

HOPKINTON PUBLIC SCHOOLS

BULLYING PREVENTION AND INTERVENTION PLAN

Developed by the HPS Bullying Prevention and Intervention Planning Committee

Submitted December 2010

Updated September, 2014

SUMMARY

This plan fulfills the legislative mandate that each district develop a plan to guide its bullying prevention and intervention efforts. Most importantly, the execution of this plan helps keep the students of Hopkinton safe from the harmful effects of bullying.

This plan will be available in each school and district office and posted on the district website.

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Credits

The development of the Hopkinton Public Schools Bullying Prevention and Intervention Plan was a combined effort of staff, students, parents, and community members who met from September through December 2010 to plan the structure and content of the report and react to subsequent drafts. The Committee considered the feedback of other staff, parents, and community members in during two sets of focus group sessions and a twelve-day public comment period. Each subsequent draft was submitted to the full committee for their feedback into the next draft until the final approval of a plan at the beginning of December 2010.

All told, ninety-six (96) people contributed to the formation of this plan through membership on the committee, participation on a focus group, or by providing feedback electronically during the public comment period, and it is a much stronger plan because of these contributions.

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Introduction

Purpose and Development of the Plan

The *Hopkinton Bullying Prevention and Intervention Planning Committee* developed this plan to comply with the Chapter 92 Act Relative to Bullying in Schools¹ legislation signed into law by Governor Deval Patrick on May 3, 2010. The legislation mandated that each district create a plan to be filed with the Massachusetts Department of Elementary and Secondary Education (DESE) by December 31, 2010.

While the legislation required development of this plan, the committee agrees that the most important purpose of the plan is the collective desire to keep all our students free from the humiliation, anxiety, and physical harm resulting from bullying by adopting strategies to prevent its occurrence and to intervene in effective ways if it does occur. Additionally, in accordance with *An Act Relative to Bullying in Schools*, Chapter 86 of the Acts of 2014, this anti-bullying plan recognizes that certain students, including LGBTQ students, may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics. 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.”

This plan, and the resources included, will be used for professional development of district employees.

Prohibition against Bullying and Retaliation²

Consistent with School Committee Policy *Bullying Prevention* (JICFB)³, 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.

Both bullying and cyber-bullying are also 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.

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

¹ The full text of the law is available at: <http://www.malegislature.gov/Laws/SessionLaws/Text/Acts/2010/Chapter92>

² Note that, consistent with state law, Hopkinton has not used the terminology “zero tolerance” to state its prohibition to bullying. Research has shown that this phrase leads to a narrow response to misbehavior that is not always appropriate for every age group. The research on zero tolerance policies is reported by the Harvard University Civil Rights Project in *Opportunities Suspended: The Devastating Consequences of Zero Tolerance and School Discipline Policies*. In the *National Summit on Zero Tolerance Proceedings*. (Washington, DC, June 15-16, 2000)

³ <http://hopkinton.schoolwires.net/cms/lib4/MA01001785/Centricity/Shared/School%20Committee/Committee%20Policy/JICFB.pdf>

Definitions

Note: "Bullying" and "cyber-bullying" appear at the end of this section, rather than in alphabetical order, in order to first define some words that appear in those definitions.

Aggressor – a student who engages in behavior that defined as bullying, cyber-bullying, or retaliation as defined in M.G.L. c.71, §370. This person is sometimes referred to as the “perpetrator” or “bully.”

Bystander – a person who observes bullying behavior that he/she has witnessed and may or may not assist in the situation.

CMR – Code of Massachusetts Regulations

Differentiating Characteristics – As identified in *An Act Relative to Bullying in Schools*, Chapter 86 of the Acts of 2014, there may be categories of differentiating characteristics that may make certain students more vulnerable to bullying 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 one or more of these characteristics.

Discrimination – Peer harassment or bullying behavior based on federal “protected classes” of race, color, national origin, sex, or disability, or the additional state protected classes of religious creed, sexual orientation, or genetics.

Harassment – “...creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student’s ability to participate in or benefit from services, activities, or opportunities offered by a school. When such harassment is based on race, color, national origin, sex, or disability, it violates civil rights laws” that the Office of Civil Rights enforces.⁴

Hostile environment, as defined in M.G.L. c. 71, § 370 – 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.

M.G.L. – Massachusetts General Law

Parent – A student’s mother, father, or guardian.

Retaliation – prohibited behavior that can take the form of intimidation, reprisal, or harassment directed against a student who reports or provides information about bullying, or against witnesses or those with 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 – a student who is the recipient of bullying, cyber-bullying, or retaliation. This person is sometimes referred to as the “victim.”

Bullying as defined in M.G.L. c. 71, § 370:

⁴ Dear Colleague letter, United States Department of Education, Office of Civil Rights, October 26, 2010. Available at: <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.html>.

The repeated use by one or more students 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 or herself or of damage to his or her property;
- Creates 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.

Differences Between Bullying and Other Behaviors

Bullies/Aggressors target others based upon their perception of an unequal physical and/or psychological power relationship. The aggressor, the more powerful based on popularity or establishment of fear, targets/bullies students they perceive as mentally, emotionally, or physically weaker, or simply different from the aggressor (e.g., physical attributes, apparel, possessions). Aggressors intend to harm their target(s) and do so repeatedly.

Bullying directed at a student on the basis of their race, religion, ethnicity, disability, gender, genetic information, or sexual orientation is a violation of the Hopkinton Public Schools Non-Discrimination Policy⁵. In addition, bullying directed at a student on the basis of race, color, national origin, sex, or disability violates federal civil rights non-discrimination statutes⁶ and state law.⁷ Severe cases of bullying directed at students due to race, religion, ethnic/national origin, sexual orientation, handicap, or gender may fit the definition of a hate crime under Massachusetts law.⁸

Bullying is sometimes confused with other behaviors that might be undesirable but do not fit the definition of bullying. Bullying is **not**:

- A conflict, quarrel, or a problem to be resolved between two students who are perceived as having equal power, such as between two classmates who ordinarily get along and are in the midst of a disagreement.
- Teasing that occurs occasionally between friends without the intent of harming the other. Teasing can be upsetting or offensive to the recipient, and must be discouraged, but the intention is not to harm or to have power over another person as is the case with bullying.

