



## **Marblehead Public Schools**

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# **Bullying Prevention and Intervention Plan**

- Marblehead Public Schools -



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### **APPENDIX A: BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM**

The Department of Elementary and Secondary Education created the Model Bullying Prevention and Intervention Plan required under M.G.L. c. 71, § 37O, in consultation with state agencies, school personnel, advocacy organizations, and other interested parties. The Model Plan's format parallels the draft *Behavioral Health and Public Schools Framework*, and is designed to be used by schools and the school districts as a framework for consistency in implementation, decision-making and planning strategies. Marblehead Public Schools accepts and uses the Model Plan.

Please note that in the Model Plan and in other Department publications, the word “target” is used instead of “victim” and “aggressor” instead of “perpetrator.”

The Model Plan used by Marblehead Public Schools applies to students and members of all of the school's staff, including, but not limited to educators, administrators, school nurses, cafeteria workers, custodians, bus drivers and monitors, athletic coaches, paraprofessionals, tutors, and advisors to an extracurricular activity.

On April 24, 2014, Chapter 86 of the Acts of 2014 was signed into law, amending G.L. c.71, §37O, the anti-bullying statute and the Department of Elementary and Secondary Education issued an update<sup>1</sup> to reflect these changes. <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter86>

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<sup>1</sup> The Model Bullying Prevention and Intervention Plan was also revised in 2013 to reflect the change in the definition of “perpetrator” to include a member of the school staff.

The changes now in effect require school districts, charter schools, approved private day or residential schools, and collaborative schools to “recognize” in their bullying prevention and intervention plans that certain enumerated categories of students<sup>2</sup> may be more vulnerable to being targets of bullying based on actual or perceived differentiating characteristics. Such districts and schools must also include in the plan the specific steps they will take to support these vulnerable students and provide all students the skills, knowledge and strategies they need to prevent or respond to bullying or harassment. Under the new law, school districts, charter schools, approved private day or residential schools, and collaborative schools must notify parents and guardians of targets of bullying of the availability of the Department’s problem resolution system and assist these parents and guardians in understanding the problem resolution process.<sup>3</sup> Chapter 86 also addresses the data reporting and collection obligations of school districts, charter schools, approved private day or residential schools, and collaborative schools, requiring them to collect and report the following data to the Department: 1) the number of reported allegations of bullying or retaliation; 2) the number and nature of substantiated incidents of bullying and retaliation; 3) the number of students disciplined for engaging in bullying or retaliation, and 4) other information required by the Department.<sup>4</sup> (The Department is required to analyze the data and to issue a report annually to the legislature which contains statewide aggregated data on the nature and frequency of bullying in schools.) Additionally, Chapter 86 requires school districts, charter schools, approved private day or residential schools, and collaborative schools to administer a Department-developed student survey at least once every four years to assess “school climate and the prevalence, nature and severity of bullying in schools.”<sup>5</sup> (The Department will use survey results to, among other things, assess the effectiveness of bullying prevention curricula and instruction and identify long-term trends and areas of improvement, and will make its findings available to school officials.) The law also authorizes school districts, charter schools, approved private day or residential schools, and collaborative schools to adopt an anti-bullying seal to represent its commitment to bullying prevention and intervention.

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2 Newly amended G.L. c. 71, § 37O(d)(3) reads in relevant part: Each plan shall recognize 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.

3 G.L. c.71 § 37O(k). The Department is required to analyze and to issue a report annually to the legislature which contains statewide aggregated data on the nature and frequency of bullying in schools.

4 G.L. c.71 § 37O(k).

5 G.L. c. 71, § 37O(k).

## **I. LEADERSHIP**

Leadership at all levels plays a critical role in developing and implementing Bullying Prevention and Intervention Plans (“the Plan”) in the context of other whole school and community efforts to promote positive school climate. Leaders have a primary role in teaching students to be civil to one another and promote understanding of and respect for diversity and difference.

Leadership is responsible for setting priorities and for staying up-to-date with current research on ways to prevent and effectively respond to bullying. It is also the responsibility of leaders to involve representatives from the greater school and local community in developing and implementing the Plan.

