

**DRAFT- (Revised December 7, 2010)**

**Lexington Public Schools  
Bullying Prevention  
And  
Intervention Plan**

**December 7, 2010  
Lexington, MA**

**Lexington Public Schools  
Bullying Prevention and Intervention Plan  
Public Comment Draft**

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## **STATEMENT OF PURPOSE**

The Lexington Public Schools Bullying Prevention and Intervention Plan was developed to meet the requirements of M.G.L. c. 71, S370 and is modeled after the Massachusetts Department of Elementary and Secondary Education's Model Plan for dealing with bullying behaviors in our schools. The Plan includes strategies for identifying, reporting and responding to bullying behaviors. This plan refines the district's current student wellness, social/emotional skills curriculum and discipline policies. The words "target" instead of "victim" and "aggressor" instead of "bully" are used throughout this document to be consistent with language used by the Massachusetts Department of Elementary and Secondary Education.

### **I. LEADERSHIP**

School leaders have a primary role in teaching students to be civil to one another and for promoting understanding and respect for diversity and difference. The district needs a partnership with parents and the community to establish a positive school climate that is safe for all students.

#### **A. Public involvement in developing the Plan**

As required by M.G.L. c. 71, § 370, the Lexington Public Schools Bullying Prevention and Intervention Plan was developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians. The committee met both as a large group and as topic specific subcommittees for the past 3 months. This plan is the result of the work of the committee. We invite all interested community members and groups to provide public comment relative to this proposed plan before adoption by the district. There will be a public hearing on this plan on Monday, December 13, 2010 at Cary Hall. Public comment is welcome through December 20, 2010. Comments can be sent to: **[cgreeley@sch.ci.lexington.ma.us](mailto:cgreeley@sch.ci.lexington.ma.us)**

#### **B. Assessing needs and resources**

The Lexington Public Schools Bullying Prevention and Intervention Plan is the district blueprint for enhancing our capacity to prevent and respond to issues of bullying within the context of our other healthy school climate initiatives. As part of the planning process we assessed the adequacy of our current programs; reviewed our current policies and procedures; reviewed available data on bullying and behavioral incidents; and assessed current resources including curricula, training programs, and behavioral health services.

This process assisted our schools and district in identifying resource gaps and areas of need. Based on these findings, the School Committee developed an Anti-Bullying Policy for the district to be adopted on the final reading of December 14, 2010 and will review other policies to determine they meet current legal requirements. Community agencies, including law enforcement were involved in the development of the plan.

During the 2010-2011 school year, and every two years going forward, our schools will utilize surveys for input from students, staff, parents and guardians on school climate and school safety issues. Data will be collected and analyzed on the prevalence and characteristics of bullying. This information will help 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**

The Lexington Public Schools Bullying Prevention and Intervention Plan has identified the building principal (or designee) as the individual who is responsible for receiving all reports on bullying. The building principal (or designee) is responsible for collecting and analyzing building data to assess the presenting problems and to measure outcomes. They are also responsible for recording and tracking incident reports, and for accessing information related to targets and aggressors. The Lexington Public Schools, under the supervision of the Assistant Superintendent, as well as building principals are responsible for planning for the ongoing professional development that is required by the law. The building principal or his/her designee is responsible for planning supports that respond to the needs of targets and aggressors. Each building principal (or designee) is responsible for implementing the Lexington Public Schools Bullying Prevention and Intervention Plan and for amending student handbooks and codes of conduct in their buildings. The district is responsible for developing parent/family engagement efforts and parent information materials and reviewing/updating these materials each year. The Superintendent (or designee) is responsible for developing new or revised policies and protocols under the Lexington Public Schools Bullying Prevention and Intervention Plan, including an Internet safety policy, and for designating key staff to be in charge of reviewing and updating them on an annual basis. The School Committee is responsible for the approval of any new policy.