Examples of Bullying:

- Every time Kelly, a very petite 7th grader, walked to her locker in the morning, a group of five girls pinched and pushed her, pushed books from her hands, and mocked her small stature. When Kelly got upset, the girls would laugh at her and walk away. If a teacher were near-by, the girls would stare at her or make whispered remarks that were undetected by the teacher. Kelly now hangs back in the classroom until most students have passed in the hall before venturing out to go to her next class.*
- Connor is a sensitive and artistic fifth grader who, until late fall of fifth grade, went happily to school each day. At that time, he started begging his mother to let him stay home and, when that didn't work, begged her to drive him rather than take the bus. In school, a group of boys and girls who had been together since kindergarten and rode the same bus have been calling him "gay" and "weird." If Connor came near them at lunch or in the hallways, the students would pointedly move far away, make disgusted facial expressions, and "ewww" sounds.*

⁵ The Hopkinton Non-Discrimination policy (Code AC) is available on the School Committee webpage at: <http://www.hopkinton.k12.ma.us/newweb2/schoolcommittee/policies/policies.php#B>.

⁶ The federal anti-discrimination statutes enforced by the Office of Civil Rights include: Title IV of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, § 504 of the Rehabilitation Act of 1973, and/or Americans with Disabilities Act of 1990 (Title II). Access the "Dear Colleague" letter at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-bullying-201410.pdf>.

⁷ M.G.L. Chapter 76, Section 5, often referred to as the Massachusetts Gay and Lesbian Students' Rights Law.

⁸ See 501 CMR 4.00: Hate Crimes.

- c. *Adeela's family emigrated from Iraq two years ago after she was out of school for two years, and she has been struggling to master English and high school academics since her arrival. Her attempts to befriend some other girls in her class were rebuffed after the most socially powerful girl in the class started calling her a "terrorist," made fun of her name, and refused to let her sit at their lunch table. No students dared to stand up to the student who started the bullying, so Adeela has become socially isolated, sitting alone at lunch and walking to and from school rather than be pushed out of her bus seat.*
- d. *Paul is a high functioning autistic third grader whose communication difficulties include talking at length and frequently about his favorite topic, sailing ships, without recognizing a listener's lack of interest, and a lack of physical coordination that sometimes results in him bumping into others. Students in Paul's class will begrudgingly include him in project groups but usually ignore his contributions, which sometimes veer off topic. When no adults are around, a group of three boys call him "retard" and "stupid," and sometimes push him. At recess, Paul stands off by himself or next to a teacher where he feels safe from the frequent taunting.*

Cyber-Bullying as defined in M.G.L. c. 71, § 37O:

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. The full legal definition follows:

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 (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) 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 clauses (i) to (v), inclusive, of 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 clauses (i) to (v), inclusive, of the definition of bullying.

Technology is rapidly becoming an instrument for bullying behavior. According to a 2010 survey of students in 41 southeastern US schools completed by the Cyberbullying Research Center, 20.4% of twelve to eighteen-year-olds reported that they have been cyber-bullied and 19.7% of the same age group report that they have cyber-bullied others.⁹

Examples of cyber-bullying:

- a. *Donna, a sophomore, had dated a popular and dominant senior boy, Toby, for several months before breaking off the relationship. It was a month before she knew that he had created a blog about her. The blog included unattractive pictures he had secretly taken with his cell phone and fictitious descriptions of sexual encounters she had had with both boys and girls. Donna began to notice other students staring at her and whispering in class and in the hall. Her classroom performance suffered and her grades dropped.*
- b. *When Jake became angry at Sean, a sixth grade classmate, Jake began an email chain and texted other students accusing Jake of stealing money and prescription medicine from his home, and of taking cell phone pictures of girls after sneaking into the bathroom. The original email messages were forwarded to many other students in the school before Sean was aware. Now students in the hall snicker at him and call him names. Sean's attempts to refute the stories only resulted in increased taunts of "liar," "pervert," and "druggie." When Sean was caught skipping school to avoid the taunts, he finally disclosed the situation to the principal and his parents.*

⁹ www.cyberbullying.us

- c. *Thirteen-year-old Marie didn't know about a fake Facebook account that had been created in her name several months before until the parent of another student in her class notified her parents. The Facebook profile picture was a cow and postings included such entries as, "You should see what she eats at lunch. She's a pig" and "Moo. What a fat cow." By the time her parents and the school staff were aware, students had used a proxy site to access Facebook in school and they enlisted many students in Marie's class to "friend" the site. After seeing the site and feeling increasingly isolated in school, Marie started to express suicidal ideation to her younger sister.*

Effects of Bullying Behavior (including Cyber-bullying)

Researchers note that *both* aggressors and victims are "at risk for short-term and long-term adjustment difficulties."¹⁰ These include:

- Lowered academic achievement and aspirations
- Increased anxiety
- Loss of self-esteem and confidence
- Depression and post-traumatic stress
- General deterioration in physical health
- Self-harm and suicidal thinking
- Feelings of alienation in the school environment, such as fear of other children
- Absenteeism from school¹¹

Pertinent Laws and Regulations

Massachusetts General Laws

(1) Chapter 92 Act Relative to Bullying in Schools¹² signed into law by Governor Deval Patrick, May, 2010

(2) Chapter 76, § 5 (Signed into law by Governor William Weld, December, 1993)

"No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public schools on account of race, color, sex, religion, national origin, or sexual orientation."¹³ (Note: This legislation resulted in a letter to all Massachusetts Superintendents from Massachusetts Department of Education Commissioner Robert Antonucci saying, in part, "Schools should amend existing anti-harassment policies to include prohibiting violence, harassment, and verbal abuse directed against gay and lesbian students and those perceived to be gay or lesbian.")

