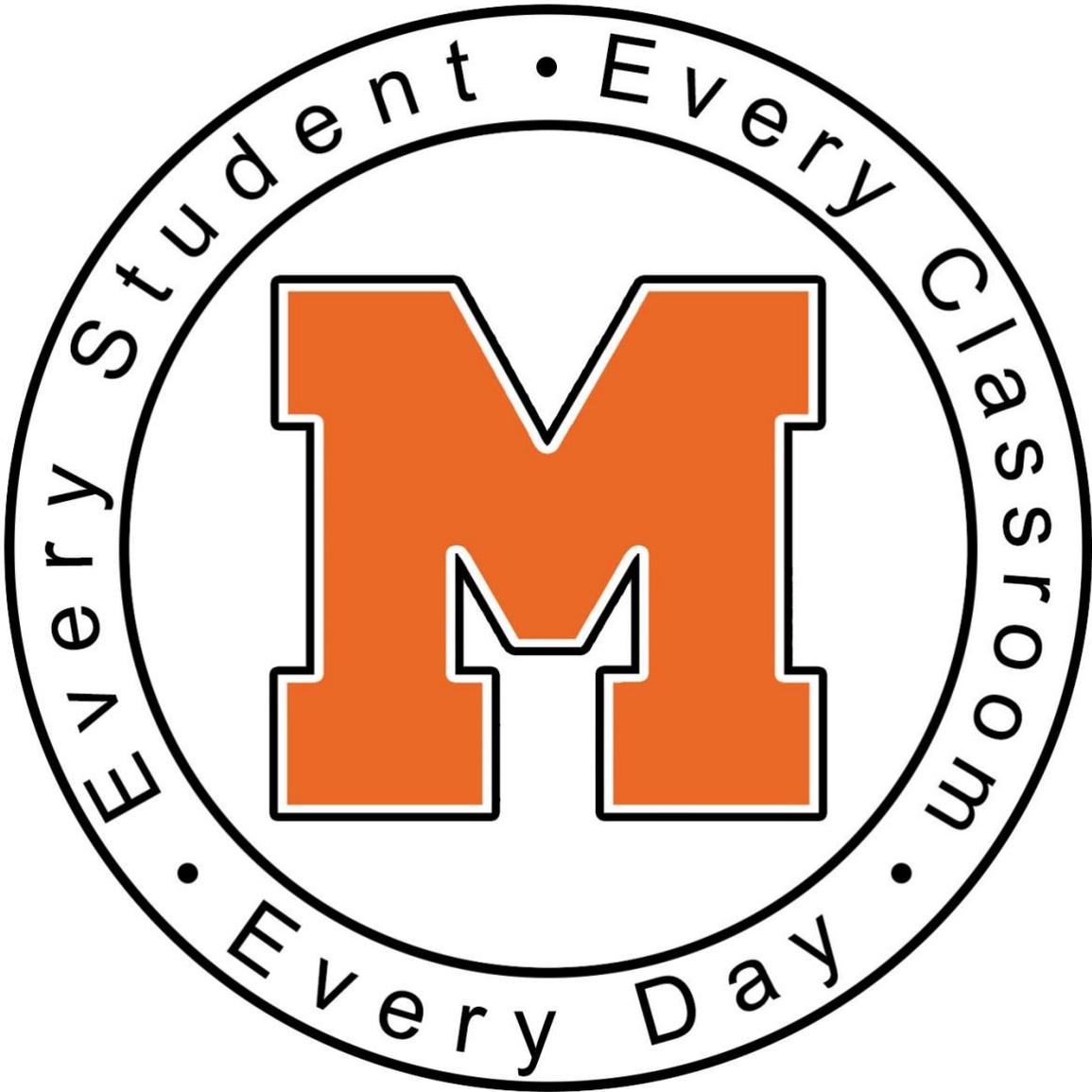


# Middleborough Public Schools



# Bullying Prevention and Intervention Plan

**ALL STAFF RECEIVE WRITTEN ANNUAL NOTICE OF THIS PLAN.**

*This plan will be updated at least biennially.*

# Middleborough Public Schools

## Bullying Prevention and Intervention Plan

### SCOPE OF PLAN

The Middleborough Public School District is committed to providing a safe, positive and productive educational environment that is free from bullying and cyber-bullying. Towards that end, the Middleborough Public Schools absolutely prohibits bullying and cyber-bullying:

- 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 a school district or school; or through the use of technology or an electronic device owned, leased, or used by Middleborough Public Schools, 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 Middleborough 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, who provides information during an investigation of bullying, or who is a witness to or has reliable information about bullying is prohibited.