Marblehead Public Schools’ administrators and staff will provide, coordinate and oversee district professional development with respect to bullying, author the district Plan and provide consultation to ensure adherence to M.G.L. c. 71, § 37O as well as the requirements outlined in Chapter 86 of the Acts of 2014.

Additionally, there are a number of levels of leadership with both specific and broad responsibilities for setting priorities and for staying up-to-date with current research on ways to prevent and effectively respond to bullying. Central office administrators, building principals, and assistant principals have specific responsibilities with respect to implementation and oversight of the Plan as well as professional development. Members of the school-based task force(s) and site-based teams are also considered to have responsibilities related to contribution, development, assessment, and implementation of the Plan. Additionally, school staff, including but not limited to, educators, administrators, support staff, related service providers, school nurses, secretaries, cafeteria workers, custodians, bus drivers, athletic coaches and advisors to extra-curricular activities also have both specific and broad responsibilities as leaders in the district.

The Administrative Council held several meetings to collaborate on the development of the draft plan. The council to develop the plan consisted of the superintendent, special education director, building principals, assistant principals, special education team chairpersons, curriculum coordinators, METCO director, athletic director, school psychologist and behavior specialist.

The building principal or his/her designee is responsible for collecting and analyzing building and/or school-wide data on bullying to assess the present problem and to measure improved outcomes. In collaboration with the building principals, the building’s task force and site-based management teams will collect information regarding the efficacy of implemented interventions.

A district-wide reporting form has been developed to track and document incidents. This form aligns with the model form offered by the Massachusetts Department of Elementary and Secondary Education. The building principal or his/her designee is responsible for creating a process for tracking incident reports, accessing information related to targets and aggressors and sharing information across grade spans.

Public involvement in developing the Plan:

A. As required by M.G.L. c. 71, § 37O, Marblehead's Plan was developed in consultation with required stakeholders. Consultation included notice and a public comment period before the Plan was adopted by the school committee. The District, at its discretion, may also choose to involve constituency representation in other aspects of Plan development and if chosen, will identify the ways in which each constituency will be involved.

B. Assessing needs and resources.

Marblehead's Bullying Prevention and Implementation Plan is the district's blueprint for enhancing capacity to prevent and respond to issues of bullying within the context of other healthy school climate initiatives. As part of the planning process, school leaders, with input from families and staff will assess the adequacy of current programs; review current policies and procedures; review available data on bullying and behavioral incidents; and assess available resources including curricula, training programs, and behavioral health services. This "mapping" process will assist schools and districts in identifying resource gaps and the most significant areas of need. Based on these findings, the district will revise or develop policies and procedures; establish partnerships with community agencies, including law enforcement; and set priorities.

At least once every four years, the district will administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools. Additionally, the school or district will annually report bullying incident data to the Department. As of the July 2018 plan update, DESE has not yet developed a student survey. MPS will continue to monitor the development of the survey and any reporting requirements related to the survey. Similar tools to the student survey will be used with faculty, staff, and parents/guardians to assist in determining school climate needs.

C. Planning and oversight.

The following identifies Marblehead's leaders who are responsible for the following tasks under the plan:

1. Receiving reports on bullying: The school principal and/or assistant principal will be responsible for receiving reports of bullying from any and all sources.
2. Collecting and analyzing data to measure outcomes:  
Principal and/or assistant principal, in collaboration with the Assistant Superintendent of Curriculum and Instruction
3. Process for recording and tracking incident reports:
  - a) Individual Student Incident Files are kept in a location designated by the principal and reported to the Assistant Superintendent of Curriculum and Instruction
  - b) The building principal is responsible for making a copy of the Incident Report to input on State reports online.
4. Ongoing Professional Development:  
The principal is responsible for coordinating all ongoing professional development for staff as directed by the Assistant Superintendent of Curriculum as required by the law.

