

File: JICFB - BULLYING PREVENTION

The Arlington Public Schools is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No student shall be subjected to harassment, intimidation, bullying, or cyber-bullying.

"Bullying" is the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a student 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.

"Cyber-bullying" means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- wire
- radio
- electromagnetic
- photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

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

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

Bullying and cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents and families are expected.

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

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds

- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the Arlington public schools;

Bullying and cyber-bullying are prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the Arlington school district if the act or acts in question:

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

Prevention and Intervention Plan

The Superintendent and/or his/her designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of this policy, as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially.

The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his or her school.

Reporting

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

Each school shall accept anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible.

A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or his/her designee.

Investigation Procedures

The Principal or his/her designee, upon receipt of a viable report, shall contact the parents or guardians, in a timely manner, of a student who has been the alleged target or alleged student aggressor of bullying. The actions being taken to prevent further acts of bullying shall be discussed.

The school principal or a designee shall promptly investigate the report of bullying, using a Bullying/Cyber-bullying Report Form which may include interviewing the alleged target, alleged aggressor, staff members, students and/or witnesses.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying, to the extent consistent with the school's obligations to investigate and take appropriate action.

If the school principal or a designee determines that bullying has occurred he/she shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the aggressor, the principal shall consult with the school's resource officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within fourteen school days from the date of the report. At a minimum the Principal or his/her designee shall contact the parents or guardians as to the status of the investigation on a weekly basis. [change of order only] The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found. If a violation is found, the parent of the targeted student will be informed of what steps will be taken to support the student and to prevent further acts of bullying (or retaliation), so long as long as consistent with applicable legal restrictions. For example, specific information about disciplinary action taken will generally not be released to the target's parent or guardian-unless it involves a "stay away or other directive that the target must be aware of in order to report violations.

Disciplinary actions for students who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies. Disciplinary action for staff who have committed an act of bullying or retaliation shall be in accordance with expectations and standards appropriate to their roles and responsibilities.

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent.

Confidentiality of such reports and related records will be maintained to the extent consistent with applicable law.

Retaliation

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses who have reliable information about bullying shall be prohibited. Students or staff who engage in retaliation may be subject to disciplinary action.

Target Assistance

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

Training and Assessment

Annual training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention based on Massachusetts Department of Elementary and Secondary Education ("DESE") guidelines for acceptable programs shall be incorporated into the curriculum for all K to 12 students.

Publication and Notice

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

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

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

REF.: Massachusetts Department of Elementary and Secondary Education's Model Bullying Prevention and Intervention Plan

LEGAL REFS.: Title VI of the Civil Rights Act of 1964 (*prohibiting discrimination based on race, color, or national religion*)

Title IX of the Education Amendments of 1972 (*prohibiting discrimination based on sex*)

Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act of 1990 (*prohibiting discrimination based on disability*)

MGL [71B:3](#) (*addressing skills for students with disabilities needed to avoid/address bullying*)

MGL 71:370 and 603 CMR [49.00](#) (*preventing and addressing bullying of students*)

MGL [76:5](#) and 603 CMR [26.00](#) (*prohibiting discrimination based on race color, sex, gender identity, religion, national origin or sexual orientation*)

MGL [265:43](#), [43A](#) (*criminal: stalking, criminal harassment*)

MGL [268:13B](#) (*criminal: intimidation of witnesses*)

MGL [269:14A](#) (*criminal: threats relating to weapons, explosives, etc., causing school disruption*)

MGL [269:17](#), [18](#), [19](#) (*criminal: hazing*)

CROSS REFS.: [AC](#), Nondiscrimination

[ACAB](#), Sexual Harassment

[JICFA](#), Prohibition of Hazing

[JK](#), Student Discipline Regulations