The Middleborough Public Schools absolutely prohibits bullying, cyber-bullying and retaliation as defined above. Violation of this policy is a serious offense. Students who engage in bullying, cyber-bullying or retaliation will be subject to disciplinary action and remedial action reasonably calculated to stop the conduct and prevent its recurrence. Disciplinary action taken must balance the need for accountability with the need to teach appropriate behavior. The range of disciplinary action includes, but is not limited to, one or more of the following: verbal warnings, written warnings, reprimands, detentions, short-term or long-term suspensions, or expulsions from school as determined by the school administration and/or school committee, subject to applicable procedural requirements. Nothing in this policy is designed or intended to limit the authority of school administrators and/or the school committee (a) from taking disciplinary or other action against a student for conduct that does not meet the definition of bullying or cyber-bullying, as defined above, but nevertheless is inappropriate for the school environment or (b) from taking disciplinary or other action under General Laws Chapter 71, §§ 37H, 37H1/2, 37H3/4, and other applicable laws, or local school handbook provisions or district policies, regardless of whether this policy covers the conduct.

The Middleborough Public Schools' response to bullying actions will include, when appropriate, referral to a law enforcement agency. The Middleborough Public Schools will support this plan in all aspects of its activities, including its curricula, instructional programs, staff development, extracurricular activities and parental involvement.

The Middleborough Public Schools Bullying Plan applies to all sites and activities under the supervision and control of the Middleborough Public Schools, or where it has jurisdiction under the law. Nothing in this plan is designed or intended to limit the District's authority to discipline or take remedial action under General Laws Chapter 71, §37H, or in response to violent, harmful, or disruptive behavior, regardless of whether this plan covers the conduct.

The Middleborough Public Schools prohibits all forms of harassment, discrimination and hate crimes based on race, color, religion, national origin, ethnicity, sex, sexual orientation, age or disability. Please see the Middleborough Public Schools Harassment Plan and Sexual Harassment Plan.

The plan has been developed and reviewed by the Middleborough Public Schools Bullying Prevention and Intervention Task Force which consists of administrators, teachers, parents, and community members.

*(Updated 08/25/2020)*

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## **I. LEADERSHIP**

Each school will conduct a needs assessment in the alternate years of the plan to prepare for revision. The principal of each building is responsible for the implementation and oversight of the Bullying Prevention and Intervention Plan.

The principal of each school is responsible for:

- 1) Receiving reports of alleged bullying and investigating
- 2) Collecting and analyzing reports
- 3) Developing a process for tracking aggressors and targets
- 4) Providing supports for the needs of targets and aggressors
- 5) Including student-specific language regarding the bullying plan in student and staff handbooks
- 6) Facilitating professional development in bullying prevention and intervention
- 7) Guiding parents in supporting anti-violence curriculum at home
- 8) Overseeing of each of the remaining responsibilities within their school
- 9) Submitting bullying logs to the office of the Superintendent

The Superintendent or his/her designee is responsible for reviewing bullying logs submitted to central office.

The Superintendent is responsible for:

- 1) Planning for ongoing professional development in bullying prevention and intervention
- 2) Reviewing and updating curricula
- 3) Revising policies and protocols, including Internet Safety Policies
- 4) Facilitating meetings of the Bullying Prevention and Intervention Task Force

The Bullying Prevention and Intervention Task Force is responsible for:

- 1) Planning for and implementing parent engagement and information sessions
- 2) Reviewing and updating the Bullying Prevention and Intervention Plan

## **II. PROFESSIONAL DEVELOPMENT**

- A. Annual staff training on the Plan. Annual training for all school staff on the Plan will include staff responsibilities 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 be updated on any training held prior to their hiring.
- 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 district wide 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.

Additional areas identified by the school or district for professional development include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- 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;
- maintaining a safe and caring classroom for all students; and
- engaging staff and those responsible for the implementation and oversight of the Plan to distinguish between acceptable managerial behaviors designed to correct misconduct, instill accountability in the school setting, etc. and bullying behaviors

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

### **III. RESOURCES AND SERVICES**

The principal in each building will maintain resources and current tools for intervening and preventing bullying. These tools may include but are not limited to: behavioral intervention plans, social skills groups, and individually focused curricula as determined by individual circumstances. The strategy for providing counseling or referral to appropriate services for aggressors, targets, and family members of those students will be specific to each school and may include the use of adjustment counselors, guidance counselors, school psychologists, teachers, special educators or other school or community resources.

As required by 603 CMR 49.00: M.G.L. 71, §37O, as added 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.

In addition to the district anti-bullying curriculum listed in section four, each school principal works with staff and families to continually build positive school environments. The following is a sampling of the programs in place at each of the schools. The Middleborough Public Schools will employ these and other methods to

support vulnerable students and to provide all students with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment.

#### Memorial Early Childhood Center

Classroom incentives and rewards for positive behavior

#### Mary K. Goode Elementary School

Positive Behavior Incentives

Response to Intervention (RTI)

MTSS

Social Thinking

Weekly Newsletter (info has been shared in this publication, but not weekly)

Intervention Block Social/Emotional small group interventions

Town Meeting

#### Henry B. Burkland Elementary School

PBIS (Positive Behavior Intervention Supports)

- Positive Behavior Expectations
- Burkland's Best
- Tickets for School Store
- Character Word of the Week

#### John T. Nichols, Jr. Middle School

Student Council

Guest speakers and presentations to promote a positive school environment

Builders Club

ROAR Awards

Intramural Sports

Tiger Bands

GSA (Gender & Sexuality Alliance)

#### Middleborough High School

Special Olympics Pep Rally

Guest speakers and presentations to promote a positive school environment

Student Strong

Monthly Recognition

GSA (Gender & Sexuality Alliance)

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

Grade-span specific curricula to prevent bullying will be noted in the handbook for each school annually. The violence prevention curricula currently identified for implementation at each school are:

- Grades 1-2 - Social Thinking
- Grades 3- 8 – Super Flex
- Grade 9 – 12 - MARC curriculum.