5. Individual building-based plans to respond to identified needs of targets and aggressors:  
The building principal is responsible for developing a building-based plan to respond to the identified needs of targets and aggressors in collaboration with staff in each building/school.
6. Choosing and implementing Bullying Prevention curricula:  
The building principal will determine the bullying prevention curricula that will be implemented at each grade span (K-3, 4-6, 7-8, 9-12) through consultation with staff in each building.
7. Developing new or revising current policies/protocols:
  - a) The building principal will develop, revise and/or update protocols and procedures that are building-specific
  - b) System-wide policy recommendations will be developed, revised and/or updated by the Assistant Superintendent in collaboration with key stakeholders within the school system and submitted to Superintendent for review and presentation for school committee approval.
8. Amending student and staff handbooks and codes of conduct:  
The building principal is responsible for any amendments made to student and staff handbooks and codes of conduct, which must then be approved by School Committee
9. Leading the family engagement efforts and drafting parent information materials:
  - a) The building principals, in cooperation with the Assistant Superintendent of Curriculum are responsible for leading the family engagement efforts with assistance from school staff.
  - b) The building principals, in cooperation with the Assistant Superintendent of Curriculum are responsible for drafting and distributing parent information and materials with assistance from school staff.
10. Reviewing and updating the district plan:  
Building principals/assistant principals will collaborate with the Assistant Superintendent of Curriculum and make recommendations to the Superintendent to review and update the plan as required by law.

#### Priority Statements.

Priority statements are used to communicate within the Plan Marblehead Public Schools' vision in creating and implementing the bullying prevention and intervention strategies. Marblehead Public Schools priority statement is listed below:

Marblehead Public Schools (MPS) expects that all members of the school community will treat each other in a civil manner and with respect for differences. MPS is committed to providing all students with a safe learning environment that is free from bullying and cyberbullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived 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, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

Marblehead Public Schools will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing. Nothing in this section shall alter the obligations of a school district to remediate any discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law.

The District recognizes that there may be situations in which two or more students engage in a common scheme of behavior towards a target that does not meet the legal definition of "bullying" but that negatively impacts the target and the learning environment. Notwithstanding the fact that such conduct may not meet the statutory definition of "bullying," (for example, because each aggressor engages in the behavior only once) MPS recognizes that these situations may carry the same impact as bullying and will respond to reports of such behavior the same way it would respond to a report of bullying.

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

Marblehead Public Schools Bullying Prevention and Intervention Plan ("Plan") is a comprehensive approach to addressing bullying and cyberbullying, and MPS 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, cyberbullying, and retaliation. The principal is responsible for the implementation and oversight of the Plan, except when a reported bullying incident involves the principal or the assistant principal as the alleged aggressor. In such cases, the Superintendent or designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged target. If the Superintendent is the alleged aggressor, the School Committee or its designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged target.

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

M.G.L. c. 71, § 37O requires that the district provide 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. Marblehead Public Schools is committed to providing ongoing professional

development opportunities related to bullying to educate and train staff. The following outlines the content and frequency of staff training and ongoing professional development as related to the district's needs. The identified areas of training are based on needs and concerns identified by school and district staff.

The law lists six topics that must be included in professional development. Additional topics may be identified by school or district leadership as they consider the unique needs of the school or district community. The Plan also identifies which trainings will be provided district-wide and which will be school-based.

On the building level, principals will be expected to keep staff current in both practices and procedures needed to support bullying prevention within individual schools.

A. Annual staff training on the Plan.

Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. Staff members hired after the start of the school year are required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

- Marblehead Public Schools will provide yearly onsite training to all staff divided by gradespan that includes, at a minimum, all of the components required by law.

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 teach staff members to prevent, identify, and respond to bullying, including groups identified with increased vulnerability 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 best practices and will include discussion of groups identified with increased vulnerability.

Additional areas identified by Marblehead Public Schools 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; and
- maintaining a safe and caring classroom for all students.



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, in the school or district employee handbook and the code of conduct.

### III. ACCESS TO RESOURCES AND SERVICES

A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, aggressors, families, and others are addressed. Marblehead's Bullying Prevention and Implementation Plan includes strategies for providing supports and services necessary to meet these needs. Additionally, the plan includes the district's strategy for providing counseling or referral to appropriate services for aggressors, targets, and family members of those students.

A. Identifying resources.

Building principals, through the use of appropriate staff, will identify the available resources and will annually review programs and curricula that support a positive school environment.

