

## **BULLYING**

The following section contains both the School Committee's policy on the prevention of bullying as well as the District's implementation of that policy through the bullying prevention and intervention plan. Both are required by law.

### **A POLICY TO PREVENT BULLYING POLICY (File: JIFCB)** *Towards Respectful Relationships Within and Without Schools*

#### **1. PURPOSE AND SCOPE**

It is the intention of the Gloucester Public Schools to provide a learning and working atmosphere for students, employees, and visitors in which they feel physically and emotionally secure — free from bullying and intimidation.

This policy reflects the requirements of the law as it relates to bullying, and the School Committee's understanding that students and staff perform at their best when they are free from a hostile working environment.

In order to achieve the intention to provide an atmosphere in which staff and students feel physically and emotionally secure, the school district will:

- a) implement the new statute concerned with bullying;
- b) establish clear expectations regarding behaviors that are not acceptable;
- c) establish responsibilities on the part of staff, students, and parents for responding to unacceptable behavior;
- d) provide training for all categories of personnel and make available training for parents, with the aim of ensuring that there is a consistent and informed response to unacceptable behaviors;
- e) ensure that developmentally appropriate curricular experiences are provided at all grades with the aim of fostering respectful relationships;
- f) establish protocols for the investigation of alleged unacceptable behavior, and the recording of the outcomes of such investigations; and
- g) liaise with community-based organizations with an interest in the development of resilience among youth, and respectful relationships within school and the community.

Schools tend to reflect the communities they serve. It is therefore understood that the creation of a culture within schools and the community in which adults and students feel emotionally and physically secure is the responsibility of school administration, school staff, parents, students, and the wider community.

#### **1.1 Bullying**

"Bullying" is defined as 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 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/her 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.

Bullying should not be confused with isolated conflicts between students or staff. Research on bullying identifies it as behavior that occurs repeatedly, that is intended to harm the victim, and that involves a power imbalance between the victim and the person or persons who are bullying.

"Cyber-bullying" is defined as 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 (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of 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 clauses (i) to (v), inclusive, or the definition of bullying.

## **1.2 Conflicts that are not or may not be bullying**

- Students jostling for position at a water fountain.
- Name-calling arising out of a single and specific moment of disagreement or anger between students.
- Two students get into a fight. One suffers a bloody nose.
- Notice that in all cases of significant conflict, such as in the last example, intervention by teachers or other school personnel should occur even if the case is not judged to be a one of "bullying".

Conflicts that are likely cases of bullying:

- Name-calling that is done repeatedly, clearly intended to cause discomfort. *Aggravating circumstance:* Student doing name-calling is older than victim; or, several students are engaged in the name-calling of a single individual.
- One student repeatedly initiates fights or physical discomfort with a second student and it apparently intent on harming the second student. *Aggravating circumstance:* The initiating student is larger/stronger than the second student; the initiator is egged on or supported by one or more other students; the initiating student shows a pattern of victimizing other students.
- One student uses a social networking site to post offensive picture of a second student, pictures clearly intended to cause ridicule and discomfort to that student; the student also engages in other acts or gestures harmful to victim. *Aggravating circumstance:* The student posting pictures is joined by other students in posting negative statements or images about the victim.

## 2. POLICY

### 2.1 Prohibition of Unacceptable Behavior

Bullying as defined above, shall be prohibited:

- (i) 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 district or school, or through the use of technology or an electronic device owned, leased, or used by a school district or school; and
- (ii) at a location, activity, function, or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased, or used by a school district or 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, or the orderly operation of a school. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

### 2.2 Gloucester Bullying Prevention and Intervention Plan

As required by M.G.L. Chapter 71, Section 370, the Gloucester Public Schools has developed a Comprehensive Bullying Prevention and Intervention Plan (the Plan) in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law

enforcement agencies, students, parents, and guardians. The Plan includes provisions for the following:

- Procedures for responding to and investigating reports of bullying.
- Strategies for protecting those who report bullying.
- Notice to the parents or guardians of students involved in bullying, including perpetrators and victims.
- Notice to students of the anti-bullying policy through student handbooks.
- Confidentiality of records.
- Appropriate services for students who have been bullied or who are bullies.

The Gloucester Public Schools will review the Plan every other year.

LEGAL REFS.: An Act Relative To Bullying In Schools, 2010 (Senate, No. 2404).  
Title VII of the 1964 Civil Rights Act, Section 703.  
Title IX of the 1972 U.S. Civil Rights Act.  
M.G.L. 151C, 76:5, 69:17,18, and 19, 71:82 and 84

CROSS REF.: JK, Student Discipline  
*Approved by the School Committee on October 9, 2013*

## **Bullying Prevention & Intervention Plan**

### **I. LEADERSHIP**

It is the intention of the Gloucester Public Schools to provide a working and learning environment for students, school staff and visitors in which they feel physically and emotionally safe. 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.