A. Specific bullying prevention approaches. Bullying prevention curricula 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 or school

- staff engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance;
- emphasizing cyber safety, including safe and appropriate use of electronic communication technologies;
- enhancing students' skills for engaging in healthy relationships and respectful communications; and
- engaging students in a safe, supportive school environment that is respectful of diversity and difference.

Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan. The Plan should include specific information about how and when the school or district will review the Plan with students.

B. General teaching approaches that support bullying prevention efforts. The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines;
- creating safe school and classroom environments for all students, 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.

## **V. COLLABORATION WITH FAMILIES**

Parents and guardians will receive information about the bullying prevention curriculum of Middleborough Public Schools, how they can reinforce that curriculum at home, how they can support the district or school prevention and intervention plan, the dynamics of bullying, and online safety and cyberbullying through student handbooks and scheduled information sessions. Information on the bullying plan and information sessions for families will be conveyed to parent through communication by any number of the following: flyers on parent presentation and trainings, School Newsletters, Open House, Parent-Teacher Conferences, PTA, PTSA, School Council Meetings, School Committee Presentations, Parent Coffees, District and School Web Pages, etc

Middleborough Public Schools will work with families to prevent bullying. Upon investigation and determination that bullying or retaliation has occurred, the principal will promptly notify the parents of the target and the aggressor of the determination and the school district or school's procedures for responding to the bullying or retaliation. The principal will inform the target's parent of actions that school officials will take to prevent further acts of bullying or retaliation. A principal's notification to a parent about an incident or a report of bullying or retaliation must comply with confidentiality requirements of the Massachusetts Student Records Regulations, 603 CMR 23.00, and the Federal Family Educational Rights and Privacy Act Regulations, 34 CFR Part 99, as set forth in 603 CMR 49.07.

- A. Parent education and resources. The school or district will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the district or school. The programs will be offered in collaboration with the PTO, PTA, School Councils, Special Education Parent Advisory Council, or similar organizations.
- B. Notification requirements. Each year the school or district will inform parents or guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. The school or district will send parents written notice each year about the student-related sections of the Plan and the school's or district's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. The school or district will post the Plan and related information on its website.

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

The District will not tolerate any unlawful or disruptive behavior, including any form of bullying and cyberbullying in our schools or school-related activities. The District will promptly investigate all reports and complaints of bullying and cyberbullying and take prompt, effective action to end that behavior and prevent its reoccurrence. Action will include, where appropriate, referral to a law enforcement agency. The District will support this commitment in all aspects of its activities, including its curricula, instructional programs, staff development, extracurricular activities, and parental involvement.

Acts of bullying, which include cyber-bullying are prohibited:

- On school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by 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
- 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 or school, 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.

Students who engage in bullying or retaliation will be subject to disciplinary action; however, disciplinary action taken must balance the need for accountability with the need to teach appropriate behavior. The range of disciplinary action includes, but is not limited to, one or more of the following: verbal warnings, written warnings, reprimands, detentions, short-term or long-term suspensions, or expulsions from school as determined by the school administration and/or school committee, subject to applicable procedural requirements. Nothing in this plan is designed or intended to limit the District's authority to discipline or take remedial action under General Laws Chapter 71, §37H, or in response to violent, harmful, or disruptive behavior, regardless of whether this plan covers the conduct.

All students are afforded the same protection from bullying regardless of their legal status. The Middleborough Public Schools acknowledge that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical,

developmental or sensory disability or by association with a person who has or is perceived to have 1 or more of these characteristics.

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

Violation of this plan is a serious offense. Violators may be subject to appropriate disciplinary and/or corrective action to stop the conduct and prevent its reoccurrence. The District is committed to protecting a target and witnesses, from future bullying.

If an incident is determined to be bullying (see VIII. Definitions), the student will be disciplined according to the school handbook. The range of disciplinary actions that may be imposed as a result of bullying may be up to and including, but not limited to one or more of the following: verbal warnings, written warnings, reprimands, detentions, short-term or long-term suspensions, or expulsions from school as determined by the school administration and/or school committee, subject to applicable procedural requirements. Nothing in this policy is intended to prevent the school administration and/or school committee from taking disciplinary action against a student for conduct that does not meet the definition of bullying or cyberbullying, as defined above, but nevertheless is inappropriate for the school environment.

An alleged incident may also appear harassing to a protected class. If an incident is determined to be harassment, the investigator will also contact the harassment coordinator, Director of Pupil Personnel Services. \* Please note that a single allegation may result in an investigation by multiple channels- (ex. Title IX, sexual harassment, etc.)

