

## Monomoy Regional School District Bullying Prevention and Intervention Plan

The Monomoy Regional School District expects that all members of the school community will treat each other in a civil manner and with respect for differences.

The Monomoy Regional Schools are committed to maintaining a school environment where students are free from bullying and cyber-bullying and the effects thereof. 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.

### **Acts of bullying and cyber-bullying are prohibited:**

- a. on school grounds, 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 the school district; or through the use of technology or an electronic device owned, leased or used by the school district and;
- b. 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 school district, if the acts create a hostile environment at school for the target, infringes on the rights of the target at school or materially and substantially disrupts the education process or 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 also is prohibited.

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, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. The district 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, cyber-bullying, harassment, retaliation or teasing.

### **I. Definitions**

**Aggressor** is a student or 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 extra-curricular or paraprofessional who engages in bullying, cyberbullying, or retaliation towards a student.

**Bullying** as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or

members 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:

- i. causes physical or emotional harm to the target or damage to the target's property;
- ii. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school; or
- v. materially and substantially disrupts the education process or the orderly operation of a school.

**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.

**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.

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

### **Bullying and Retaliation Are Prohibited and Will Lead to Discipline**

The Monomoy Regional School District absolutely prohibits bullying, cyber-bullying and retaliation as defined above. Students or staff 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 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.

## **II. Leadership**

- A. **Public involvement in developing the Plan.** As required by M.G.L. c. 71, § 37O, the District will develop the plan in consultation with teachers, school staff,

professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents/guardian/caregiver . Consultation will include public notice and a public comment period before the Plan is adopted by the School Committee. All interested parties will be invited to review the policy by either attending scheduled policy sub-committee meetings, input through email, or through a survey mechanism.

- B. **Assessing needs and resources.** At least once every four years, the District will administer a 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 of Elementary and Secondary Education. An annual report will also be provided to the school committee.
- C. **Planning and oversight.** The Bullying Prevention and Intervention Plan (“Plan”) is a comprehensive approach to addressing bullying and cyberbullying, and the district is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, 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 victim.

### III. Training and Professional Development

- A. **Annual staff training.** 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.
- 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 schoolwide 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.

- C. **Written notice to staff.** Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents/guardian/caregiver, in age-appropriate terms. 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 Monomoy Regional Schools website.

#### IV. ACCESS TO RESOURCES AND SERVICES

A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, student aggressors, families, and others are addressed.

- A. **Counseling and other services.** Based on the needs counseling or referral to appropriate services for student aggressors, targets, and family members of those students will be provided. Additional services or supports will be assessed based on the students needs. This may include additional instruction, social skills groups, or other appropriate supports and services.
- B. **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.
- C. **Referral to outside services.** If additional supports and services are needed, the school

will refer the family to appropriate community agencies to support the needs of the student and family.

## **V. Academic and Non-Academic Activities**

- A. **Specific bullying prevention approaches.** Bullying prevention curricula will be informed by current research. The curriculum will include addressing the aggressor, target, and bystander (if applicable). Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan.

## **VI. Policies and Procedures for Reporting and Responding to Bullying and Retaliation**

- A. **Reporting bullying or retaliation.** Reports of bullying or retaliation may be made by staff, students, parents/guardian/caregivers or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee or to the superintendent or designee when the principal or assistant principal is the alleged aggressor or to the school committee or designee when the superintendent is the alleged aggressor, any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents/guardians/caregivers 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 community including, but not limited to, an Incident Reporting Form,<sup>1</sup> a voicemail box, a dedicated mailing address, and an email address.

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

A staff member will report immediately to the principal or designee, or to the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or to the school committee or designee when the superintendent is the alleged aggressor when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report as provided 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/Guardians/Caregivers, and Others**

The district expects students, parents/guardians/caregivers, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee, or superintendent or designee when the principal or assistant principal is the alleged aggressor. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. A student who knowingly makes a false accusation of bullying or retaliation shall also be subject to disciplinary action. Students, parents/guardians/caregivers, and others may request assistance

---

1

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, or superintendent or designee when the principal or assistant principal is the alleged aggressor.