B. Counseling and other services.

MPS provides a variety of therapeutic and skill-based services to students within the educational setting that include emotional support, risk assessment, crisis intervention, and help with community based counseling referrals when appropriate.

Appropriate building and district staff meets with parents and teachers as needed to help address students' academic, emotional, and behavioral concerns. Every school has a Teacher Assistance Team that meets regularly to discuss individual students. Staff also collaborates with administrators to provide linguistically appropriate resources to identified families and maintain current information on Community Service Agencies (CSAs) within the local area.

C. Students with disabilities.

As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

The Marblehead Public School system recognizes that students with disabilities may need additional curricular and therapeutic supports in order to avoid bullying behaviors, or to avoid becoming the target of bullying behaviors. Within the context of their IEPs, students with disabilities who have needs in this area receive specialized instruction. This may include direct and indirect ways to react to and avoid bullying behavior. Goals and objectives focus on the needs of the individual students. Most of our students with disabilities also participate in general education classroom instruction that supports the creation of a positive school environment, such as Responsive Classroom, Steps to

Success, Allies, health and wellness classes and philosophy groups.

**D. Referral to outside services.**

Clear protocols help students and families access appropriate and timely services. Marblehead Public Schools has an established practice for referring students and families to outside services when determined necessary. The referral process is in compliance with all relevant laws and school policies. Current referral practices will be reviewed and evaluated to assess their relevance to the Plan, and revised as needed.

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

Marblehead Public Schools will provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the district's curricula. Curricula will be evidence-based. Effective instruction will include classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development.

**A. Specific bullying prevention approaches.**

Bullying prevention curricula will be informed by current research regarding bullying prevention and will, at a minimum, cover all of the areas required by this law and as recommended by the Model Bullying Prevention Plan created by Massachusetts DESE.

Initiatives will also teach students about the student-related sections of the Marblehead Bullying Prevention and Intervention Plan through school assemblies, school-wide and classroom community meetings.

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

Marblehead Public Schools believes in a safe and supportive school environment and at a minimum will be in compliance with all aspects of M.G.L. c. 71B, § 3 regarding the use of general teaching approaches that support bullying prevention efforts, inclusive of the areas covered by the Model Bullying Prevention Plan.

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

To support efforts to respond promptly and effectively to bullying and retaliation, Marblehead Public Schools has policies and consistent procedures in place for receiving and responding to reports of bullying or retaliation. These policies and procedures will ensure that members of the school community – students, parents, and staff – know what will happen when incidents of bullying occur. The following procedures describe detailed procedures for staff reporting of incidents, processes for communicating to students and families how reports can be made (including anonymous reports), and procedures to be followed by the principal or designee once a report is made. These procedures are based on the requirements of M.G.L. c. 71, § 37O.

**A. Reporting bullying or retaliation.**

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. Employees are required to report immediately (without any

unnecessary delay) to the principal or designee any instance of bullying or retaliation they become aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members may be made anonymously. The school or district will make a variety of reporting resources available to the school and community including, but not limited to, an Incident Reporting Form, principal's phone number and email address and the school's mailing address as listed here:

Marblehead High School (781) 639-3100 [carlson.michele@marbleheadschoools.org](mailto:carlson.michele@marbleheadschoools.org)  
2 Humphrey Street, Marblehead, MA 01945

Marblehead Veterans M.S. (781) 639-3120 [fox.matthew@marbleheadschoools.org](mailto:fox.matthew@marbleheadschoools.org)  
217 Pleasant Street, Marblehead, MA 01945

Village School (781) 639-3159 [williams.scott@marbleheadschoools.org](mailto:williams.scott@marbleheadschoools.org)  
93 Village Street, Marblehead, MA 01945

Brown Elementary School (781) 639-3112 [maxfield.mary@marbleheadschoools.org](mailto:maxfield.mary@marbleheadschoools.org)  
40 Baldwin Road, Marblehead, MA 01945

Glover Elementary School (781) 639-3190 [kowalski.frank@marbleheadschoools.org](mailto:kowalski.frank@marbleheadschoools.org)  
9 Maple Street, Marblehead, MA 01945

Use of an Incident Reporting Form is not required as a condition of making a report. A copy of the Incident Reporting Form will be provided to all families in the beginning of the year packets for students and parents and/or guardians. The form will be made available in each school's main office, the counseling office, the school nurse's office, and any other locations determined by the principal or designee. A link to a downloadable copy of the form is posted on the MPS website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

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

If the reported incident involves students from another school (public, charter, non-public), the principal or designee will notify the school's principal or designee. Staff will maintain compliance with privacy laws and regulations 603 CMR 49.00

1. Reporting by Staff.

A staff member will report immediately (without unnecessary delay) to the principal 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.