If an incident of bullying or retaliation involves students from more than one school district, commonwealth charter school, or nonpublic school, the district or school first informed of the bullying or retaliation shall promptly notify the appropriate administrator of the other district or school so that both may take appropriate action.

The district is committed to making Middleborough Public Schools a safe and caring place for all students. We treat each other with respect, and we refuse to tolerate bullying in any form at our school. Bullying, including cyberbullying, is repeated written, verbal and/or electronic expression or physical acts. Bullying causes physical and/or emotional harm to the target, or places the target in fear of harm. Bullying creates a hostile environment.

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member will 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. No determination of bullying will be made solely on the basis of anonymous report.

A staff member will report immediately to the principal or designee when he/she witnesses or becomes 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 school or district policies and procedures for behavior management and discipline.

The principal will refer to the Memorandum of Understanding with local law enforcement and make a determination as to whether or not communication with local law enforcement is appropriate.

## **VIII. DEFINITIONS**

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

Bullying, as defined by Massachusetts General Law c. 71, §37O, means the repeated use by one or more students or a member of a school staff of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

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

Bullying shall include cyberbullying.

Bystander means others who are within the visual and/or verbal range of an act of bullying. They can encourage or discourage bullying.

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

- (a) the creation of a web page or blog in which the creator assumes the identity of another person;
- (b) 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 above in (a) through (e) of the definition of bullying; or
- (c) 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 above in (a) through (e) of the definition of bullying.

Hostile Environment: as defined in MGL, 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.

School 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.

School grounds means property on which a school building or facility is located; or property that is owned, leased or used by a school district, commonwealth charter school or non-public school for any school-sponsored activities, functions, programs, instruction or training.

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

## **IX. REPORTING BULLYING INCIDENTS**

All viable reports of bullying will be investigated.

Staff, students and parents/guardians will report incidents of suspected bullying by any one of the following methods:

- Completing an Incident Report Form and submitting it to the principal. The form is available:
  - in school offices
  - from classroom teachers
  - through the district website
- Submitting a report by email through the “REPORT BULLYING” link on the Middleborough Public Schools homepage at [www.middleboro.k12.ma.us](http://www.middleboro.k12.ma.us).
- Contacting the principal or designee by phone.
- Submitting a report by mail to each principal. Addresses are available in Appendix 1.

*Completion of the Incident Report Form is not required in order to report bullying. Families and students may meet with a staff member for assistance in completing the form.*

**Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously through any of the above methods. Anonymous phone calls or messages will be directed to the building principal or designee.**

**Reporting by Staff:** A member of school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, shall immediately report any instance of bullying or retaliation s/he has witnessed or become aware of to the school principal or designee.

**Reporting by Students, Parents/Guardians, and Others:** The district expects students, parents/guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the school principal or designee. An individual may make an anonymous report of bullying or retaliation, however, no disciplinary action may be taken against a student solely on the basis of an anonymous report. A student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action.

**Reporting to Parents/Guardians:** Upon investigation and determination that bullying or retaliation has occurred, the principal or designee shall promptly notify the parents of the target and the aggressor of the determination and the school district or school's procedures for responding to the bullying or retaliation. The principal or designee shall inform the target's parent of actions that school officials will take to prevent further acts of bullying or retaliation. Nothing in this provision prohibits the principal or designee from contacting a parent of a target or aggressor about a report of bullying or retaliation prior to a determination that bullying or retaliation has occurred. If the alleged target and alleged aggressor attend different schools, the principal receiving the report shall inform the principal of the other student's school, who shall be responsible for implementing this reporting requirement for the student attending his school.

**Reporting to Local Law Enforcement:** At any point after receipt of a report of bullying or retaliation, including after an investigation, if the school principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the school principal or designee will notify the local law enforcement agency. In addition, if an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in a school, the principal of the school informed of the bullying or retaliation or designee will notify the local law enforcement agency if s/he has a reasonable basis to believe that criminal charges may be pursued against the aggressor. The principal shall document the reasons for his or her decision to notify law enforcement.

**Reporting to Administrator of Another School District or School:** If an incident of bullying or retaliation involves students from more than one school district, charter school, non-public school, approved private day or residential school or collaborative school and the Middleborough Public School District is the first to be informed of the

bullying or retaliation, then the Superintendent of the Middleborough Public Schools or designee must, consistent with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action.

## **X. INVESTIGATING REPORTED BULLYING INCIDENTS**

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

If age appropriate, the target or witness may be asked to put the complaint in writing and to sign and date it. If the target or witness cannot, or chooses not to, write a complaint, the investigator will record the allegations, read them to the target/witness to confirm accuracy, and ask him or her to sign the document. If the target/witness cannot, or chooses not to, sign, the investigator may sign and date the document her/himself. The investigator will seek to determine the basis of the complaint, gathering information from the target or witness, including such matters as: what specifically happened, who committed the alleged acts, who was present or may have information about the events, when the events occurred (date, time of day), and where the events occurred.

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

**Confidentiality:** The confidentiality of the person who reports bullying or retaliation and/or provides information during an investigation of bullying or retaliation will be maintained to the extent practicable, consistent with the school's legal obligations.

