

## HOPKINTON SCHOOL COMMITTEE POLICY

### BULLYING PREVENTION

The Hopkinton Public Schools is committed to providing a safe, positive, and productive educational environment where students can achieve the highest academic standards. No student will be subjected to harassment, intimidation, bullying, or cyber-bullying. Allegations of bullying behavior will be taken seriously and investigated thoroughly.

#### Definitions

“Bullying” is the repeated use by one or more students (“aggressors”) of a written, verbal, or electronic expression, or physical gesture, or any combination thereof, directed at another student (“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 the school for the target;
- Infringes on the rights of the target at school; or
- Materially or 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 will include, but will not be limited to any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or part by means of wire, radio, electromagnetic, photo-electronic or photo-electronic system, including, but not limited to:

- Electronic mail (commonly called e-mail)
- Internet communications/Social media
- Cell phones
- Instant messages
- Facsimile communications (commonly called a fax)

Cyber-bullying also includes the creation of a webpage 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 will 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 more than one person, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

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

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

### Prohibition

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 school district; or
- Through the use of technology or an electronic device owned, leased, or used by the Hopkinton 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 Hopkinton Public Schools if the act or acts in question:

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

### Prevention and Intervention Plan

The Superintendent and/or his/her designee will oversee the development and periodic review of a prevention and intervention plan consistent with the requirements of this policy, as well as state and federal law, 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 or guardians.

Each principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his/her school. Consequences will be in accordance with the Student Handbook/Code of Conduct and any relevant special education laws or regulations.

### Reporting

A student or parent should report incidents of bullying behavior, even if they do not know if the behavior is repeated. The principal will track reports to determine if the behavior constitutes bullying.

Reports of bullying should be made via the Hopkinton Public Schools Bullying Report Form (JICFB-1) found on each school's website.

Teachers and administrators must immediately report any instance of bullying behavior that he/she has become aware of or has witnessed to the school principal or his/her designee. Other Hopkinton Public School employees, and/or drivers employed by companies providing transportation services to the district are obligated to report an incident of bullying behavior as soon as possible, generally within one school day. Reports may be made verbally in the interest of timeliness but must be followed up the same day with a written report on the Hopkinton Public Schools Bullying Report Form (JICFB-1).

Students who believe that they are the targets of bullying, observe bullying behavior, or who have reasonable grounds to believe that bullying is taking place, are expected to report incidents either verbally or using the Hopkinton Public Schools Bullying Report Form (JICFB-1) to a member of the school staff. If a verbal report is made, the principal or his/her designee will assist the student in completing the report form.

Parents or guardians are encouraged to report bullying behavior that they witness or their child experiences to the appropriate school principal. If a parent makes a verbal report to school employees, the employee must report to the principal/designee using the Hopkinton Public Schools Bullying Report Form (JICFB-1).

Each school will accept anonymous reporting of bullying behavior. No formal disciplinary action will be taken solely on the basis of an anonymous report.

Any student who knowingly makes a false report of bullying will be subject to disciplinary action.

### Notification

The principal or his/her designee, upon determining that a report is viable, will promptly contact the parents or guardians of a student who has been the alleged target or alleged aggressor. The principal may contact a parent of a target or aggressor about a report of bullying or retaliation prior to a determination that bullying or retaliation has occurred.

A principal's notification to a parent about an incident or a report of bullying or retaliation must comply with confidentiality requirements of the Massachusetts Student Records Regulations, 603 CMR 23.00, and the Federal Family Educational Rights and Privacy Act Regulations, 34 CFR Part 99, as set forth in 603 CMR 49.07. A principal may only disclose information to a parent about his/her own child.

If the alleged target and alleged aggressor attend different district schools, the principal receiving the report will inform the principal of the other student's school, who will notify the student's parent of the report and procedures.

A principal may disclose a determination of bullying or retaliation to a local law enforcement agency under 603 CMR 49 without the consent of a student or his/her parent. The principal will communicate with law enforcement officials in a manner that protects the privacy of targets, student witnesses, and aggressors to the extent practicable under the circumstances.

A principal may disclose student record information about a target or aggressor to appropriate parties in addition to law enforcement in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals as provided in 603 CMR 23.07(4)(e) and 34 CFR 99.31(a)(10) and 99.36. This provision is limited to instances in which the principal has determined there is an immediate and significant threat to the health or safety of the student or other individuals. It is limited to the period of emergency and does not allow for blanket disclosure of student record information. The principal must document the disclosures and the reasons that the principal determined that a health or safety emergency exists.

#### Investigation Procedures

The school principal or designee will promptly investigate the report of bullying, using the Hopkinton Public Schools' Investigation Form (JICFB-2) to document the investigation. The principal or designee will maintain a file of all documents and notes related to the incident.

The staff will assess an alleged target's and aggressor's need for protection and create and implement a safety plan that will restore a sense of safety for the target.

The investigation will be completed as quickly as possible, following all applicable laws and regulations. The parents or guardians will 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, whether disciplinary action has or will be taken, and what will be done to prevent a continuation of bullying or retaliation. At a minimum, the principal or his/her designee will contact parents or guardians as to the status of the investigation on a weekly basis.

Confidentiality will be maintained, to the extent possible, 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.

Disciplinary actions for students who have committed an act of bullying or retaliation will be in accordance with the school's disciplinary policies as detailed in the Student Handbook. If it is believed that criminal charges may be pursued against the aggressor, the principal will consult with the School Resource Officer and the Superintendent to determine if criminal charges are

warranted. If it is determined that criminal charges are warranted, the local Police Department will be notified.

A regular summary report of investigations will be provided to the Superintendent/ Designee.

Retaliation

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

Students who retaliate will be subject to disciplinary consequences consistent with the guidelines in the school’s Student Handbook.

Target and Aggressor Support

The Hopkinton Public Schools will provide the services of the district counseling staff, including guidance counselors and adjustment counselors, and any required academic intervention services that are available in the school, as well as protection of the students who have been affected by the bullying as needed to insure the target is able to receive the education to which he/she is entitled. The aggressor may also be provided with district counseling services to assist him/her in avoiding bullying behavior.

Training and Instruction

The district will provide annual training to all school employees, volunteers who have significant contact with students, and drivers employed to transport Hopkinton students. Such training will include preventing, identifying, responding to, and reporting incidents of bullying.

The Hopkinton Public Schools curriculum will include age-appropriate, research-based instruction on bullying prevention for K – 12 students. The curriculum may include specific lessons but also whole school or whole district initiatives.

Publication and Notice

Annual written notice of the bullying prevention and intervention plan will be provided to all school staff, parents/guardians, and students. The staff at each school will be trained annually on the bullying prevention and intervention plan applicable to each school.

The Employee Handbook will include relevant sections of the Bullying Prevention and Intervention that employees will sign as having read.

The Bullying Prevention and Intervention Plan will be posted on the Hopkinton Public School’s website.

First Reading	October 7, 2010
Second Reading	October 21, 2010
Third Reading	November 4, 2010
Adopted	November 4, 2010

Policy Amended	
Legal References	Title VII, § 703, Civil Rights Act of 1964 as amended Federal Regulation 74676 issued by EEO Commission Title IX of the Education Amendments of 1972 M.G.L. 71:370, as added by Chapter 92 of the Acts of 2010 M.G.L. 265:43, 43A M.G.L. 268: 13B M.G.L. 269:14A 603 CMR 26 and 49.00
Policy Cross Reference	AC Non-Discrimination ACAB Sexual Harassment
Procedure Reference	Hopkinton Public School's Bullying Report Form (JICFB-1) Hopkinton Public School's Bullying Investigation Form (JICFB-2)