(3) Chapter 269, § 17, 18, 19 (Signed into law by Governor Michael Dukakis, November 1985.)

Hazing is a form of bullying that is specific to instances of initiation into a student organization. The law reads:

"The term 'hazing' as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation."¹⁴

¹⁰ Swearer, S., et al. (2010). *What can be done about school bullying? Linking research to educational practice.* *Educational Researcher.* 39(1). 38-47.

¹¹ Quoted from U.S. Department of Education Office for Civil Rights Background, Summary, and Fast Facts for the October 26, 2010 Dear Colleague Letter: Harassment and Bullying

¹² The full text of the law is available at: <http://www.malegislature.gov/Laws/SessionLaws/Text/Acts/2010/Chapter92>

¹³ <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter76/Section5>

¹⁴ http://s-p.mit.edu/government/house_docs/docs/MA_Hazing_Law.pdf

Massachusetts Department of Education (DESE) Regulations

- (1) 603 CMR 49:00¹⁵ - Regulations pertaining to bullying.
- (2) 603 CMR 33¹⁶ - Regulations pertaining to hazing.

Federal Laws (See the United States Department of Education Office for Civil Rights “Dear Colleague Letter,” which discusses the overlap of federal anti-discrimination and harassment laws with bullying.)

- Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin.
- Title IX of the Education Amendments of 1972 prohibits discrimination based on sex.
- Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 prohibits discrimination on the basis of disability.

District Bullying Prevention Philosophy

RESPECT: When we value and accept others, including their perspectives, feelings, ideas, and personal characteristics. Students in a respectful environment value others and treat each other well regardless of differences.

In accordance with *An Act Relative to Bullying in Schools*, Chapter 86 of the Acts of 2014, the Hopkinton Public Schools will ensure that specific steps are taken to “support vulnerable students and to provide all students with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment.” The sections that follow address these very topics.

The Hopkinton Public Schools staff believes that when we integrate the idea of **respect** into daily school activities, curricula, and special events, and we do this with the involvement of parents, other adults, and community, we deter bullying. Research supports this belief. A research synthesis in the January/February 2010 issue of *Educational Researcher* proposes a “social-ecological framework” that acknowledges that youth behavior is shaped within “nested contextual systems” that include “families, schools, peer groups, teacher-student relationships, neighborhoods, and cultural expectations.”¹⁷

Each school and athletic program will work with parents and community partners to establish norms of respect that guide students’ respectful behavior, but also guide the response to teasing and bullying behavior as either targets or bystanders.

The staff will continually develop the theme of respect in curriculum, classrooms, and school activities under the direction of the principals and with the support of the District Climate Team, School Climate Teams, and community partners.

Bullying Plan and Policy Dissemination

Each school will provide information about the bullying plan to parents and students in the Student Handbook’s Code of Conduct, which must include but is not limited to the following:

¹⁵ <http://www.doe.mass.edu/lawsregs/603cmr49.html>

¹⁶ <http://www.doe.mass.edu/lawsregs/603cmr33.html?section=all>

¹⁷ Swearer, S., et al. (2010). *What can be done about school bullying? Linking research to educational practice.* *Educational Researcher*. 39(1). 42.

- (1) That all students are afforded the same legal protections regardless of their status under the law, and are protected against retaliation,
- (2) How to report bullying and cyber-bullying,
- (3) Disciplinary consequences of bullying behavior,
- (4) The right to due process, and
- (5) That a student who knowingly makes a false accusation of bullying or retaliation is also subject to disciplinary action.

Parents or guardians must provide their signature at the start of the school year acknowledging that they have read the Handbook (which also contains other required information). (Also see Schools and Parents Partner to Prevent Bullying on page 18.)

This *Bullying Prevention and Intervention Plan* will be available on the district homepage and each school's web page. The district Bullying Prevention Policy is included in the plan but also included on the School Committee's policy page that is a link from the district homepage.

The Employee Handbook also includes information about bullying prevention and intervention. In September of 2010, this information was distributed to all employees as an addendum to the Handbook (accessible via the district website). It will be incorporated into full text of the 2011-12 Employee Handbook.

Reporting Protocols

Reporting protocols provide a safe and easy means of reporting by staff members, targets, bystanders, or parents and allow for anonymous reporting (which legislation requires must be verified before action can be taken). Principals will ensure that all students, staff, and parents understand how to report bullying, and they will also provide and publicize a safe and inconspicuous means of reporting anonymously. By February 2011, the district will determine an effective electronic means for filing anonymous reports, which may be voice and/or text submission. (An anonymous telephone tip line is being piloted at the time of the submission of this report and, if successful, will be used to call in anonymous bullying reports.)

Each principal will ensure that students understand that bystanders or anyone who becomes aware of bullying have an obligation to report, are protected under the law from retaliation, and will have their confidentiality maintained to the extent possible.

Annual Reminders about Reporting

Principals will inform parents at the beginning of each school year about how to submit a report, and to whom the report is submitted, including the choice of anonymous verbal or written reports. In these yearly reminders, principals will provide the definition of bullying and cyber-bullying, the prohibition of bullying, cyber-bullying, and retaliation, as well as the signs of possible bullying.

Accessing the Report Form

The report form will be available in all school and district offices as a paper copy and on each school's website as a form that can be printed out and either handwritten or filled in electronically.

How to File a Report

Anyone who suspects bullying should file a report regardless of whether or not they are absolutely sure what they observed or were told fits the definition of bullying, or if the incident was a repeated offense. (The principal or designee is responsible for making these determinations.)

A bystander or someone who becomes aware of bullying may first provide a verbal report of bullying to the principal or, in the case of students, to any adult in the school. In any case of verbal reporting, the

reporter must provide a written report within a day. If a student notifies an adult in the school, that adult will immediately notify the principal verbally and in writing.