### **D. The Lexington Public Schools Bullying Prevention and Intervention Plan Priority Statement**

The Lexington Public Schools Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and cyber bullying, and each school in the district is committed to working with students, staff, families, law

enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyber bullying, and retaliation. The building principal (or designee) is responsible for the implementation and oversight of the Plan.

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

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

The Lexington Public Schools ongoing professional development plans reflect the requirements under M.G.L. c. 71, § 37O and provides ongoing professional development for all staff, including but not limited to, educators, administrators, 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 all school staff on the Lexington Public Schools Bullying Prevention and Intervention Plan will include: current research on bullying and effective intervention; staff responsibilities under the law; 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 building. 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.

### **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. As required by M.G.L. c. 71, § 37O, the content of school-wide and professional development will be informed by research and will include information on:

- Developmentally/age appropriate strategies to prevent bullying;
- Developmentally/age appropriate strategies for immediate, effective interventions to stop bullying incidents;
- Information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- 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;
- Information on the incidence and nature of cyber bullying; and
- 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. This will include a focus on the needs of students with autism or students whose disability affects social skills development.

Additional areas of professional development include:

- promoting and modeling the use of respectful language;
- fostering an understanding 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 age appropriate planning and decision-making; and
- maintaining safe and caring classrooms for students.

### **C. Written notice to staff**

Each school will provide all staff with an annual written notice of the Lexington Public Schools Bullying Prevention and Intervention Plan by publishing information about it, including sections related to staff responsibilities, in applicable school employee handbooks or materials.

### **III. 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 cyber bullying. In addition, the emotional needs of these students' families must also be addressed. The Lexington 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**

The district will work to identify the school's capacity to provide counseling, case management and other services for these students (targets, aggressors, bystanders) and their families. Schools will conduct an annual review of staffing and programs that support the creation of positive school environments, focusing on early interventions and intensive services, and develop recommendations and action steps to fill resource and service gaps. The Lexington Public Schools will work in collaboration with local and state agencies to adopt evidenced based curricula and to provide additional preventative services to students, parents/guardians, faculty and staff.

#### **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 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, school psychologists and intensive special needs educators work collaboratively to develop behavior plans and provide social skill groups for students. They also work to support parents, conduct parent workshops and inform parents of outside resources to enhance parenting skills and provide for the needs of children.



Among the services offered at various schools:

- One-on-one and small group counseling
- Case management services
- Crisis intervention
- Facilitating classroom meetings to resolve problems
- School counseling curriculum on issues of respect, sexual harassment and student success skills
- Peer Mediation
- Rachel's Challenge
- Lunch/friendship groups
- Parent-teacher conferences
- Transition planning
- Behavioral plan development
- Classroom observations
- Teacher consultation

The Lexington Public Schools consult with the Middlesex District Attorney's Office and Partnership for Youth, in addition to the Massachusetts Aggression Reduction Center at Bridgewater State University. We have completed the Train the Trainer model under the leadership of Dr. Englander. We employ a consulting psychiatrist, with expertise in bullying behavior and treatment, to meet weekly with our staff.

### **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 their disability, the Team will consider the social emotional skill development implications for the IEP.

### **D. Referral to outside services**

The Lexington 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 Lexington Public Schools Bullying Prevention and Intervention Plan, and revised as needed.

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

The Lexington Public Schools will provide age-appropriate instruction on bullying prevention in each school.

##### **A. Specific bullying prevention approaches**

Bullying prevention curricula is based on current research that, among other things, emphasizes the following approaches:

- 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 cyber bullying, 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;
- engaging students in a safe, supportive school environment that is respectful of diversity and difference; and
- providing parents and guardians with information regarding the schools' bullying prevention curricula

Initiatives will also teach students about the student-related sections of the Lexington Public Schools Bullying Prevention and Intervention Plan through the Student Handbook, school assemblies and/or small group meetings.

