, Vice Principals) 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, as well as other trainings that may be applicable to the particular school. Staff members hired after the start of the school year will be required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

B. Ongoing Professional Development

The goal of professional development is to establish a common understanding of the tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of professional development will be informed by research and will include, but not be limited to:

1. Identifying developmentally appropriate strategies to prevent bullying;
2. Developmentally appropriate strategies for immediate, effective interventions to stop bullying;
3. Information regarding the complex interaction and power differential that can take place between and among aggressors, targets, and witnesses to bullying;

4. 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;
5. Information on the incidence and nature of cyber-bullying; and
6. Internet and electronic device safety issues as they relate to cyber-bullying.

Professional development will also include training for regular and special education staff in strategies to prevent and respond to bullying or retaliation of students with disabilities. This training may include work with relevant staff, including, but not limited to, psychologists, speech and language pathologists, guidance counselors and board certified behavior analysts. When the evaluation of a special education team indicates that a child has a disability on the autism spectrum or other disability affecting his/her social skill development or that the child is vulnerable to bullying, harassment or teasing because of the child's disability, the child's team shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing in the child's IEP.

Additional areas identified by the PSB and individual schools for professional development could include:

1. Promoting and modeling the use of respectful language;
2. Fostering an understanding of and respect for diversity and difference;
3. Building relationships and communicating with families;
4. Managing classroom behaviors constructively;
5. Using positive behavioral intervention strategies;
6. Applying constructive disciplinary practices;
7. Teaching students skills including positive communication, anger management, and empathy for others;
8. Engaging students in school or classroom planning and decision-making,
9. Addressing cultural differences that may contribute to bullying; and
10. Maintaining safe and caring classrooms for all students.

C. Written Notice to Staff

The PSB will provide staff with annual written notice of the Plan by publishing information about the Plan, including sections related to staff duties, in the school employee handbook and the code of conduct.

IV. ACADEMIC AND NON-ACADEMIC RESOURCES AND SERVICES

A. Evaluating Curriculum

The Superintendent and/or his/her designee, with input from appropriate stakeholders, will assess the adequacy of current curriculum programs. This may include the following:

1. Review of current policies and procedures;
2. Review of available data on the prevalence and characteristics of bullying and behavioral incidents;
3. Assessment of available resources including curricula, training programs, and behavioral health services;
4. Reading of current and relevant articles and research on best methodology to prevent and intervene to address bullying and cyber-bullying;
5. Research and review of 'field-tested' and research-based anti-bullying curricula;
6. Review of the Massachusetts comprehensive Health and Wellness Curriculum Frameworks to provide a working curriculum context for anti-bullying curriculum;
7. Assessments of initial and periodic needs, by surveying students, staff, parents, and guardians on school climate and school safety issues.

The initial review of the efficacy of current programs will occur on or before February 28, 2011. A bullying prevention and intervention curriculum is anticipated to be in place by September 2011.

B. Identifying Resources and Strategies

The Superintendent and/or his/her designee, with input from appropriate stakeholders, will identify counseling and other service resources currently available to targets, aggressors, and their families.

The system will identify current staffing and programs at individual schools and system-wide, which support the creation of a positive school environment by focusing on early interventions and intensive services. Recommendations of additional resources, supports, and/or action items will be made relative to any service gaps identified by the review process. District administrators, counselors, psychologists, Child Study Team members, Special Education Team Facilitators, Board Certified Behavior Analysts (BCBAs), social workers, nurses, and other educators and support providers may participate in identifying resources and areas of need.

Recommendations may include, but are not limited to: reorganizing staff, establishing safety planning teams, and identifying outside agencies that can provide services. The initial review will occur on or before February 28, 2011.

C. Specific Bullying Prevention Approaches

Bullying prevention curricula will be informed by current research that, among other things, emphasizes the following age appropriate approaches:

1. Empowering students to take action by knowing what to do when they witness other students engaged in bullying or retaliation, including seeking adult assistance;
2. Helping students understand the dynamics of bullying and cyber-bullying, including the underlying power imbalance;
3. Emphasizing cyber-safety, including safe and appropriate use of electronic communication technologies;
4. Enhancing students' skills for engaging in healthy relationships and respectful communications;
5. Engaging students in a safe, supportive school environment that is respectful of diversity and difference; and
6. Ensuring that bullying and other hurtful behavior is not tolerated.