The *Hopkinton Public Schools Bullying Report Form* is easily accessed in any school office or on any school's webpage. The report may be completed electronically or may be handwritten. The form will include information on the signs of bullying and the definition of bullying, cyber-bullying, and retaliation, so that the person completing the form can consult this information as they fill out the form. (See form in the Appendices.)

Anyone filing a report has several options:

- Send to the principal as an email attachment
- Send via conventional mail (can be anonymous or include reporter's name)
- Hand deliver to the principal's office
- Hand deliver to an anonymous drop box

The school or school district may create additional means of report submission at any time, and will communicate this change to parents or staff.

Maintaining Report Records

Each principal will maintain a record of all reports in a safe and confidential manner. (See also Data Storage and Records Retention on page 14.)

Annual Reporting to the Department of Elementary and Secondary Education

Pursuant to *An Act Relative to Bullying in Schools*, Chapter 86 of the Acts of 2014 at Section 4(k), the Hopkinton Public Schools will report the following information to DESE per their reporting protocols:

- i. The number of reported allegations of bullying or retaliation;
- ii. The number and nature of substantiated incidents of bullying or retaliations;
- iii. The number of students disciplined for engaging in bullying or retaliation; and
- iv. Any other information required by the department

Responding to Reports of Bullying

Protection from Retaliation and Further Bullying

The Massachusetts bullying legislation requires that schools follow "procedures for restoring a sense of safety for a victim and assessing that victim's need for protection." Therefore, as soon as practicable, the principal will take steps necessary to keep the aggressor and target apart during the school day and school events and assess whatever other steps might be necessary to keep the victim safe from further bullying. These steps may include, but are not limited to, requesting teachers to keep students apart during class activities or temporarily re-assigning the aggressor to another class.

Investigation

The principal¹⁸ will thoroughly investigate each allegation of bullying. The *Hopkinton Public Schools' Bullying Investigation Form* will be used to guide the principal through the investigation process. (See form in the Appendices.) The principal may elicit school counselors' assistance in interviewing victims if this makes the victim more comfortable and therefore more likely to disclose details of the bullying behavior directed at him/her.

¹⁸ In all situations noting the principal's responsibilities, it is understood that "designee" may be used interchangeably. However, the principal is ultimately responsible for actions that are required for the schools under the bullying plan.

Unless there are important mitigating circumstances (e.g., report is provided at dismissal, a snow storm results in early dismissal, the student is absent from school, the investigator goes home sick, etc.), the principal will begin an investigation the same day if the report is received in the morning, or the next day if the report is received in the afternoon. Investigation into reports received on Friday afternoon or the afternoon preceding a day when school is not in session should begin no later than the next school day, and earlier if that is practicable or the situation warrants quick action. The investigation will be concluded as quickly as possible.

The principal must determine through the investigation if the bullying behavior constitutes a violation of civil rights law. If the bullying is directed at a student because of race, color, national origin, sex, or disability and creates a hostile environment for the target, the school must respond according to district non-discrimination policy or possibly federal civil rights statutes. (See the United States Department of Education Office of Civil Rights [“Dear Colleague” letter](#) and the [district policy AC Non-Discrimination](#).)

Bullying behavior may also constitute a violation of other laws, including those in the chart on page 11.

Interviewing the Victim

Interviews should be conducted with two adults present so that one is free to ask questions while paying close attention to the student and the other is able to take notes. If possible, at least one of the adults should be someone the student knows and trusts. Interviewers of victims, aggressors, and witnesses should utilize open-ended questions and avoid leading questions. Open-ended questions encourage the interviewee to share what they know and feel, and can't be answered with yes/no. Examples:

- Tell me what happened yesterday.
- What did you do when that happened?
- How did the incident you told me about make you feel?

Closed questions, which ordinarily seek answers of one or a few words, can be asked to clarify or confirm details about which the interviewer is uncertain.

- You told me that this happened yesterday. Was that in the morning or afternoon?
- How many times did that happen?

A leading question prompts the interviewee to respond in a particular way or implies information that may or may not be true, and should be avoided. Examples:

- Did that make you feel badly?
- Tell me how you have been bullied.
- Do you get along with other students?

Parent Notification of Bullying Behavior

Massachusetts regulations (603 CMR 49) require that parents of *both* the aggressor and target be given notice promptly “upon investigation and determination that bullying or retaliation has occurred.” The principal or designee, at the time of notification of a bullying incident to a parent or guardian of a victim, must provide information about DESE’s Problem Solving Resolution System (<http://www.doe.mass.edu/pqa/prs/>). Notice may be provided prior to the investigation and determination at the principal’s discretion. This notice may be provided verbally and followed up with a letter and must be provided in the parents’ primary language. (The district’s Student Services Office can assist the principal in locating an interpreter if necessary.)

The notice must outline findings at that point, the school’s procedures to responding to the bullying or retaliation, and the actions that the school will take to prevent further bullying or retaliation.

Written and verbal notification to a parent about an incident or a report of bullying or retaliation must comply with confidentiality requirements of the Hopkinton School Committee policy *Student Records* (JRA), 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 state regulations (603 CMR 49.07), which follows:

- (1) A principal may not disclose information from a student record of a target or aggressor to a parent unless the information is about the parent's own child.
- (2) A principal may disclose a determination of bullying or retaliation to a local law enforcement agency under 603 CMR 49.06 without the consent of a student or his/her parent. The principal shall 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.
- (3) 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.

Memorandum of Understanding

The Hopkinton Public Schools and Hopkinton Police Department recently signed an updated Memorandum of Understanding (MOU) that "reflects the recent changes in the laws that pertain to harassment, bullying, and cyber-bullying."¹⁹

The MOU purpose is an agreement to "coordinate...efforts and share information in order to prevent violence involving the students of the Hopkinton Public Schools...and to promote a safe and nurturing environment in the school community" (p. 1).

