

Bullying Prevention Policy

The Essex North Shore Agricultural and Technical School District is committed to providing a safe, positive, and productive educational environment where students can achieve the highest academic standards. No student or member of the District staff, including but not limited to an educator, administrator, school nurse, cafeteria worker, custodian, farm and grounds worker, bus driver, athletic coach, advisor to an extracurricular activity, or paraprofessional, shall be subjected to harassment, intimidation, bullying, or cyber-bullying.

“Bullying” is the repeated use by one or more students, or by a member of the District staff, of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

- Causes physical or emotional harm to the target or damage to the target’s property;
- Places the target in reasonable fear of harm to him/herself, or of damage to his/her property;
- Creates a hostile environment at school for the target;
- Infringes on the rights of the target at school; and/or
- Materially and substantially disrupts the education process or the orderly operation of the 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, and/or photo-electronic or photo-optical system including, but not limited to, electronic mail, internet communications, instant messaging, 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 knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

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.

Definitions

Note: Massachusetts law defines bullying, cyber-bullying, hostile environment, retaliation, “perpetrator,” and “victim.” Essex North Shore Agricultural and Technical School District will use the terms “aggressor” (instead of perpetrator) and “target” (instead of victim).

“Aggressor” is a student or member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, farm or grounds worker, bus driver, athletic coach, advisor to an extracurricular activity, or paraprofessional, who engages in bullying, cyber-bullying, or retaliation.

“Target” is a person against whom bullying, cyber-bullying, or retaliation has been perpetrated.

“Hostile environment” 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 the student’s education and staff’s workplace.

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

Prohibition Against 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.

For the purposes of this Policy, whenever the term bullying is used it is to denote either bullying or cyber-bullying.

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds;
- At school bus stops;
- On school buses or other vehicles owned, leased, or used by the District;
- In rental facilities used by the District; or
- Through the use of technology or an electronic device owned, leased, or used by the Essex North Shore Agricultural and Technical School District.

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 District if the act or acts in question:

- Create a hostile environment at school for the target;
- Infringe on the rights of the target at school; and/or
- Materially and substantially disrupt the education process or the orderly operation of the school or District.

Prevention and Intervention Plan

The Superintendent-Director or his/her designee shall oversee the development of a prevention and intervention plan, in consultation with 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 reviewed and updated at least biennially.

The Bullying Prevention and Intervention Plan shall apply to students and members of the District staff including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, farm and grounds workers, bus drivers, athletic coaches, advisors to an extracurricular activity, or paraprofessionals.

The Principal is responsible for the implementation and oversight of the Bullying Prevention and Intervention Plan.

Reporting

Students and staff 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.

The District will have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student or member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, farm or grounds worker, bus driver, athletic coach, advisor to an extracurricular activity, or paraprofessional, who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

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

A member of the school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the Principal, an Assistant Principal, or one of the Title(s) VI & IX Coordinators.

Investigation Procedures

The Principal, Assistant Principal, or Title VI & IX Coordinator shall promptly investigate the report of bullying, using a Bullying Report form, which may include interviewing the alleged target, alleged aggressor, staff members, students, and/or other witnesses. Appropriate strategies will be implemented to protect the target and witnesses during the investigation.

The investigation shall include an assessment of the alleged target's need for protection, along with the creation of a safety plan to restore a sense of safety for the alleged target.

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 investigator determines that bullying has occurred, he/she shall promptly contact the parents or guardians of the student who has been the target and the parents or guardians of the student(s) who has been the aggressor. Additionally, the Principal shall take appropriate corrective and disciplinary action and, if it is believed that criminal charges may be pursued against the aggressor, the Principal shall consult with the school's liaison to the police department and the Superintendent-Director 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 fifteen (15) 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 corrective or disciplinary action have been implemented. At a minimum, the investigator shall contact the parents or guardians as to the status of the investigation on a weekly basis.

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

Each investigator shall document any incident of bullying that is reported per this Policy and a file shall be maintained by the Principal and/or Title(s) VI & IX Coordinators. A monthly report shall be provided to the Superintendent-Director.

Confidentiality shall be maintained to the extent consistent with the District'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 & Aggressor Assistance

The Essex North Shore Agricultural and Technical School District shall provide counseling or referral for appropriate services, including guidance, academic intervention, and protection, to students and staff members affected by bullying, as necessary.

Training and Assessment

Ongoing training shall be provided to 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 grade 9 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.

Annual written notice of the Bullying Prevention and Intervention Plan, including the duties of faculty and staff, shall be provided to all school employees.

The Bullying Prevention and Intervention Plan shall be posted on the Essex North Shore Agricultural and Technical School District website.

References:

- Massachusetts Department of Elementary and Secondary Education (DESE) Model Bullying Prevention and Intervention Plan

Legal References:

- 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
- 603 CMR 26.00
- M.G.L. 71:37O
- M.G.L. 265:43; 43A
- M.G.L. 268:13B
- M.G.L. 269:14A

Cross References:

- Harassment and Discrimination
- Prohibition of Hazing
- Student Discipline Regulations

Approved: April 11, 2017

Essex North Shore Agricultural and Technical School District