## **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 take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. 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 in order to protect anyone who reports bullying, provides information relating to an investigation of bullying, or witnesses and/or provides reliable information regarding an act of bullying, as necessary.
2. 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.

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

1. **Notice to parents/guardians/caregivers.** Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents/guardians/caregivers of the target and the student aggressor of this, and of the procedures for responding to it. The principal or designee will contact the parents/guardians/caregivers prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
2. **Reporting to Local Law Enforcement:** At any point after receipt of a report of bullying or retaliation, or during or after an investigation, if the school principal or designee has a reasonable basis to believe that the incident may involve criminal conduct, 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 local school district, charter school, non-public school, approved private day or residential school or collaborative school, the Superintendent of the

Monomoy Regional School District or designee will notify local law enforcement if s/he believes that criminal charges may be pursued. 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.

3. **Reporting to Administrator of Another School District or School:**

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. Investigation**

1. 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.
2. The following are general guidelines for responding to a report of bullying or retaliation. The guidelines will be adapted as necessary to respond appropriately to the complaint.
  - a. **Pre-Investigation:** Even before fully investigating allegations of bullying or retaliation, school personnel will consider whether there is a need to take immediate steps to support the alleged target and/or protect the alleged target from further potential incidents of concern. In taking any such action, however, the rights of both the alleged target and alleged aggressor must be considered.
  - b. **Written statement of the complaint:** The investigator will seek to determine the basis of the complaint, gathering information from the complainant, 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.
    - i. It is helpful to have these facts in writing. If age appropriate, the complainant may be asked to put the complaint in writing and to sign and date it. If the complainant cannot or chooses not to write a complaint, the investigator will record the allegations,

read them to the complainant to confirm accuracy, and ask the complainant to sign the document. If the complainant cannot or chooses not to sign, the investigator may sign and date the document her/himself

- c. **Interviews:** Once the allegations of the complainant 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.
  - d. **Confidentiality:** The confidentiality of the complainant and the other witnesses will be maintained to the extent practicable given the school's obligation to investigate and address the matter.
- D. **Determinations.** 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 Or. 1991).
- E. 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 in 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 age of the students involved.
- F. In addition to taking disciplinary action, the following are examples of steps that may be taken to prevent the recurrence of bullying or retaliation;
1. Holding parent/guardian/caregiver conferences;
  2. Transferring student's classroom or school;
  3. Limiting or denying student access to a part, or area, of a school;
  4. Enhancing adult supervision on school premises;
  5. Excluding from participation in school-sponsored or school-related functions, after-school programs, and/or extracurricular activities;
  6. Providing relevant educational activities for individual students or groups of students. Guidance counselors and others in the school setting who have been trained in working with students on interpersonal issues may be helpful in providing such programs.
  7. 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.

8. Arranging for communication between the parties, if appropriate, to assist them in resolving issues which have arisen between them. (Such an approach will be used cautiously since communication can sometimes exacerbate, rather than alleviate, the target's concerns and since the conduct often involves an imbalance of power.)
9. 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.

**G. Closing the Complaint and Possible Follow-Up:** School staff will promptly provide notice to the parent/guardian/caregiver of a target and an aggressor about whether or not the complaint was substantiated and, if substantiated, what action is being taken to prevent any further acts of bullying or retaliation. Specific information about disciplinary action taken generally will not be released to the target's parents/guardian/caregiver unless it involves a "stay away" or other directive that the target must be aware of in order to report violations.

1. If appropriate, within a reasonable time period following closure of the complaint, the administrative staff or designee will contact the target to determine whether there has been any recurrence of the prohibited conduct.

**H.** The district will retain a report of the complaint, containing the name of the complainant, 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.

**I. 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.

1. 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.