Designated Liaisons for the schools and police will meet regularly with the Middlesex County District Attorney's Office (commonly called Community Based Justice, or CBJ, meetings) for the following purposes related to bullying:

- (1) to discuss incidents of violence or bullying (as defined under G.L. c. 71, §370) in school or outside of school that affects students in the school;
- (2) to identify strategies to reduce such activities and to promote a safe and nurturing school environment;
- (3) to discuss community resources available for students at risk of harm from violence, abuse, and neglect;
- (4) to develop violence prevention and intervention programs, identification, protocol, and curricula as required by G. L. c. 12 §32; and
- (5) to outline the necessary action plan for implementation of such strategies (p.2).

Principals should consult the MOU as well as the chart below when determining what bullying behavior should be reported or discussed in a CBJ meeting.

Reporting to Law Enforcement When Appropriate

603 CMR 49.06 requires that law enforcement be notified if "the principal has a reasonable basis to believe that criminal charges may be pursued against the aggressor." The Hopkinton Police Department

¹⁹ From December 9, 2010 MOU cover letter sent to Superintendent John Phelan by Middlesex County District Attorney, Gerard T. Leone, Jr.

should *not* be notified in situations where the bullying has not risen to the level of a criminal offense such as those in the chart below. The decision to contact police may be made in consultation with the School Resource Office (SRO) or other individuals such as the school district's attorney. Notification will occur through the School Resource Officer. The principal must document the reasons for his/her decision to notify police.

In making the decision whether or not to report to behaviors that may indicate that a legal offense has been committed, the principal can consult the chart on the following page:²⁰

²⁰ Excerpt from workshop offered by the Juvenile Police Officers Association, October 19, 2010.

Behavior	Offenses
Threats and Violence	
Threat to commit a crime or hurt someone	Threats (275, § 2) Assault (265, § 13A) Assault Dangerous Weapon (ADW) (265, § 15B)
Threat designed to get money or to make someone do something	Extortion (265, § 13A) <i>(Threat to harm someone physically or damage their property in order to get something of value or to compel them to commit an act against their will)</i>
Hit someone	Assault and Battery (A&B) (265, § 13A) Aggravated A&B Child under 14 (265, § 13J) A&DB with Dangerous Weapon (ABDW) 265, § 15A)
Threaten, hit, or damage property based on prejudice (i.e., civil rights violation)	Assault, A&B or Property Damage with Intent to Intimidate (265, § 39) <i>(Purpose to intimidate must be based on race, color, religion, national origin, sexual orientation or disability; felony if substantial injury occurs.)</i>
Sexual Misconduct	
In person, written, and/or technological displays or improper touching	Dissemination of Obscene Matter (272, § 28) Child Pornography (272, § 29C) Indecent Assault and Battery (265, § 13B)
Property Damage & Theft	
Damage or deface another person's property	Malicious or Wanton Damage or Defacement (266, § 126) <i>(Always a felony regardless of the value or the amount of damage)</i>
Take another person's property	Larceny (266, § 30) Unarmed Robbery (265, § 19) <i>(any theft by force or fear, regardless of the value of the property stolen)</i> Armed Robbery (265, § 17)
Repeatedly speaking or acting in a way that causes emotional distress, fear, or intimidation	Criminal Harassment (265, § 43 A) Stalking (265, § 43) Annoying Phone Calls (269, § 14A) <i>(need a minimum of three calls designed to harass or involving obscene language)</i> Identity Fraud (266, § 37E)
Harassment	
Endanger a person during an initiation into any student organization	Hazing (269, § 17) Failure to Report Hazing (269, § 18)
Causing emotional injury to someone who reported bullying to the police	Witness Intimidation & Obstruction of Justice (268, § 13B) <i>(Even if intimidation involves a potential witness to a crime, this felony applies)</i>

If the investigation determines that one or more aggressors or targets attend another Hopkinton school, state charter school, collaborative or residential school, or another Massachusetts district, the principal will notify the principal of the other school(s) so that both may take appropriate action. If bullying that has occurred on school grounds or at a school event involves a former student under age twenty-one (21) who is no longer enrolled in any Massachusetts school, the principal will notify local law enforcement.

Due Process

If a principal decides after an investigation to apply suspension as a consequence for bullying, student and parents may consult the Student Handbook for due process rights, including written notice, right to appeal the decision of the principal to the superintendent.

Consequences and Follow Up Actions

Discipline

Each school's handbook will include developmentally appropriate consequences/disciplinary action for bullying, cyber-bullying, and retaliation. Handbooks will be easily accessible on each school's webpage.²¹

When principals have verified that these prohibited activities have occurred, consequences will be applied consistently as defined in the handbook. To ensure that parents have had advance notice of the provisions for bullying in each school's handbook, parents will sign verification that they have read the handbook at the start of the school year. These signatures will be kept on file for the year.

No disciplinary action may be taken before a thorough investigation has occurred. No disciplinary action may be taken on the basis of an anonymous report.

Students with Special Needs

If a student with special needs is determined to be an aggressor and has an Individual Education Plan that includes skills and proficiencies to address social skill development, the principal will consult with the Special Education Director (or designee) before determining consequences, which may include a "manifestation determination"²² hearing if the accumulated days of suspensions will exceed ten (10).

Psychological Support

Psychological support will not include mediation or any attempt to bring the target and aggressor together to discuss the matter. Since bullying occurs in situations where the perception of power is unequal, these approaches are not advised, and may do further harm to the target.

Both the target and the aggressor require psychological support following verified bullying but their needs differ.

Target

The target needs psychological support to move successfully beyond the emotional impact of the bullying they have experienced and to learn strategies he/she could employ to counter bullying behavior they may encounter in the future. In all cases of verified bullying, the district will offer the support of a district guidance counselor, adjustment counselor, or psychologist to assess the student's needs and to support him/her during the period of adjustment after the bullying has been resolved. Counseling will continue until the counselor is reasonably certain that the student is able to focus on his/her schoolwork and participate in school activities.

²¹ Each school's handbook with bullying consequences can be found on individual school websites.