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

Marblehead Public Schools expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal of the school. 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, at their discretion and in accordance with applicable law, contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the aggressor’s schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The principal or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation. The confidentiality of students and witnesses reporting alleged acts of bullying and/or retaliation will be maintained to the extent possible given the school’s obligation to investigate the matter. All relevant district policy will be adhered to.

2. Obligations to Notify Others:

a. Notice to parents or guardians.

Upon determining that bullying or retaliation has occurred, the principal or designee

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

b. Notice to Another School or District.

If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify, by telephone, the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

c. Notice to Law Enforcement.

At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

C. Investigation.

The principal or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, or other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation, using the MPS Bullying Prevention and

Intervention Incident Reporting Form to summarize the incident(s), steps taken and result(s) of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation as necessary.

D. **Determinations.**

The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

The principal or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

E. **Responses to Bullying.**

Marblehead Public Schools has incorporated a range of individualized strategies and interventions that may be used in response to remediate a student's skills and or to prevent further incidences of bullying and/or retaliation.

1. **Teaching Appropriate Behavior Through Skills-building**

Upon the principal or designee determining that a violation of the district's bullying prevention policy has occurred, the, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior (ref. M.G.L. c. 71, § 37O(d)(v)). Some skill-

building approaches that the principal or designee may consider include (list is not meant to be exhaustive):

- offering individualized skill-building sessions based on the school's/district's bullying prevention curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting with parents and guardians to engage parental support and to reinforce the bullying prevention curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills.

## 2. Taking Disciplinary Action

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the school's or district's code of conduct.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

## 3. Promoting Safety for the Target and Others

The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that the principal or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately.

# **VI. COLLABORATION WITH FAMILIES**

Marblehead Public Schools Bullying Prevention and Implementation Plan includes strategies to engage and collaborate with students' families in order to increase the capacity of the school or district to prevent and respond to bullying. Resources for families and communication with them

are essential aspects of effective collaboration. The law requires the district or school Plan to include provisions for informing parents or guardians about the bullying prevention and intervention curricula used by the school district or school. These provisions include: (i) providing parents and guardians information related to how they can reinforce the curricula at home and support the school or district plan; (ii) the dynamics of bullying; and (iii) online safety and cyberbullying. Parents and guardians will also be notified in writing each year about the student-related sections of Marblehead Public Schools Bullying Prevention and Implementation Plan, in the language(s) most prevalent among the parents or guardians. Marblehead Public Schools approach to collaboration is sensitive to and considers factors such as age, climate, socio-economic factors, linguistic, and cultural make-up of students and the parents.

The parents will be provided with resource and information that the school or district may collaborate with in working with parents and guardians.

A. Parent education and resources.

Marblehead Public Schools will offer education programs for parents and guardians that are focused on the parental components of the bullying prevention curricula and any social competency curricula used by the district or school. The programs will be offered in collaboration with the PTO, PTA, School Councils, Special Education Parent Advisory Council (SEPAC), or similar organizations.

B. Notification requirements.

Each year Marblehead Public Schools will inform parents or guardians of enrolled students about the bullying prevention curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. The 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 district will post the Plan and related information on its website.

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

Marblehead's Plan includes a statement related to the prohibition of bullying, cyberbullying, and retaliation. This statement is included in the student code of conduct, the student handbook, and the staff handbook. The following statement is incorporated directly from M.G.L. c. 71, § 37O(b), and describes the law's requirements for the prohibition of bullying.

Acts of bullying, which include cyberbullying, 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.