The Gloucester Public Schools prohibits bullying behavior in all its forms. Acts of bullying, which include cyberbullying, are prohibited:

- (i) on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by the Gloucester Public Schools, and
- (ii) at a location, activity, function, or program that is not school-related, through the use of technology or an electronic device that is not owned, leased or used by the Gloucester Public Schools if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

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

As stated in M.G.L. c. 71, § 370, nothing in this Plan requires the district or school to staff any non-school related activities, functions or programs.

*Public Involvement in Development of the Plan* - This plan has been developed in consultation with the greater school and local community, including teachers, school staff, administrators, community representatives, Gloucester Police, students, parents and guardians. These key stakeholders will also be involved in the implementation and evaluation of the Plan.

*Assessing Needs and Resources* - As part of the planning process for the development of this Plan, the Gloucester Public Schools assessed the adequacy of current programs, reviewed current policies and procedures, reviewed available local data regarding bullying and behavioral incidents, and assessed available resources including curricula training programs and behavioral health services. Sources for these data points included building principals and support service staff, the district's Youth Risk Behavior Survey data from O'Maley Middle and Gloucester High Schools, the Essex District Attorney's Office, the Massachusetts Department of Elementary and Secondary Education and the Safe and Drug Free Schools Program of the U.S. Department of Education.

*Planning and Oversight* - The tasks listed in this Bullying Prevention & Intervention Plan ("the Plan") are considered important to be in compliance with the district's Bullying Prevention Policy. Each principal is required to submit to the Superintendent or his/her designee a Responsibility Checklist yearly that each task outlined in the Plan is completed each year.

The district recognizes that each task requires some degree of discussion among each school community in order to develop the school's strategy for implementation. This document is designed to help each school develop strategies to implement throughout the school year. School administrators will revisit this document regularly to assess the degree to which plans are being carried out, examine whether strategies are effective, and make modifications to strategies where necessary.

The tasks listed in this document are not meant to be exhaustive. School administrators are encouraged to examine additional tasks that may be important for the school's effectiveness in addressing bullying specifically and promoting a positive school climate.

The Gloucester Public Schools is committed to providing an ongoing evaluation process of its effort to implement the Plan. To this end, the Superintendent assigns the district Health Advisory Committee with this evaluation task. Committee membership includes, but is not limited to, a district administrator, the district Health Coordinator, the district Nurse Leader, a physical education and/or health teacher, a school nurse, a representative from the Gloucester Health Department, a parent and such other community agencies and

programs as the School Committee may approve from time to time. The committee will meet a minimum of 4 times during the school year. The committee will be responsible for evaluating the implementation of the Plan, in collaboration with building principals and support service staff. The committee shall provide regular advice to the Superintendent based on the data points identified in this Plan. The committee will submit an annual report to the Superintendent every two years.

## **II. TRAINING AND PROFESSIONAL DEVELOPMENT**

*Annual staff training on the Plan* - Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. Staff members hired after the start of the school year are required to participate in school-based training 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.

*Ongoing professional development* -The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of professional development will be informed by research and will include information on:

- (i) developmentally (or age-) appropriate strategies to prevent bullying;
- (ii) developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- (iv) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
- (v) information on the incidence and nature of cyberbullying; and
- (vi) Internet safety issues as they relate to cyberbullying.

Professional development will also address ways to prevent and respond to bullying 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.

Based on needs identified by the district or individual schools, additional areas for professional development may include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making; and
- maintaining a safe and caring classroom for all students.

Written notice to staff. The Gloucester Public Schools 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.

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

The Gloucester Public Schools believes that a key aspect of promoting a positive school climate is ensuring that the underlying emotional needs of students, families, and others are addressed.

- A. Identifying resources. In 2007, the Gloucester Public Schools established a Coordinated Wraparound Services Team. Currently, membership includes school administrative and support service staff, area mental health agency staff, private clinicians, representatives from the Gloucester Health Department, the MA Department of Mental Health, the MA Department of Children and Families, a local NAMI (National Association for the Mentally Ill) chapter and a representative from Samaritans. The purpose of the team is to share expertise in recommending policies and procedures to the schools and District and to provide technical assistance in the implementation of an integrated school-based mental health response system, identify pre-arranged contacts, referral sources and procedures with local crisis service personnel, police, and emergency medical providers to ensure necessary services are accessible in a crisis and identify and address gaps in services for students in need of mental health and/or substance abuse services. By June 2011 the Coordinated Wraparound Services Team will assist the district in the development of a Resource Manual that lists internal and external resources, including populations served, treatment modalities available, services provided in languages other than English, and eligibility criteria.
- B. Counseling and other services. The Gloucester Public Schools will make the Resource Manual developed by the CWS available to appropriate school staff and

provide school staff the opportunity to learn about the resources available in the community. To this end, starting in September 2011, the district will host a Youth Service Provider Networking Breakfast. School and district administrators and support service staff will be invited to the breakfast and community service providers to attend with descriptive information about services provided.