##### **B. General teaching approaches that support bullying prevention efforts**

The following are integral to establishing a safe and supportive school environment and underscore the importance of bullying intervention and prevention activities:

- 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;
- communicating with parents and guardians regarding the schools' goals and expectations for students and students' safety
- 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.

## **V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION**

The Lexington Public Schools has established policies and procedures for receiving and responding to reports of bullying or retaliation. These policies and procedures ensure that all members of the school community, including students, parents, and staff know what will happen when incidents of bullying occur.

### **A. 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 must be recorded in writing. All employees are required to immediately report to the principal (or designee) any instance of bullying or retaliation the staff member becomes aware of, or witnesses. Reports made by students, parents/guardians, or other non-employees may be made anonymously. The district will make reporting forms available to the community in each school office, counseling and nursing offices and on the district website.

At the beginning of each school year, the district will provide the school community, including administrators, staff, students, and parents/guardians, with 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 district website, and in information about the Lexington Public Schools Bullying Prevention and Intervention Plan that is made available to parents/guardians.

#### **1. Reporting by Staff**

Staff members will immediately report to the principal (or designee) when they witnesses or become aware of conduct that may be bullying or retaliation. The requirement to report to the principal (or designee) does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with the school's policies and procedures for behavior management and discipline.

#### **2. 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 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 assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. There may be circumstances in which the principal (or designee) contacts parents/guardians prior to any investigation. Notice will be consistent with state regulations 603 CMR 49.00. Responses to promote safety could include: 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 from bullying or retaliation a student who has witnessed or reported bullying or retaliation, or provides information during an investigation. The confidentiality of students and witnesses reporting alleged acts of bullying will be maintained to the extent possible given the school’s obligation to investigate the matter.

## **C. Obligations to Notify Others**

### **1. Notice to parents/guardians**

Upon determining that bullying or retaliation has occurred, the principal (or designee) will promptly notify the parents/guardians of the target and the aggressor of the incident and discuss the planned response.

### **2. Notices 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.

### **3. Notices 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 (or

designee) 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 there is 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 local law enforcement/school resource officer, and other individuals the principal (or designee) deems appropriate.

#### **D. Investigation**

The principal (or designee) will promptly investigate all reports of alleged bullying or retaliation by considering all available information, including the nature of the allegation/s and the ages of the students involved. During the investigation the principal (or designee) may interview students, staff, witnesses, parents/guardians and others as necessary. The principal (or designee) will inform the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action. Interviews will be conducted by the principal (or designee), and other staff members or counselors as appropriate. To the extent practicable, and given the obligation to investigate and address the matter, the principal (or designee) will maintain confidentiality during the investigative process. The principal (or designee) will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with district policies and procedures for investigations and for possible disciplinary action. If necessary, the principal (or designee) will consult with the Superintendent regarding consultation with legal counsel pertaining to the investigation of the alleged report.

#### **E. 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, if any, is required, and
- 2) determine what actions and/or disciplinary action are 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/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 or counseling.

The principal (or designee) will promptly notify the parents/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 parents/guardians 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 enforce violations.

## **F. Responses to Bullying**

The Lexington Public Schools have a range of individualized strategies and interventions that may be used in response to remediate a student's social skills or to prevent further incidences 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, § 37O(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;
- implementing a range of academic and non-academic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting with parents/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 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 Lexington 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. 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

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



## **VI. COLLABORATION WITH FAMILIES**

The Lexington Public Schools Bullying Prevention and Intervention Plan includes strategies to engage and collaborate with students' families in order to increase the capacity of our schools and district to prevent and respond to bullying. Communication with families is necessary for effective collaboration. Provisions for informing parents/or guardians about the bullying prevention and intervention curricula used by the schools include:

- how parents/guardians can re-enforce the curricula at home and support the district plan;
- the dynamics of bullying; and
- online safety and cyber bullying.

Parents/guardians will also be notified each year about the student related sections of the Lexington Public Schools Bullying Prevention and Intervention Plan.