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

## **VIII. PROBLEM RESOLUTION SYSTEM**

*Chapter 86 of the Acts of 2014 amended Section 37O of chapter 71 of the General Laws to include (g) (v): The Plan shall inform parents or guardians of the target about the Department's problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. This information will be made available in both hard copy and electronic formats:*

Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or individuals may call 781-338-3700 or fax 781-338-3710. Hard copies of this information are also available at the Superintendent's office.

## **IX. DEFINITIONS**

Aggressor, is a student, school staff member, or other school-affiliated adult who engages in bullying, cyberbullying, or retaliation.

Bullying, the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

The District recognizes that there may be situations in which two or more students engage in a common scheme of behavior towards a target that does not meet the legal definition of "bullying" but that negatively impacts the target and the learning environment. Notwithstanding the fact that such conduct may not meet the statutory definition of "bullying," (for example, because each aggressor engages in the behavior only once) MPS recognizes that these situations may carry the same impact as bullying and will respond to reports of such behavior the same

way it would respond to a report of bullying.

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

Cyberbullying, is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the internet. It includes, but is not limited to, email, instant messages, text messages, and internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

Hostile environment, as defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

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

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

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

## **X RELATIONSHIP TO OTHER LAWS**

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

In addition, nothing in the 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, M.G.L. c. 71, §§ 41 and 42, M.G.L. c. 76, § 5, or other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

**Appendix A****MARBLEHEAD PUBLIC SCHOOLS****BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM**

Name of Reporter/Person Filling 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.)**Check whether you are the: Target of the behavior: ☐ Reporter (not the target): ☐Check whether you are a: ☐ Student ☐ Parent ☐ Administrator☐ Staff Member (specify role) \_\_\_\_\_ ☐ Other (specify) \_\_\_\_\_

Contact Information:

Phone Number(s):

If student, state your school:

Grade

If staff member, state your school or work site:

**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)

**Witnesses (List people who saw the incident or have information about it):**Name: ☐ Student ☐ Staff ☐ Other \_\_\_\_\_Name: ☐ ☐ ☐ \_\_\_\_\_Name: ☐ ☐ ☐ \_\_\_\_\_Name: ☐ ☐ ☐ \_\_\_\_\_**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.**

(Describe or attach available documentation such as video, notes, emails, texts or other; attach additional pages as needed.)

FOR ADMINISTRATIVE USE ONLY

Signature of Person Filing this Report: \_\_\_\_\_ Date: \_\_\_\_\_  
(Note: Reports may be filed anonymously.)

Form Given to: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date Received: \_\_\_\_\_

**Appendix B (cont.)****MARBLEHEAD PUBLIC SCHOOLS****BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM****INVESTIGATION**

Investigator(s):	Positions(s):
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**INTERVIEWS**

<input type="checkbox"/> Interviewed aggressor	<b>Name:</b>	<b>Date:</b>
<input type="checkbox"/> Interviewed target	<b>Name:</b>	<b>Date:</b>
<input type="checkbox"/> Interviewed witnesses	<b>Name:</b>	<b>Date:</b>
	<b>Name:</b>	<b>Date:</b>
	<b>Name:</b>	<b>Date:</b>

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 if needed)

**CONCLUSIONS FROM THE INVESTIGATION**

1. Finding of bullying or retaliation:

☐ YES☐ NO☐ Bullying☐ Incident documented as \_\_\_\_\_☐ Retaliation☐ Discipline referral only \_\_\_\_\_

2. Contacts:

☐ Target's parent/guardian Date: \_\_\_\_\_ ☐ Aggressor's parent/guardian Date: \_\_\_\_\_☐ District Equity Coordinator (DEC) Date: \_\_\_\_\_ ☐ Law Enforcement Date: \_\_\_\_\_

3. Action Taken:

☐ Loss of Privileges ☐ Detention ☐ STEP referral ☐ Suspension☐ Community Service ☐ Education ☐ Other \_\_\_\_\_

1. 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: \_\_\_\_\_

Report forwarded to Principal: Date \_\_\_\_\_ Report forwarded to Superintendent: Date \_\_\_\_\_

(If principal was not the investigator)

Signature and Title: \_\_\_\_\_ Date: \_\_\_\_\_