²² A "manifestation determination" hearing is legally required before a child with a disability (on an Individual Education Program or 504 plan) can be suspended more than ten days. This hearing is to determine if the behavior is a manifestation of the child's disability. If behavior is a manifestation of his/her disability, the student must remain in his/her educational placement, and the team must consider the services that should be added to the child's IEP or 504 plan.

In cases of bullying where the student has been traumatized, the district's Student Services Department may be asked to make recommendations to the principal for outside counseling services that the parents may wish to access and which may be covered by their health insurance.

Aggressor

Aggressors require (1) direct teaching about appropriate pro-social behavior, and (2) school counseling to help them stop their bullying behavior and prevent additional students from becoming victims. Counseling an aggressor can be more challenging than counseling victims because aggressors often lack empathy for others and therefore have little remorse for the outcomes of their bullying behavior. Therefore, without counseling, bullying behavior could continue and be directed at different targets.

The ability to empathize is a key variable in the development of positive social behavior (Espelage, Mebane, & Adams, 2004)²³. School counselors or outside counselors to whom the parents are referred (at their request) must help aggressors understand how others experience bullying behavior, though empathy development takes a great deal of time. An online article *How to Help a Bully: Recommendations for Counseling the Proactive Aggressor*, explains:

To change the behavior of appetitive, self-serving individuals, those individuals must be convinced that a desired change is in their own best interest. Thus, counseling interventions to arrest the proactive aggression of bullies must convince the bullies that the personal benefit of their aggression is outweighed by both its negative consequences and the tangible benefits of pro-social behavior (Brown & Parsons). At the same time, intervening school counselors must avoid becoming victims themselves of a proactive aggressor's manipulative tactics."²⁴

Monitoring and Evaluating Bullying Data

Data Collection

The district will collect data on bullying in order to evaluate if efforts to reduce bullying behavior are successful over time. The district Data Manager will manage a database or online means to collect and monitor instances of bullying, cyber-bullying, and retaliation that will allow administrators to disaggregate data to identify patterns, if any (e.g., higher rates at particular grade levels or gender, bullying directed at particular populations, etc.).

DESE Survey Data

In addition to the annual collection of data from schools, and in accordance with *An Act Relative to Bullying in Schools*, Chapter 86 of the Acts of 2014 at Sections 4(1) & 5, the Hopkinton Public Schools will administer an anonymous DESE student survey to assess the climate of schools and the prevalence of bullying. Survey data will be compared with data collected annually from schools and will be provided to the superintendent by June 30th of each year.

Reporting Requirements

Principals will report on bullying data to the superintendent by June 30th each year using a common district report template. School bullying reports will be shared with other district principals. Each year, the Superintendent or his/her designee will report statistics about bullying, improvements that have been seen, and any areas that require further work to reduce bullying or cyber-bullying.

²³ Espelage, D. L., Mebane, S. E., & Adams, R. S. (2004). Empathy, caring, and bullying: Toward an understanding of complex associations. In D. L. Espelage & S. M. Swearer (Eds.), *Bullying in American schools* (pp. 37-61). Mahwah, NJ: Erlbaum.

²⁴ <http://www.thefreelibrary.com/How+to+help+a+bully%3A+recommendations+for+counseling+the+proactive...-a0172831289> Accessed on October 17, 2010.

Finding Root Causes and Identifying Solutions

The district and school administration will work with staff to evaluate bullying prevention efforts, using the bullying data collected each year. The principals (and Director of Students Services if children with special needs are involved) will organize the staff to search for root causes if bullying behavior is not decreasing and to determine appropriate solutions to address the root causes. This information will be part of the annual bullying report.

Data Storage and Records Retention

Massachusetts Records Retention regulations²⁵ require that all student discipline records (considered the “temporary record”), which include documentation of “the discipline of students for infraction of school policy,” be retained up to seven (7) years after the student has left the district. If a student moves to another school, his/her records are sent to the receiving school. All such student records, except the transcript, shall be destroyed according to the district’s record retention policy²⁶.

The Principal is the custodian of the bullying report forms and investigation notes and forms in his/her school. Per Massachusetts’ regulations about discipline records, bullying report and investigation forms will be passed on to the principal of the receiving school.²⁷ The only exception will be report or investigation forms of behavior that was not substantiated after an investigation; these forms will be shredded.

Records of counseling provided to targets and aggressors are not part of the educational or discipline record and should be retained by counselors.

The Family Educational Rights and Privacy Act (FERPA - 20 U.S.C. § 1232g; 34 CFR Part 99) gives parents the right to see their child’s educational record. According to the U.S. Department of Education, “Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.”²⁸

The district Data Manager will oversee the secure storage of bullying data and provide access to the data on a “need to know” basis, that is, those who need the data to perform job functions such as report writing. Those with a “need to know” may include Principals, Assistant Principals, Director of Student Services, Assistant Superintendent, and Superintendent.

Classroom and School-wide Curriculum

Guiding Principles

The Hopkinton Public Schools recognizes that a bullying prevention curriculum encompasses not only planned lessons and units that follow a learning progression from grade to grade, but also what is taught through the purposeful structuring of school experiences. Curriculum is thus construed broadly in this plan. For example, a school that emphasizes respect in the daily conduct of school events, and expects respect to be demonstrated by all students and staff, teaches powerful lessons about behavior that is antithetical to bullying behavior. This approach is supported by research:

²⁵ 603 CMR 23.06

²⁶ Policy to be developed.

²⁷ Under Chapter 71 “Section 37L, any student transferring into a new school district must provide the new district with “a complete school record,” including, but not limited to, “any incidents involving suspension or violation or criminal acts or any incident reports in which such student was charged with any suspended act.” Found at:

<http://www.doe.mass.edu/lawsregs/advisory/discipline/AOSD1.html>

²⁸ See <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

The most promising results were reported for whole-school anti-bullying efforts, including those to establish schoolwide rules...Schoolwide programs were found to be far more effective in reducing bullying and victimization than were classroom curriculum programs or social skill training strategies..."²⁹

Therefore, the district's bullying prevention curriculum includes both whole school efforts that are developmentally appropriate and integrated into all activities, as well as a planned, sequenced curriculum that is taught directly to all students.