The district will collaborate with School Councils and parent organizations such as the PTAs, and SEPAC to offer resources, information and programs to parents/guardians on the parental components of the anti-bullying curricula and social skills curricula used by the district along with online safety and cyber bullying. Information will be made available to parents/ guardians in hard copy and electronic formats, and will be available in the language/s most prevalent among parents/guardians. Each school will post the Lexington Public Schools Bullying Prevention and Intervention Plan and related information on its website.

## **VII. PROHIBITION AGAINST BULLYING AND RETALIATION**

The Lexington Public Schools will not tolerate unlawful or disruptive behavior, including bullying, cyber bullying, or retaliation, in school buildings and grounds, on school buses or in school activities. The district will investigate all reports and complaints of bullying, cyber bullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. The Lexington Public Schools supports this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent/guardian involvement. Acts of bullying, which include cyber bullying, are prohibited:

- on school grounds, at school-sponsored activities, functions or programs whether on or off school grounds, on schools buses, or through the use of technology or electronic devices owned, leased, or used by the district, and
- 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 a school district, 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 witnesses and reports bullying, provides information during an investigation of bullying, or has reliable information about bullying is also prohibited. As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff non-school related activities, functions, or programs.

## VIII. DEFINITIONS

Several of the following definitions are copied directly from M.G.L. c. 71, § 37O:

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

**Bullying**, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students of a written, verbal, or electronic expression or 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 physical harm or damage to personal 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 orderly operation of a school.

**Cyber bullying** 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 cyber bullying.

**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.

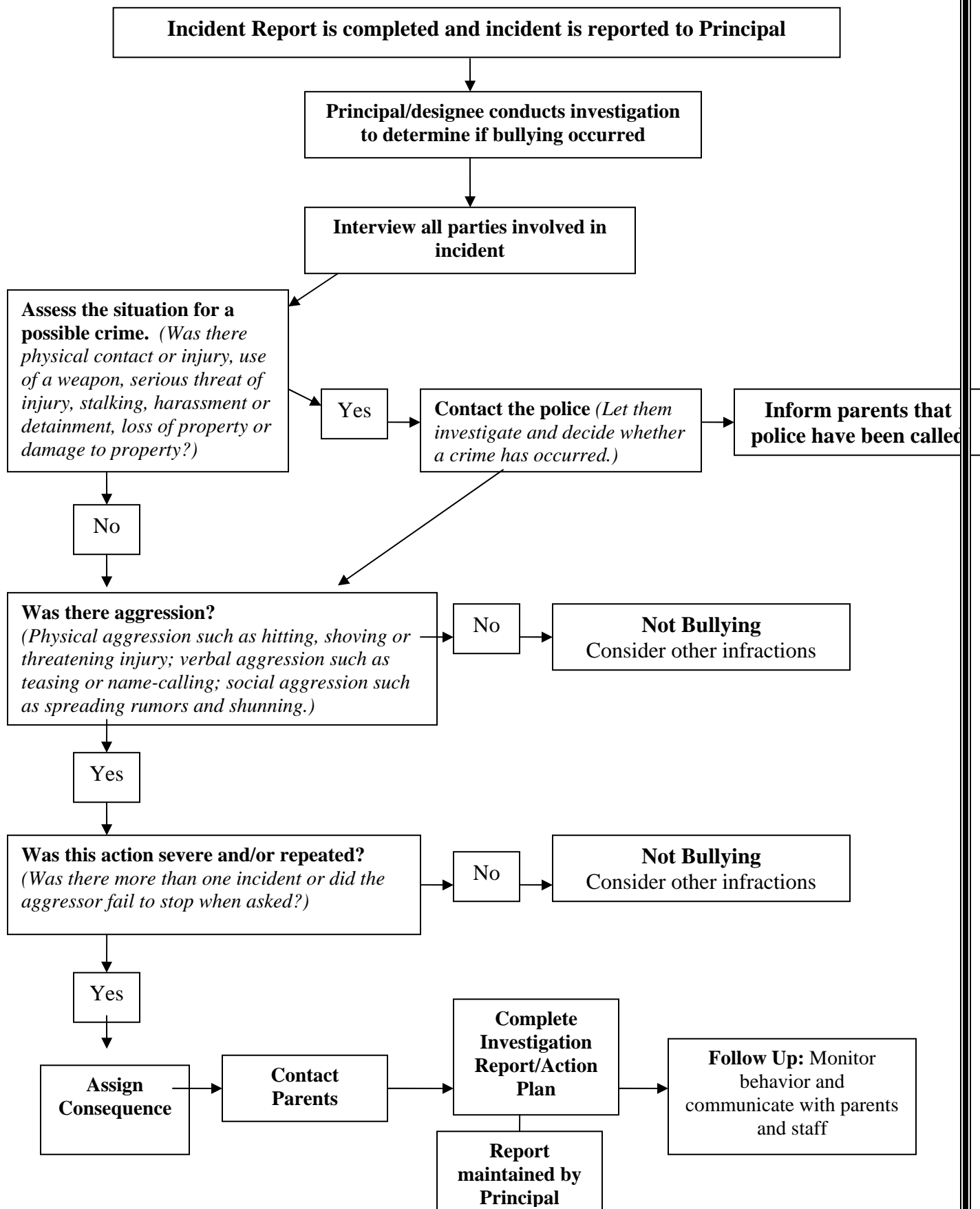
**Retaliation** is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