## **XI. DETERMINATION OF BULLYING**

School personnel must weigh all of the evidence objectively to determine whether the alleged events occurred and, if they did, whether the events constitute bullying or retaliation. The determination must be based upon all of the facts and circumstances and the perspective of a reasonable person. When applied to children, the "reasonable person" standard is generally "that of a reasonable person of like age, intelligence, and experience under like circumstances." See *Ellison v. Brady*, 924 F.2d 872 (9th Cir. 1991).

Upon investigation and determination that bullying or retaliation has occurred, the principal shall promptly notify the parents of the target and the aggressor of the determination and the school district or school's procedures for responding to the bullying or retaliation. The principal shall inform the target's parent of actions that school officials will take to prevent further acts of bullying or retaliation. Because of the legal requirements regarding confidentiality of student records, the principal or designee cannot report specific information to the target's parent 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.

If bullying or retaliation is substantiated, the school will take steps reasonably calculated to prevent recurrence and ensure that the target is not restricted in participating in school or benefiting from school activities. As with the investigation, the response will be individually tailored to all of the circumstances, including the nature of the conduct and the ages of the students involved. Students who engage in bullying or retaliation will be disciplined. In addition to taking disciplinary action, the following are examples of steps that may be taken to prevent the recurrence of bullying or retaliation:

- Conferencing with parents of target and aggressor;
- Transferring an aggressor's classroom or school (or the target's if requested by target or parents);

- Limiting or denying an aggressor access to an area of a school;
- Enhancing adult supervision on school premises;
- Excluding an aggressor from participation in school-sponsored or school-related functions, after-school programs, and/or extracurricular activities;
- Providing relevant educational activities for individual students or groups of students;
- Developing a Personalized Action Plan and directives for future conduct, including providing the target with a process for reporting any concerns about future conduct immediately. *It is critical to involve the student in creating an action plan that involves a reporting process that works for that particular student.*
- Providing counseling (or other appropriate services) or referral to such services for the target and/or the aggressor and/or for appropriate family members of said students as necessary.

If appropriate, within a reasonable time period following the determination that bullying or retaliation occurred, the principal or designee will contact the target to determine whether there has been any recurrence of the prohibited conduct. If there has been a recurrence, the principal or designee will determine the appropriate next steps.

Each school will retain a report of the complaint, containing the name of the target, the name of the aggressor, the date of the complaint, investigator, school, a brief statement of the nature of the complaint, the outcome of the investigation, and the action taken.

## *Procedures for Reporting*

\*\*\*This process only applies to situations where bullying is alleged. Harassment incidents must be reported in accordance with Middleborough Public Schools Harassment and Sexual Harassment Policy. Other incidents will be reported using the school disciplinary action process.

### **Overarching steps for staff:**

- 1. Intervene as soon as possible.**
- 2. Support the target.**
- 3. Report incident in writing.**

A **staff member** who witnesses or receives a report of an incident of aggression will:

- 1) Use professional judgment to intervene as soon as possible to stop the behavior and determine if there are immediate safety issues. (Note child's level of distress and/or the presence of injuries, damaged/torn clothes, etc.) If immediate safety issues exist, take child to nurse and/or report incident to principal/ designee immediately.
- 2) If the staff member suspects that there may be potential bullying, he/she will assist the reporter or target to complete the **BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM** and give it to a building principal or designee. All staff will have copies of the Incident Report Form readily available. If the reporter, target or witness, is unwilling or unable to complete the form, the receiving staff member will complete the form with as much information as could be attained from the child.
- 3) Report all suspected bullying incidents even if you are unsure if the child wants the incident reported.

If a **child or parent/guardian** reports an incident of aggression to a staff member as potential bullying, the staff member will:

- 1) Determine if there are immediate safety issues that must be addressed right away. (Note child's level of distress and/or the presence of injuries, damaged/torn clothes, etc.) If immediate safety issues exist, take child to nurse and/or report incident to principal/ designee immediately.
- 2) *Report all incidents of aggression to administration.* If the incident is suspected to be bullying, encourage child to complete the **BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM** (subject to age and ability). If the reporter, target or witness, is unwilling or unable to complete the form, the receiving staff member will complete the form with as much information as could be attained from the child.
- 3) Give the completed Incident Reporting Form to the principal or designee.

Bullying reports can be submitted **anonymously** provided that no disciplinary action shall be taken against the student solely on the basis of any anonymous report.

- Incident Reporting Forms are available in each school office and on the homepage of the Middleborough Public Schools website at [www.middleboro.k12.ma.us](http://www.middleboro.k12.ma.us) under the heading **Community; Select Report Bullying.**
- Anonymous reports can be left as a voice message for the principal in each building. If reporting bullying anonymously by any method, please provide information on the following: Who was the target? Who was the aggressor? Where did it happen? When did it happen (date and time)? What happened?

**Please note: False reports of bullying will not be tolerated and will result in disciplinary action for anyone deliberately providing false information.** The range of disciplinary action includes, but is not limited to, one or more of the following: verbal warnings, written warnings, reprimands, detentions, short-term or long-term suspensions, or expulsions from school as determined by the school administration and/or school committee, subject to applicable procedural requirements.