Initiatives will also teach students about the student-related sections of the Plan. Beginning with the 2011-12 school term, the PSB staff will review developmentally appropriate versions of the definitions, reporting and responding sections of the Plan with students by October 1st of each year.

D. 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 the PSB bullying intervention and prevention initiatives:

1. Setting clear expectations for students and establishing school and classroom routines;
2. Creating safe school and classroom environments for all student including, for example, students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
3. Using appropriate and positive responses and reinforcement, even when students require discipline;
4. Encouraging adults to develop positive relationships with students;
5. Modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;

6. 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;
7. Using technology safely; and
8. Supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

V. REPORTING AND RESPONDING TO BULLYING AND RETALIATION

A. General Guidelines for Reporting and Responding

All PSB employees will utilize the following guidelines in dealing with reported or observed bullying or retaliation situations:

1. Staff will not ignore bullying. Aggressors count on adults to ignore bullying behaviors, and this allows them to continue bullying activities.
2. Staff will intervene immediately; bullying is common and not benign.
3. Staff will separate alleged aggressor(s) and target(s). The PSB does not condone the use of mediation or attempts to force students to confront one another.
4. Bullying is different from conflict.
5. Staff will remain neutral and calm dealing with alleged bullying situations. The tone that employees take with students during investigations will affect their ability to defuse the bullying.
6. Staff will reassure reporter(s) and target(s) that they have done the right thing by reporting.
7. Staff will make sure that reporter(s), target(s) and witness(es) know that they will be protected from retaliation.
8. Staff will seek to empower aggressors to change by reminding aggressors that they have power to stop the bullying. The PSB will teach strategies to assist aggressors to stop.
9. Staff will maintain confidentiality but ACT. It is important to protect reporters from retaliation, but information on bullying MUST be acted upon.
10. Staff will be objective in note-taking.
11. Staff will be timely. The faster that all students are spoken to by an adult, the less likely that the students will feel social pressure to change their stories.
12. Staff will ensure that all applicable laws and policies related to students with disabilities are followed.

B. Reporting Bullying or Retaliation

Reports of bullying or retaliation may be made by staff, students, parents/guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be

recorded in writing. Staff members will report immediately to the Headmaster/Principal or designee any bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents/guardians, or other individuals, may be made anonymously, although no formal disciplinary action will be taken solely on the basis of an anonymous report. The PSB will make a variety of reporting resources available to the school community, including, but not limited to, a Bullying Incident Report Form (see Appendix A), a dedicated mailing address, and an email address.

Use of a Bullying Incident Report Form is not required as a condition of making a report. However, the PSB will provide access to a Bullying Incident Report Form as follows:

1. Include a copy of the Bullying Incident Report Form in the beginning of the year packets for students and parents/guardians;
2. Make the form available in the main office of each school and other locations determined by the Headmaster/Principals; and
3. Post the form on the PSB website.

The Bullying Incident Report Form will be made available in the most prevalent language(s) of students and parents/guardians.

At the beginning of each school year, the Superintendent will provide the school community, including staff, students, and parents/guardians with written notice of its policies for reporting bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the Assistant Superintendent for Student Services and building-level administrators (Headmaster/Principals, Assistant Headmaster, Deans and Vice Principals), will be incorporated in student and staff handbooks and in information about the Plan that is made available to parents/guardians.

1. Reporting by Staff

All staff will immediately report bullying or retaliation the staff member has witnessed or become aware of to the Headmaster/Principal or his/her designee. The requirement to report to the Headmaster/Principal or his/her designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or system policies and procedures for behavior management and discipline.

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

The PSB expects students, parents/guardians, and others who witness or become aware of bullying or retaliation involving a student, to report it to the Headmaster/Principal or his/her 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/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 bullying and retaliation with a staff member, or with the Headmaster/Principal or his/her designee.