- 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 participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.
- D. Referral to outside services. The Gloucester Public Schools will establish a unified referral protocol for referring students and families to outside services by September 2011. The Gloucester Coordinated Wraparound Services Team will be tasked with developing the protocol with significant input from qualified school staff.

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

- A. Specific bullying prevention approaches. Bullying prevention curricula/programs adopted by the Gloucester Public Schools 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;
  - helping students understand the dynamics of bullying and cyberbullying, including that the behavior is repeated, intentional and that there is an underlying power imbalance (RIP);
  - 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.

Beginning in January 2011, the district will establish 3 grade level based bullying prevention curriculum advisory groups. Group membership will include the district Health Coordinator, at least one grade-level administrator, at least one teacher, at least one support service staff. Each group (elementary, middle and high school) will develop curricula/program recommendations which will include what curricula/programs will be implemented at each grade level, and a timeline for implementation. Groups will review existing programs and strategies that already exist in the district, including Second Step

Violence Prevention Program, Responsive Classroom, Project Adventure, Olweus Bullying Prevention Program, and Safe Dates, and will review the professional literature to address gaps in programming/strategies. Groups will present their recommendations to the Assistant Superintendent for Teaching and Learning on the following deadlines:

Elementary Schools – June 2011

Middle School – September 2011

High School – June 2012

B. General teaching approaches that support bullying prevention efforts. The Gloucester Public Schools believes that the following approaches are integral to establishing a safe and supportive school environment. These approaches 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, 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; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

The Gloucester Public Schools will continue to provide school staff with the resources to apply these approaches in all aspects of school life. The district will do this through professional development, opportunities to consult on individual cases, and staff supervision and evaluation.

V. **POLICIES AND 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 (staff includes educators, administrators, nurses, cafeteria workers, custodians, bus drivers, athletic coaches, extracurricular advisors, paraprofessionals or any other member of the district). 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 Gloucester Public Schools will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form<sup>1</sup> and an Investigation Form,

Use of an Incident Reporting Form is not required as a condition of making a report. The school or district will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined by the principal or designee; and 3) post it on the school's website. The Incident Reporting Form will be available in English, Spanish and Portuguese.

At the beginning of each school year, the Gloucester Public Schools will provide the school community, including administrators, staff, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, will be incorporated in student and staff handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians.

1. Reporting by Staff

A staff member will report in a timely manner to the principal or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation (staff includes educators, administrators, nurses, cafeteria workers, custodians, bus drivers, athletic coaches, extracurricular advisors, paraprofessionals or any other member of the district). 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 Gloucester Public Schools 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.

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.

The principal or designee will implement appropriate strategies for protecting 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 the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

b. Notice to Another School or District. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or

collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

- 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 will, 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.

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. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and 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 students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying 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.

#### 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 Gloucester Public Schools 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 anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills; and
- making a referral for evaluation.

## 2. Taking Disciplinary Action

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the school's code of conduct. All disciplinary action for students who are found to have committed an act of bullying or retaliation shall be in accordance with the Gloucester Public Schools disciplinary policies, which may include warnings, parent conference, loss of privileges or participation in school activities, detention, up to and including suspension of appropriate duration, or expulsion from school. If the principal or designee determines that an employee has violated this policy, appropriate action will be taken. Any discipline taken against an employee for the violation of this policy will be in accordance with the collective bargaining agreement .

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 or a member of a school staff knowingly made a false allegation of bullying or retaliation, that student or staff member 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 ordering of remedial 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.

## **VI. COLLABORATION WITH FAMILIES**

Parent education and resources. The Gloucester Public Schools will offer educational opportunities for parents and guardians that are focused on the parental components of

the bullying prevention curricula and any social competency curricula used by the district or school. Beginning in March 2011, programs will be offered in collaboration with the PTO, School Councils, Special Education Parent Advisory Council, or similar organizations.

Notification requirements. Each year the Gloucester Public Schools 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 Gloucester Public Schools will post the Plan and related information on its website by January 1, 2011.

## **VII. DEFINITIONS**

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

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 or a physical act or gesture or any combination thereof, directed at a target that:

- (i) causes physical or emotional harm to the target or damage to the target's property;
- (ii) places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- (iii) creates a hostile environment at school for the target;
- (iv) infringes on the rights of the target at school; or
- (v) materially and substantially disrupts the education process or the orderly operation of a school.

Cyberbullying, is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 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.

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.

## **VIII. RELATIONSHIP TO OTHER LAWS**

Consistent with state and federal laws, and the policies of the Gloucester Public Schools, 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 Gloucester Public Schools 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 Gloucester Public Schools to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, 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.