# Middleborough Public Schools

## BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM

- 1) Name of Reporter/Person filing the Report: \_\_\_\_\_ Date of Report: \_\_\_\_\_
- 2) Check whether you are the:  Target of the behavior  Reporter (not the target)
- 3) Check whether you are a:  Student  Staff member  
 Parent  Administrator  
 Other (please specify): \_\_\_\_\_
- 4) Your contact information/telephone number (if not a staff member): \_\_\_\_\_
- 5) Information about the incident:
- First and last name of Target: \_\_\_\_\_ Grade: \_\_\_\_\_
- First and last name of Aggressor (person who engaged in the behavior): \_\_\_\_\_ Grade: \_\_\_\_\_
- Date(s) of incident(s): \_\_\_\_\_
- Time when incident(s) occurred: \_\_\_\_\_
- Location of incident(s) {Be as specific as possible}: \_\_\_\_\_
- 6) Witnesses (List all people who saw the incident or have information about it:
- |             |                          |                     |                          |       |                          |        |
|-------------|--------------------------|---------------------|--------------------------|-------|--------------------------|--------|
| Name: _____ | <input type="checkbox"/> | Grade, if a student | <input type="checkbox"/> | Staff | <input type="checkbox"/> | Other: |
| Name: _____ | <input type="checkbox"/> | Grade, if a student | <input type="checkbox"/> | Staff | <input type="checkbox"/> | Other: |
| Name: _____ | <input type="checkbox"/> | Grade, if a student | <input type="checkbox"/> | Staff | <input type="checkbox"/> | Other: |

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(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.)

For Administrative Use: _____ Investigate as potential bullying incident (Proceed to page 15 of Plan) OR _____ Other infraction: Action taken by staff member: Action taken by administration, if applicable:
---

### **PROCEDURES FOR INVESTIGATING**

The principal or designee will promptly investigate all viable reports of bullying or retaliation.

- 1) Interview **target** of aggression.
  - Interview the target rather than the aggressor first. This addresses the urgency of the targeted child's need to talk to someone and allows the investigator to assess if immediate danger or safety issues exist and must be dealt with right away.
  - Encourage the child to provide a written description of the incident (subject to age and ability).
  - Do not ask to see the target in the alleged aggressor's presence. It is important to stress that mediation should not be used with bullying situations, i.e. conflicts characterized by an inequality of power where one child is being clearly victimized by another. Mediation is the ideal response to equal-power conflicts between children.
  - Remind the target that retaliation is strictly prohibited and will result in disciplinary action.
  - Consider whether or not a 51A should be filed.
  - If at any point after receiving a report of bullying or retaliation, including after an investigation, the principal has a reasonable basis to believe that criminal charges may be pursued, the principal will notify the Middleborough Police Department in accordance with the Memorandum of Understanding.
  - 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 Middleborough Police Department if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.
  - 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 603CMR 49.00.
  - Support the target (additional guidance on this will be developed for each grade span).
- 2) Interview any witnesses, including staff, students, parents or guardians and others as necessary.
  - Remind the witnesses that retaliation is strictly prohibited and will result in disciplinary action.
  - Encourage the witnesses to provide a written description of the incident (subject to age and ability).
- 3) Interview alleged **aggressor**.
  - Remind the alleged aggressor that retaliation is strictly prohibited and will result in disciplinary action. This includes retaliation against the reporter, target or any witnesses.
  - Encourage the alleged aggressor to provide a written description of the incident (subject to age and ability).

### **ACTION STEPS UPON DETERMINATION OF BULLYING**

- *A principal or designee may opt to contact a parent of a target or aggressor about a report of bullying or retaliation prior to a determination that bullying or retaliation has occurred.*
- Develop a safety plan for the target if needed.
- Develop a Personalize Action Plan to prevent a recurrence of the behavior. This may include counseling or access to other school resources.

- Share action steps taken with:
  - Target and parent/guardian\* in keeping with state and federal law (maintaining confidentiality)
  - Appropriate staff member(s)\*/student(s)\* who reported the incident (maintaining confidentiality)
  - Support staff\* (e.g., lunchroom and playground staff), as needed and
  - Teachers\* or administrators who have contact with the target or aggressor, as needed.
- Monitor safety of target and increase supervision of aggressor as needed.
- Document the report, the investigation, the action steps taken and any disciplinary action on the Incident Reporting Form and additional pages as needed.
- Contact parents of both target and aggressor promptly if the incident is determined to be bullying.
- Enter incident information on school log.
- Schedule a follow up with the target.
- Notify the superintendent or designee of determinations of bullying.

\*Note: Sharing the outcome of this incident is critical for maintaining a school climate where adults and children feel able to report such behaviors. Student-specific information regarding discipline or other actions taken cannot be shared with families or school personnel who do not have a need to know for educational purposes. However, families may be informed of safety plans and preventative action steps and should be referred to this plan and the student handbook as guides for outcomes of investigations.