State Legislative Guidelines

The state's bullying legislation (§ 16) requires the DESE to "publish guidelines for the implementation of social and emotional learning curricula in kindergarten to grade 12...on or before June, 2011." The social and emotional learning curricula are defined as "process by which children acquire the knowledge, attitudes, and skills necessary to recognize and manage their emotions, demonstrate caring and concern for others, establish positive relationships, make responsible decisions, and constructively handle challenging social situations."

Curriculum Purchase Guidelines

The district will purchase and teach only those curricula with a research base demonstrating success in bullying prevention. Finding curricula with a research base will be challenging as the Educational Researcher article referenced above noted that a "2008 meta-analytic investigation of 16 studies published from 1980 to 2004 yielded...disappointing results regarding the impact of anti-bullying programs."³⁰ The Wellness Coordinator has since facilitated the selection and purchase of curriculum with input from administrators and teachers.

Curriculum in Use or Planned

The Hopkinton Public Schools has been using a K-8 research-based³¹ wellness curriculum from Committee for Children entitled *Second Step*, which is not yet being implemented across all grades with fidelity. The curriculum focuses extensively on violence prevention, including specific lessons on bullying. The first step in the district's curriculum plan will be to do what is necessary (e.g., training, entering the curriculum into the district's online curriculum data base) to ensure that the curriculum is taught at all nine grades as intended.

Using two grants from the MetroWest Community Health Care Foundation, and a grant from the Hopkinton Trustees of the Schools as well as other funding, the district will purchase an additional whole school curriculum for grades 2-5 entitled *Steps to Respect*, which focuses specifically on bullying. The program "teaches elementary students to recognize, refuse, and report bullying, be assertive, and build friendships."³² This curriculum integrates with the wellness curriculum, *Second Step*. The district sent three elementary teachers to a Train the Trainers session with the Committee for Children. These teachers will train two school district staffs to implement *Steps to Respect* curriculum.

At this time, no research-based curriculum has been identified for the high school level. The district has searched for a grades 9-12 curriculum with no success and therefore will wait for Department of Elementary and Secondary Education (DESE) curriculum guidance that is due to be released in June of 2011 before selecting a curriculum for that grade span.

Library Integration

²⁹ Swearer, S., et al. (2010). *What can be done about school bullying? Linking research to educational practice.* Educational Researcher. 39(1). 42.

³⁰ Ibid

³¹ The research references are available at www.cfchildren.org.

³² <http://www.cfchildren.org/programs/str/overview/>

To encourage integration of the anti-bullying theme in K-8 classrooms, the schools' librarians have assembled a list of books and resources, including the Massachusetts School Library Association List of Books for young children, middle readers, young adults, and professionals. This list is available from a link on the library web pages.

Parent Information

Consistent with state law, provisions for informing parents about the district's bullying prevention curriculum shall include, but not be limited to, how parents can reinforce the curriculum at home and support the school district or school plan, the dynamics of bullying, and online safety and cyber-bullying.

Roles and Responsibilities of Individuals and Groups

The district has formed several teams to continue to develop and maintain a culture of respect in our schools. However, everyone associated with the school has particular responsibilities to carry out in order to prevent bullying and intervene if it should occur. Preventing, reporting, and responding requires a community-wide, coordinated effort.

District Climate Team (DCT)

The District Climate Team's focus is the development of the theme of respect so that it permeates each school's climate. The team operates with the premise that an emphasis on respect will produce less bullying than a campaign against bullying. The team is composed of staff and students who will meet monthly to arrange age-appropriate activities that increase the display of respectful, responsible behavior throughout the schools. The team will provide students with the opportunity to make a positive effect on their school's climate, which in turn will encourage them to be active, rather than passive, in their response to bullying behaviors.

The DCT will also oversee professional development planning each year and will ensure that it is coordinated with anti-bullying activities across the district and community.

School Climate Teams

The School Climate Teams are school subgroups of the District Climate Team that aim to reduce and prevent bullying by helping students understand the impact of bullying behavior on individuals and the community.

The teams create activities appropriate for the students in their school and work with the principal to examine patterns of both bullying and harassment in order to address any increases in this behavior.

Community Advisory Committee

This group, composed of representative community members from community partners such as the library, police, churches, youth activities, Hopkinton Parent Teacher Association, Special Education Parent Advisory Council (SPEAC), and Youth Commission works with and advises the District Climate Team (DCT) in its planning to develop a respectful climate, and helps expand the theme into community activities for Hopkinton children and youth. The committee will meet every other month with the DCT facilitators.

Special Education Teams

The Massachusetts bullying legislation (§7) addresses particular requirements of children with special needs. This section of the legislation includes language that requires teams developing an Individual Education Plan to consider the needs of children with disabilities that may make them likely to bully or become targets. The legislation reads:

Whenever the evaluation of the Individualized Education Program team indicates that the child has a disability that affects social skills development or that the child is vulnerable to bullying, harassment, or teasing because of the child's disability, the Individualized Education Program

shall address skills and proficiencies needed to avoid and respond to bullying, harassment, and teasing.

SPEAC

The Hopkinton Special Education Parent Advisory Committee assists the district in developing district-wide disability awareness as one means of prevention, by helping non-disabled students to accept and respect students with disabilities.

Wellness Committee

This committee includes the district's physician, Nurse Leader, Wellness Coordinator, and Assistant Superintendent, as well as the Hopkinton Public Health Administrator, and the Medical Home Health Coordinator from a local pediatric practice. This group is planning two parent/community presentations to parents in February and March, 2011 (one on bullying and the next focused on cyber-bullying). Next year, the group will determine additional parental information needs that coordinate with information provided to staff and students and plan additional sessions as needed.