**Staff** includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, and athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

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

## **IX. RELATIONSHIP TO OTHER LAWS**

Consistent with state and federal laws, and the policies of the Lexington 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 Lexington Public Schools Bullying Prevention and Intervention 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 district policies. In addition, nothing in the Lexington Public Schools Bullying Prevention and Intervention Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or district policies in response to violent, harmful, or disruptive behavior, regardless of whether this Plan covers the behavior.





# Lexington Public Schools

146 Maple Street ♦ Lexington, Massachusetts 02420

## INTERIM BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM

### I. INTAKE

1. **Name of Reporter/Person Filing the Report:** \_\_\_\_\_  
(Note: Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.)
2. **Check whether you are the:**      **Target of the behavior** ☐      **Reporter (not the target)** ☐
3. **Check whether you are a:**    ☐ **Student**    ☐ **Staff member (specify role)** \_\_\_\_\_  
   ☐ **Parent**    ☐ **Administrator**    ☐ **Other (specify)** \_\_\_\_\_
- Your contact information/telephone number:** \_\_\_\_\_
4. **If student, state your school:** \_\_\_\_\_ **Grade:** \_\_\_\_\_
5. **If staff member, state your school or work site:** \_\_\_\_\_

### 6. Information about the Incident:

**Name of Target (of behavior):** \_\_\_\_\_

**Name of Aggressor (Person who engaged in the behavior):** \_\_\_\_\_

**Date(s) of Incident(s):** \_\_\_\_\_

**Time When Incident(s) Occurred:** \_\_\_\_\_

**Location of Incident(s) (Be as specific as possible):** \_\_\_\_\_

### 7. Witnesses (List people who saw the incident or have information about it):

**Name:** \_\_\_\_\_ ☐ Student ☐ Staff ☐ Other \_\_\_\_\_

**Name:** \_\_\_\_\_ ☐ Student ☐ Staff ☐ Other \_\_\_\_\_

**Name:** \_\_\_\_\_ ☐ Student ☐ Staff ☐ Other \_\_\_\_\_

### 8. Describe the details of the incident (including names of people involved, what occurred, and what each person did and said, including specific words used). Please use additional space on back if necessary.