**II. INVESTIGATION**

**1. Investigator(s):** \_\_\_\_\_ **Position(s):** \_\_\_\_\_

**1. Interviews:**

**Interviewed target**      **Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(Student statements should be written on separate paper and attached).

Summary of interview:

**Interviewed aggressor**      **Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(Student statements should be written on separate paper and attached).

Summary of interview:

**Interviewed witnesses**      **Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

\_\_\_\_\_  
**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(Student statements should be written on separate paper and attached).

Summary of interview:

- 3. Any prior documented incidents by the aggressor?**       **Yes**       **No**  
**If yes, have incidents involved target or target group previously?**       **Yes**       **No**  
**Any previous incidents with findings of BULLYING, RETALIATION**       **Yes**       **No**

**Summary of Investigation:**

(Please use additional paper and attach to this document as needed)

**CONCLUSIONS FROM THE INVESTIGATION**

**1. Finding of bullying or retaliation:**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> YES<br><input type="checkbox"/> Bullying<br><input type="checkbox"/> Retaliation |  | <input type="checkbox"/> NO<br><input type="checkbox"/> Incident documented as _____<br><input type="checkbox"/> Action taken _____ |
|---|--|---|

**2. Contacts:**

- Target's parent/guardian                      Date: \_\_\_\_\_
- Aggressor's parent/guardian                      Date: \_\_\_\_\_
- Law Enforcement, if warranted, after notifying the Superintendent                      Date: \_\_\_\_\_

**3. Action Taken (specify whether action was taken for aggressor or target or both):**

- Counseling, or referral for counseling: \_\_\_\_\_
- Education:
- Change to school environment:
- Safety plan:
- Loss of Privileges:
- Discipline according to handbook (specify): \_\_\_\_\_
- Other \_\_\_\_\_

**4. Describe Safety Planning:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Follow-up with Target:** scheduled for \_\_\_\_\_                      **Initial and date when completed:** \_\_\_\_\_  
**Follow-up with Aggressor:** scheduled for \_\_\_\_\_                      **Initial and date when completed:** \_\_\_\_\_

**5. Letter sent to parent/guardian of target documenting actions taken – Date:** \_\_\_\_\_

**6. Notification to special education team facilitator if the target or aggressor has an IEP:** \_\_\_\_\_

**Date report is forwarded to Principal** (if the principal was not the investigator): \_\_\_\_\_

**Date report is entered into School Bullying Log:** \_\_\_\_\_  
*Log to be forwarded to the superintendent each month.*

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**APPENDIX A**  
**Addresses to Report Bullying**  
Replace [at] with @ in email address

**Brian E. Lynch**

*Superintendent*  
30 Forest St.  
Middleborough, MA 02346

Voice: 508-946-2000  
Email: blynch@middleboro.k12.ma.us

**Paul F Branagan, Jr.**

*Principal, Middleborough High School*  
71 East Grove St.  
Middleborough, MA 02346

Voice: 508-946-2010  
Email: pbranagan@middleboro.k12.ma.us

**Heidi Letendre**

*Principal, Nichols Middle School*  
112 Tiger Drive  
Middleborough, MA 02346

Voice: 508-946-2020  
Email: hletendre@middleboro.k12.ma.us

**Derek Thompson**

*Principal, Burkland Elementary School*  
41 Mayflower Ave.  
Middleborough, MA 02346

