

Norton Public Schools
Norton, Massachusetts
Anti-Bullying / Cyber-Bullying Policy

The Norton Public Schools is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No student shall be subjected to harassment, intimidation, bullying, or cyber-bullying within the school community. Bullying of any type has no place in the school setting. The district will endeavor to maintain a learning and working environment free of bullying.

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

- causes physical or emotional harm to the target or damage to the target's property;
- places the target in reasonable fear of harm to himself/herself, or of damage to his/her property;
- creates a hostile environment at school for the target either by direct bullying or by inciting to bully;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school.

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

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

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

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

Definitions at the end of this policy are provided to give clarity in regard to terminology used throughout this policy.

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

- on school grounds;
- on property immediately adjacent to school grounds;
- at a school-sponsored or school-related activity; at a function or program whether on or off school grounds;
- at a school bus stop;
- on a school bus or other vehicles owned, leased or used by the Norton school district; or,
- through the use of technology or an electronic device owned, leased or used by the Norton public schools.

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

- creates a hostile environment at school for the target by direct bullying or inciting others to bully;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school.

Prevention and Intervention Plan

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

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

Reporting

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

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

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

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

Investigative Procedures

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

The school principal or a designee shall promptly investigate the report of bullying, using a Bullying/Cyber-bullying Report Form (Policy File: JICFB-GBB1) which may include interviewing the alleged target, alleged aggressor, staff members, students and/or witnesses.

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

Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the school principal or a designee determines that bullying has occurred he/she shall take appropriate disciplinary action up to and including suspension and expulsion for students and termination for employees. If it is believed that criminal charges may be pursued against the aggressor, consult with the school's Resource Officer to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within ten (10) school days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or their designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.

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

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

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

Retaliation

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

Target Assistance

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

Training and Assessment

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

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 12 students.

Publication and Notice

Annual written notice of the relevant sections of the Bullying Prevention and Intervention Plan shall be provided to students and their parents or guardians, in age-appropriate terms, by way of the Student Handbook.

Annual written notice of the Bullying Prevention and Intervention Plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the Bullying Prevention and Intervention Plan applicable to the school.

Relevant sections of the Bullying Prevention and Intervention Plan relating to the duties of faculty and staff shall be included in the School Employee Handbook.

The Bullying Prevention and Intervention Plan shall be posted on the Norton Public Schools website.

Definitions:

Aggressor – a student, staff member or other adult who engages in bullying or retaliation.

Hostile environment – 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 the student's education.

Retaliation – any form of intimidation, reprisal, or harassment by a student or staff member directed against any student, staff or other individual for reporting or filing a complaint, for aiding or encouraging the filing of a report or complaint, for cooperating in an investigation or for taking action consistent with this policy.

School grounds – property on which a school building or facility is located or property that is owned, leased or used by the Norton Public Schools for a school-sponsored activity, function, program, instruction or training .

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.

Target – a student who was bullied or retaliated against.

Nothing in this policy shall be construed to abridge the rights of students who are protected by the First Amendment to the Constitution of the United States or by Article XVI, as amended, of the Constitution of the Commonwealth.

Nothing in this policy shall supersede or replace existing rights or remedies under any other general or special law, nor shall this section create a private right of action.

LEGAL REFS.:

Title VII, Section 703, Civil Rights Act of 1964 as amended Federal Regulation 74676 issued by EEO Commission Title IX of the Education Amendments of 1972

Board of Education 603 CMR 26.00

An Act Relative to Bullying in Schools, Chapter 92

M.G.L. c.71, section 37 O and M.G.L. c. 71B

CROSS REFS.:

Safe Schools Policy GBB

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