- 
9. **Signature of Person Filing this Report:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
(Note: Reports may be filed anonymously.)
  10. **Form Given to:** \_\_\_\_\_ **Position:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Signature:** \_\_\_\_\_ **Date Received:** \_\_\_\_\_

# LEXINGTON SCHOOL COMMITTEE POLICY

## **BULLYING PREVENTION AND INTERVENTION PLAN POLICY**

**First Reading: November 30, 2010**

**Second Reading:**

**Date Approved by  
School Committee:**

**Signature of Chair:** \_\_\_\_\_

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### **Draft LPS Bullying Prevention and Intervention Plan Policy**

The Lexington Public Schools (LPS), in partnership with parents, guardians, and the community, and in keeping with the LPS 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 is conduct that can disrupt 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 Lexington School Committee, therefore, prohibits acts of intimidation, bullying, or cyber-bullying throughout the Public Schools of Lexington.

"Bullying" shall include, but is not limited to, 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 learning and/or social 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, facsimile communications, cell phone or texting.

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.

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

5  
6 Bullying and cyber-bullying can occur in and out of school, during and after school hours, at  
7 home and in locations outside of a home. When bullying and cyber-bullying are alleged, the full  
8 cooperation and assistance of parents or guardians and their families are expected.

9  
10 For the purpose of this policy, whenever the term bullying is used, it is to denote either bullying,  
11 or cyber-bullying.

12  
13 Bullying is prohibited:

- 14
- 15 • on school grounds;
- 16 • on property immediately adjacent to school grounds;
- 17 • at school-sponsored or school-related activities, functions or programs, whether on or off
- 18 school grounds;
- 19 • at school bus stops;
- 20 • on school buses or other vehicles owned, leased or used by the school district; or,
- 21 • through the use of technology or an electronic device owned, leased or used by the LPS;
- 22

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

- 26
- 27 • create a hostile learning and/or social environment at school for the target;
- 28 • infringe on the rights of the target at school; and/or
- 29 • materially and substantially disrupt the education process or the orderly operation of a
- 30 school.
- 31

### 32 Prevention and Intervention Plan

33  
34 The superintendent or designee shall oversee the development of a prevention and intervention  
35 plan, in consultation with all district stakeholders, which may include parents and guardians,  
36 teachers, school staff, professional support personnel, school volunteers, administrators,  
37 community representatives, local law enforcement agencies, and students, consistent with the  
38 requirements of this policy, as well as state and federal laws. The bullying prevention and  
39 intervention plan shall be reviewed and updated at least biennially.

40  
41 A principal or designee is responsible for the implementation and oversight of the bullying  
42 prevention and implementation plan within his or her school.

### 43 Reporting

44  
45  
46 Students who believe that they are a target of bullying are encouraged and urged to report the  
47 matter to a member of the school staff. Students who observe an act of bullying, or who have  
48 reasonable grounds to believe that these behaviors are taking place, are obligated to report



1 incidents to a member of the school staff, and may be subject to discipline for failing to report  
2 such incidents. However, the target shall not be subject to discipline for failing to report bullying.

3  
4 A member of a school staff shall immediately report to the school principal or designee any  
5 instance of suspected bullying the staff member has witnessed or become aware of, and may be  
6 subject to discipline

7  
8 Parents or guardians, or members of the community, are encouraged to report an incident of  
9 suspected bullying as soon as possible to a school principal.

10  
11 Each school shall have a means for anonymous reporting by students of incidents of suspected  
12 bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous  
13 report.

14  
15 Any student who is found to have knowingly made a false accusation/report of bullying may be  
16 subject to disciplinary action.

#### 17 18 Investigation Procedures

19  
20 A school principal or designee shall promptly investigate any report of bullying, using a  
21 Bullying/Cyber-bullying Report Form. It may include but is not limited to interviewing the  
22 alleged target, alleged aggressor, staff members, students and/or witnesses.

23  
24 A principal or designee, upon receipt of a bullying report, shall promptly contact the parents or  
25 guardians of the alleged target(s) and the alleged aggressor(s). Actions being taken to prevent  
26 further acts of bullying shall be discussed.