Voice: 508-946-2040  
Email: dthompson@middleboro.k12.ma.us

**Lisa White**

*Mary K. Goode Elementary School*  
31 Mayflower Ave.  
Middleborough, MA 02346

Voice: 508-946-2045  
Email: lwhite@middleboro.k12.ma.us

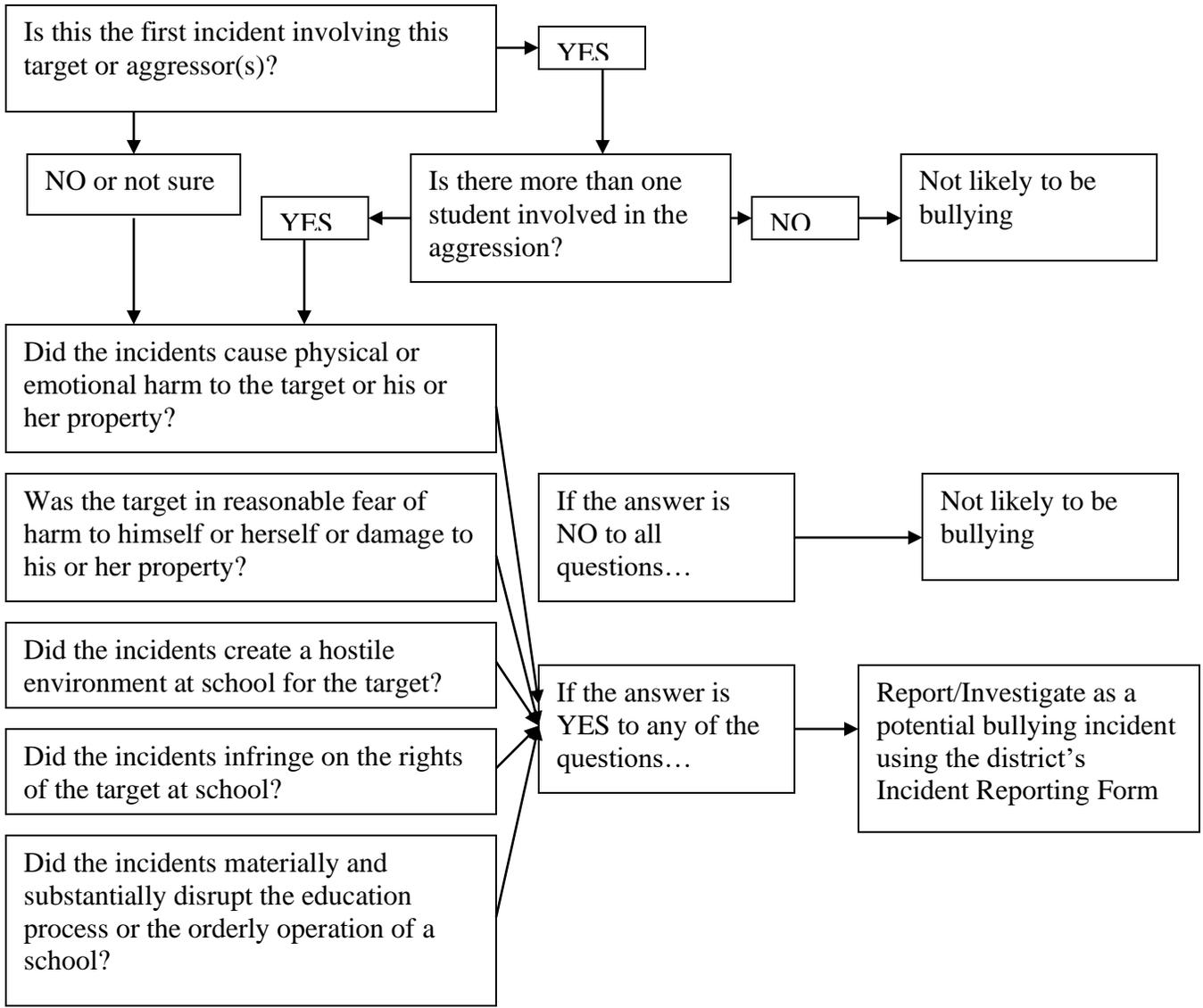
**Jeremy Gobeil**

*Early Childhood Director*  
219 North Main St.  
Middleborough, MA 02346

Voice: 508-946-2032  
Email: jgobeil@middleboro.k12.ma.us

## Appendix B

### FLOW CHART FOR IDENTIFYING POTENTIAL BULLYING (INCLUDES CYBERBULLYING)



**Appendix C**  
**Personalized Action Plan for Aggressors**  
**Middleborough Public Schools**

**Student Name:** \_\_\_\_\_

**Date of Birth** \_\_\_\_\_ **Age:** \_\_\_\_\_ **Grade:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**People Meeting to Create this Action Plan:** *Please Print.*

**Name:**

**Role:**

Name:	Role:

**I. What are the target behaviors?** *List specifically those actions by this student that have been determined to be bullying. Do not use names of other students.*

Behavior 1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Behavior 2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Behavior 3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**II. Are there other behaviors by this student that are relevant?** *Incidents of angry outbursts, greeting others inappropriately, challenging authority, etc.*

Behavior 4. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Behavior 5. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Behavior 6. \_\_\_\_\_  
\_\_\_\_\_

**III. Intervention Strategies/Instructions** *What can this team and this student do to reduce and eliminate the Target Behaviors?*

---

Strategy 1. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Strategy 2. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Strategy 3. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Strategy 4. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Strategy 5. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**IV. Other information:** *Is there any other information that was discussed at this meeting that will help and support this student to change those Target Behaviors?*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**V. Signatures of Attendees:** *By signing this, attendees are agreeing:*

*1) that this plan contains an accurate description of the target behaviors (Section I)*

*2) that the strategies and interventions ( Section II) will be followed and are the best way for this student to successfully avoid any further bullying incidents.*

Name:

Role:

_____	_____
_____	_____
_____	_____
_____	_____

## **Appendix D**

### **Resources to Prevent Bullying**

- Massachusetts Aggression Reduction Center (MARC) at Bridgewater State University.  
<http://webhost.bridgew.edu/marc/index.html>
- Stop Bullying Now, practical research-based strategies to reduce bullying in schools.  
<http://www.stopbullyingnow.com/>
- Chapter 92 of the Acts of 2010, <http://www.mass.gov/legis/laws/seslaw10/s1100092.html>
- Family Educational Rights and Privacy Act Regulations (FERPA)  
<http://www2.ed.gov/policy/gen/reg/ferpa/index.html>
- Second Step and Steps to Respect Curriculum, <http://www.cfchildren.org/programs/ssp/overview/>
- Massachusetts Department of Education, Bullying Prevention and Intervention,  
<http://www.doe.mass.edu/ssce/bullying>
- Anti Defamation League [www.adl.org](http://www.adl.org)