C. Responding to a Report of Bullying or Retaliation

1. Safety

Upon receiving a report of bullying or retaliation, the Headmaster/Principal or designee will, with the assistance of appropriate support staff, promptly take steps to assess the need to restore a sense of safety to the alleged target(s), along with those who report, witness, provide information in an investigation of, or have reliable information about, bullying or retaliation. The Headmaster/Principal or designee will also take steps to protect these individuals from possible further bullying or retaliation. 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 a transportation vehicle; 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 Headmaster/Principal or designee will take additional steps to promote safety during the course of and after the bullying or retaliation investigation, as necessary.

2. Obligations to Notify Others

a. Notice to Parents or Guardians

Upon receipt of a report of bullying or retaliation, the Headmaster/Principal or designee shall promptly notify the parents/guardians of the alleged target(s) and aggressor(s) of the report. The Headmaster/Principal or designee shall also periodically update the parents/guardians of the alleged target(s) and aggressor(s) during the investigation.

Notice to parents/guardians under this section shall be in the primary language of the home and consistent with the confidentiality requirements set forth in Section V(F) of the Plan.

b. Notice to Another School or District

If a 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 Headmaster/Principal or designee who was informed first of the incident will promptly notify the Headmaster/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, the Headmaster/Principal or designee shall immediately notify the local law enforcement agency if he/she has a reasonable basis to believe that criminal charges may be pursued against the aggressor(s).

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 the school system or school, the Headmaster/Principal or designee shall notify the local law enforcement agency if the Headmaster/Principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor(s).

In making a determination to notify law enforcement authorities under this section, the Headmaster/Principal will, consistent with the Plan and applicable PSB policy and procedure, consult with the Superintendent or his/her designee, and with any other individuals the Headmaster/Principal deems appropriate after consultation with the Superintendent or his/her designee. The Headmaster/Principal shall document the reasons for his/her decision to notify law enforcement if such notification is made.

Notice to any law enforcement agency under this section shall be consistent with 603 CMR 49.00, PSB policy, including Section J(5)(j) (Police/School Agreement), and the confidentiality requirements set forth in Section V(F) of the Plan.

3. Investigation

The Headmaster/Principal or designee will promptly investigate 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. Specifically, the Headmaster/Principal or designee shall complete the investigation within a reasonable amount of time, not to exceed 15 school days following the date of the report.

The investigation may include, but shall not be limited to, interviewing the alleged target(s), the alleged aggressor(s), staff members, students and/or other witnesses, and reviewing available evidence. The Headmaster/Principal or designee will remind the alleged aggressor(s), target(s), and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

The Headmaster/Principal or designee, as appropriate, may conduct interviews. The Headmaster/Principal or designee will maintain confidentiality during the investigative process as more fully set forth herein.

Procedures for investigating reports of bullying and retaliation will be consistent with PSB policy. If necessary, the Headmaster/Principal will, after consultation with the Superintendent, consult with legal counsel about the investigation.

The Headmaster/Principal or designee will maintain a written record of the investigation, including the preservation of all email, text communications, and other evidence.

D. Determination(s)

The Headmaster/Principal or designee will make a determination based upon all of the facts and circumstances. If, after an investigation, the Headmaster/Principal determines that bullying or retaliation has occurred, the Headmaster/Principal or designee will take steps reasonably calculated to stop the prohibited conduct, prevent its reoccurrence, and ensure that the target(s) is/are not restricted in participating in school or in benefiting from school activities. Specifically, the Headmaster/Principal shall:

- Determine what remedial action is required, if any;
- Determine what responsive actions and/or disciplinary action is necessary, including, when appropriate, consultation with support staff to identify any underlying social or emotional issue(s) that may have contributed to the bullying or retaliation, and assess the level of need for additional social skills development or referral to one or more of the resources identified in Section IV(B) of this Plan; and
- Notify the parents/guardians of the target(s) and the aggressor(s) of the determination and of the procedures for responding to the bullying or retaliation; and
- Consistent with Section V(F) herein, notify the parents/guardians of the target(s) of the action to be taken to prevent further bullying or retaliation.

If, after an investigation, the Headmaster/Principal or designee determines that bullying or retaliation has not occurred, he/she shall notify the parents/guardians of the alleged target(s) and aggressor(s) of the determination and shall verify that they have received notice of the student-related sections of the Plan in accordance with Section IV(B).