27  
28 The investigation shall be completed within a reasonable amount of time. The parents or  
29 guardians of both the aggressor(s) and the target(s) shall be updated periodically during the  
30 investigation, and, upon its completion, shall be informed of the results, including whether the  
31 allegations were found to be factual, whether a violation of this policy was found, whether  
32 disciplinary action has or shall be taken, and whether or what steps will be taken to prevent  
33 retaliation or further acts of bullying.

34  
35 A principal or designee shall assess an alleged target's needs for protection and create and  
36 implement a safety plan that shall restore a sense of safety for that student.

37  
38 Confidentiality shall be used to protect all parties, which includes but is not limited to a person  
39 who reports bullying, provides information during an investigation of bullying, or is witness to or  
40 has reliable information about an act of bullying.

#### 41 42 Disciplinary Actions

43  
44 If a school principal or designee determines that bullying has occurred, he/she shall take  
45 appropriate disciplinary action, and if it is believed that criminal charges may be pursued against  
46 the aggressor, the principal shall consult with the superintendent or designee to determine if  
47 criminal charges are warranted. If it is determined that criminal charges are warranted, the local  
48 law enforcement agency shall be notified.

Disciplinary actions for students who are found to have committed an act of bullying or retaliation shall be in accordance with LPS disciplinary policies.

#### Assistance

The LPS may provide appropriate counseling or referral to appropriate services, including, but not limited to, guidance, academic intervention, and protection to any affected students, as necessary.

#### Documentation

Each school shall document any incident of bullying that is reported per this policy, and the principal or a designee shall maintain a file of these reports.

The superintendent or designee shall inform the School Committee periodically of any trends or implications of these reports in order to give the School Committee the opportunity to review and amend this policy.

Confidentiality shall be maintained consistent with the school's obligations under law.

#### Retaliation

Reprisal or retaliation against any person associated with a report of bullying or the investigation thereof is prohibited. Disciplinary action for a person who is found to have engaged in reprisal or retaliation will reflect the extreme seriousness of such an act, considered equivalent to participation in the original act of bullying and therefore deserving of strong disciplinary action, including, but not limited to, suspension or expulsion.

#### Training and Assessment

The superintendent or designee shall provide training annually for school employees and volunteers who have significant contact with students so as to improve preventing, identifying, responding to, and reporting incidents of bullying. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Age-appropriate, evidence-based instruction on bullying prevention 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 in each school handbook to students and their parents or guardians, in age-appropriate terms.

The superintendent or designee shall provide written notice annually of the bullying prevention and intervention plan to all school staff.

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

1  
2 The bullying prevention and intervention plan and policy shall be posted on the LPS website.  
3  
4  
5  
6  
7  
8  
9

10  
11 REFERENCES: Massachusetts Department of Elementary and Secondary Education's  
12 Model Bullying Prevention and Intervention Plan  
13

14  
15 LEGAL REFS. : Title VII, Section 703, Civil Rights Act of 1964 as amended  
16 Federal Regulation 74676 issued by EEO Commission  
17 Title IX of the Education Amendments of 1972  
18 603 CMR 26.00  
19 MGL 71:37O  
20 M.G.L. c. 71, 37H & 37H1/2  
21 MGL 265:43, 43A  
22 MGL 268:13B  
23 MGL 269:14A  
24 Discipline of Special Education Students Under IDEA 2004  
25 20 U.S.C. 1415(k) and 34 CFR 300.530-300.536  
26  
27

28  
29 LEXINGTON PUBLIC SCHOOLS POLICIES: [PROHIBITING HARRASSMENT](#)  
30 (Approved: 2/15/03.)  
31

32 [DISCIPLINING SPECIAL NEEDS STUDENTS POLICY](#) (Approved: on file.)  
33  
34  
35  
36