**J. 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.

- K. Within a reasonable period of time following the determination and the implementation of intervention strategies and/or disciplinary action, the principal or designee will contact the target as well as any individuals who reported, witnessed, or provided information relative to an incident of bullying to determine whether there has been a recurrence of the prohibited conduct or if there has been any incidence of retaliation or intimidation. If so, the principal and appropriate support staff will determine whether additional corrective or supportive measures are needed and, if necessary, will work with appropriate school staff to implement them immediately.

## **VII. Collaboration with families:**

- A. The District has a representative trained annually through MARC - Massachusetts Aggression Reduction Center on Bullying prevention.
- B. Parent/Guardian/Caregiver education and resources.
  - 1. The district will offer education programs for parents/guardians/caregivers that are focused on the parental/guardian/caregiver components of the anti-bullying curricula and any social competency curricula used by the district. The programs will be offered in collaboration with the PTO, School Councils, Special Education Parent Advisory Council, or similar organizations.
- C. Notification requirements.
  - 1. Each year the district will inform parents/guardians/caregivers 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.
  - 2. The school or district will send parents/guardians/caregivers written notice each year about the student-related sections of the Plan and the school's or district's Internet safety policy.
  - 3. All notices and information made available to parents/guardians/caregivers will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents/guardians/caregivers.
  - 4. The district will post the Plan and related information on its website.

## **VIII. Problem Resolution System**

- A. Any parent/guardian/caregiver 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 can call 781-338-3700.

## **IX. Relationship to Other Laws**

A. Consistent with state and federal laws, and the policies of the 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, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. 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.

**B. Massachusetts Prohibits Bias-Related Bullying and Harassment in Schools**

The Massachusetts Anti-Bullying Law (G.L. c. 71, § 37O) and Student Anti-Discrimination Act (G.L. c. 76, § 5) require schools to take steps to prevent bias-related bullying and harassment by students and respond effectively when it occurs. Bullying and harassment are similar, but not identical, types of misconduct. Bullying generally includes any repeated, targeted behavior that harms a student or disrupts the school environment. Although not all bullying is bias-related, bullying often stems from or involves bias, prejudice, or hate. Harassment is conduct that creates, or contributes to the creation of, an intimidating or hostile environment for a student because of their race, color, religion, national origin, sex, gender identity, or sexual orientation. Like bullying, harassment can take many forms, including verbal statements, online or social media activity, graffiti, and violent or threatening physical conduct. Unlike bullying, harassment does not have to be repeated or targeted at a particular victim. A single, severe hate incident may create an intimidating or hostile environment—so too may a series or pattern of incidents.

**C. Response to Hate and Bias Incidents Involving Students**

The district will take prompt and effective action to address hate incidents involving students. When a school receives notice of an alleged hate incident, it has a legal responsibility to investigate and to respond to any bullying or harassment that is found to have occurred. Because hate incidents may involve bullying, harassment, or both bullying and harassment, the district will ensure that the response complies with both the Anti-Bullying Law and the Anti-Discrimination Act. If the district determines that a hate incident does not rise to the level of bullying or harassment, the behavior that violates its code of conduct or other disciplinary rules will be addressed. The legal obligations imposed by the Anti-Bullying Law and the Anti-Discrimination Act are not limited by the physical boundaries of the school campus. Schools are responsible for addressing incidents that occur at school or school-related events, including activity on school buses to and from school or school-related events.

D. The district will also evaluate whether a hate incident has created or contributed to an intimidating or hostile school environment. Some misconduct that does not qualify as bullying—for example, because it is not repeated—may still qualify as harassment that creates or contributes to an intimidating or hostile environment. Further, some misconduct that qualifies as bullying may also trigger responsibilities under the

Anti-Discrimination Act. And a school's responsibilities under the Anti-Discrimination Act may differ from its obligations under the Anti-Bullying Law.

- E. 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, or collective bargaining agreements, in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

LEGAL REF.: Title W, 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. 71:370;  
265:43,43A; 268: 13B; 269-1 4A  
Anti-discrimination Act and Title VI

REFERENCE: Massachusetts Department of Elementary and Secondary Education's  
Model Bullying Prevention and Intervention Plan

Adopted: May 2013

Revised: May 27, 2021; April 28, 2022