Notice to parents/guardians under this section shall be in the primary language of the home and consistent with the confidentiality requirements set forth in Section V(F) of the Plan.

The Headmaster/Principal shall maintain a file of all reports of bullying or retaliation, along with the investigative materials and documentation of report(s) made to law enforcement. A quarterly report shall be provided to the Superintendent or his/her designee.

E. Responses to Bullying

1. Teaching Appropriate Behavior Through Skills Building

If the Headmaster/Principal or designee determines that bullying or retaliation has occurred, he/she will 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 Headmaster/Principal or designee may consider include:

- Providing relevant educational activities for individual students or groups of students, in consultation with 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; and
- Adopting behavioral plans to include a focus on developing specific social skills.

2. Taking Disciplinary Action

If the Headmaster/Principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Headmaster/Principal or his/her 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, which may include suspension and/or expulsion, will be consistent with the Plan, PSB disciplinary policies, and the school code of conduct. Appeal of a decision to discipline a student based upon a determination of bullying or retaliation will be consistent with PSB disciplinary policies. Disciplinary procedures for students with disabilities are governed by the Federal Individuals with Disabilities Education Improvement Act, which will be followed in conjunction with state laws regarding student discipline.

If the Headmaster/Principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student shall be subject to disciplinary action equivalent to that for bullying or retaliation, including suspension and/or expulsion from school.

3. Promoting Safety for the Target and Others

The Headmaster/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. Specific examples of responses to promote safety are included in “Policies and Procedures for Reporting and Responding to Bullying and Retaliation,” Section V(C)(1).

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the Headmaster/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 Headmaster/Principal or designee will work with appropriate school staff to implement them immediately.

F. Confidentiality

All communications arising from the implementation of this Plan and related PSB policy shall be consistent with applicable federal and state privacy laws and regulations, including, but not limited to, the Massachusetts Student Record Regulations (603 CMR 23.00, et seq.) and the Family Educational Rights and Privacy Act of 1974 (“FERPA”). In accordance with these laws and regulations:

1. The Headmaster/Principal or designee may not disclose specific information to a target’s parent/guardian about disciplinary action taken against an aggressor unless it involves a “stay away” order or other directive that the target and/or his/her parents or guardians must be aware of in order to report violation;
2. The Headmaster/Principal or designee may not disclose information from a target’s or aggressor’s student record to a parent/guardian unless the information is about the parent/guardian’s own child;
3. The Headmaster/Principal may, in a manner that protects the privacy of targets, student witnesses, and aggressors to the extent practicable under the circumstances, disclose a determination of bullying or retaliation to local law enforcement authorities without the consent of a student or his/her parents/guardians; and
4. The Headmaster/Principal or designee may, in situations where he/she determines that there is an immediate and significant threat to the health or safety of a student or other individual, disclose student record information about a student to appropriate parties, including law enforcement authorities, if such disclosure is necessary to protect the health or safety of the student or other individual.

VI. COLLABORATION WITH FAMILIES

A. Parent Education and Resources

The PSB, in collaboration with Parent Teacher Organizations (PTOs), Special Education Parent Advisory Council (SEPAC), School Councils and others will offer education programs

for parents/guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by each school.

B. Notification Requirements

Each year the Superintendent or designee will notify parents/guardians of enrolled students about the bullying prevention and intervention curricula that are being used. In addition, the Headmaster/Principals will notify parents/guardians of the social competency curricula in place. This notice will include information about reinforcing the bullying prevention and intervention curricula and supporting the Plan at home, the dynamics of bullying, and cyber-bullying and online safety. The PSB will provide students and parents/guardians written notice each year of the student-related sections of the Plan and the PSB's Technology Education and Student Technology Use Policy. All such notices will be provided in the language(s) most prevalent among students and their parents/guardians. In addition, the PSB will post the Plan and related information on its website.

VII. RELATIONSHIP TO OTHER LAWS

Consistent with state and Federal laws and PSB policies, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the PSB 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 PSB policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the schools to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H1/2, or other applicable laws in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

Bullying Prevention and Intervention Plan

Appendix