All Staff

All staff members are responsible for demonstrating and encouraging respectful behavior, learning the signs of bullying and cyber-bullying, intervening to stop any observed bullying behavior, and reporting any bullying behavior that is discovered (either observed directly or behavior that has been reported).

Parents

- (1) **All parents** are responsible for reading the information that the district provides on bullying, cyber-bullying, and retaliation, and reporting any of this activity that they may witness or learn about.
- (2) **Parents of targets** are also responsible for reporting any bullying, cyber-bullying, or retaliatory behavior directed at their children so that the school can address this behavior.
- (3) **Parents of aggressors** are responsible for partnering with the school to help their child understand the consequences of his/her bullying and to change his/her behavior.

Captains' Council

The captains of all district athletic teams participate in a Captains' Council, which aims to develop athletic leadership. This group will receive specific training on spotting bullying behavior, helping team members to avoid being passive bystanders, and reporting bullying behavior.

Students

All students are expected to demonstrate respectful behavior and reporting bullying rather than remaining a passive bystander. Students are responsible for reporting bullying, cyber-bullying, or retaliatory behavior to a staff member in the school. Students may wish to participate in Student Climate Teams at their individual schools.

Partnerships

“True and effective violence prevention requires a comprehensive response that brings all segments of the community into play. Health care, public health, mental health, youth development, education, family support, faith and religious, and criminal justice institutions and professionals have roles to play as do community groups, survivors, and others who live with the consequences of violence on a daily basis.”³³

Schools and Parents Partner to Prevent Bullying

Parents and the schools are mutually dependent upon one another to prevent bullying and address it effectively if it does occur. The district has the primary role of providing information to parents so that they understand the district’s anti-bullying efforts, and informing parents if it occurs.

In choosing what information to provide to parents, the district will be responsive to parental requests, using the Hopkinton Parent Teacher Association (HPTA), the Special Education Parent Advisory Council (SPEAC), or other Hopkinton Public School district organizations to help identify topics of need and interest. Information will be provided to parents each year via print material, online tools, workshops, and/or presentations. Regardless of the outcomes of the survey, the district at a minimum will provide parents with information about:

- (1) The curriculum at their child’s grade level,
- (2) How to reinforce the curriculum at home,
- (3) Bullying dynamics, and
- (4) Online safety and cyber-bullying.

A partnership is a two-way relationship. Therefore, the district not only provides information, but also actively seeks and utilizes parental input in its ongoing efforts to prevent bullying behavior. Every two years, the district will revise this plan with parental input. However, if data show that bullying behavior is increasing at any school, the principal will not wait for the end of the two-year period, but will engage the School Council and interested parents in strategizing and implementing solutions.

Periodic reports of bullying data will be made to School Councils and School Committee.

Schools and the Community Partner to Prevent Bullying

The community of Hopkinton shares responsibility for the well being of all its children. A successful partnership includes key community members working together to communicate a consistent message and employ common strategies that increase positive behavior and promote respect.

The community has many organizations and individuals who can collaborate in a united effort to prevent bullying behavior by promoting a culture of mutual respect and by disseminating information to families and children. These organizations and individuals will be represented on the Community Advisory Committee, and include, but are not limited to:

- Coordinator of Youth Services
- Police Department
- Local Pediatric Practice(s)
- Youth organizations such as local athletics
- Houses of worship and faith-based organizations
- Public Health Administrator
- Public library
- Local businesses that serve students

³³ Spivak, H. (2003) *Bullying: Why All the Fuss?*, [Pediatrics](http://www.pediatrics.org/cgi/content/full/112/6/1421). American Academy of Pediatrics. Accessed at <http://www.pediatrics.org/cgi/content/full/112/6/1421>, November 29, 2010.

Professional Development

Purpose

The overall purpose of professional development for *all* staff (teachers—including substitutes, nurses, professional support staff such as counselors, PT, OT, librarians; teaching assistants, secretaries, administrators, cafeteria workers, bus drivers, and coaches, etc.) is to:

1. Insure a high degree of understanding and ability to comply with the requirements of the law and this plan;
2. Help staff plan and employ strategies to develop respectful behavior; and
3. Build capacity to teach the anti-bullying curriculum with fidelity so that the research-based outcomes can be achieved. Professional development is differentiated to meet the varying needs of Hopkinton staff members

Professional Development Planning

The District Climate Team will work with the Assistant Superintendent and Principals to create and conduct a professional development needs assessment, as well as plan and carry out professional development activities each year. The plan will be guided by a report on professional development issued by the Department of Elementary and Secondary Schools (DESE) in October, 2010 as required by the bullying legislation, which directed the DESE to “submit to the Massachusetts Legislature a report on cost-effective ways to implement professional development. (The full report and other resources can be found on the [DESE website](#).) Developing a comprehensive professional development program will require overcoming several limitations that were noted in the report, including the following:

- (1) “...the Department did not identify a comprehensive professional development program that addresses all of the statutorily required content areas.”
- (2) “*On a limited basis*, Department staff may be able to provide professional development in some content areas at no program cost.”
- (3) The Department has not yet developed online professional development. “The Department is in the process of creating a web-based tool for professional development and training for use in schools and districts to train local school staff on the general roles and the responsibilities of all staff under the law.”
- (4) Cost: “There will be costs at the school and district level...The variables and costs will depend on the approaches to professional development by the districts. Costs for any type of training include, at a minimum, time for staff to attend the training, the design and schedule of the professional development and the cost of necessary coverage...Specific costs will be determined by the school and district.”

Professional Development Curriculum for Administrators, Teachers, Nurses, Student Support Staff, coaches, club advisors, custodians, cafeteria staff, bus drivers

Professional development activity begins with a mandatory training on the requirements of the law, definitions, the details of this plan, how to recognize bullying behavior or a student who may be bullied or cyber-bullied, and how to file a report when necessary.

All staff members are provided training in bullying intervention and prevention via online training modules at the beginning of each year. (See [district website](#).) Subsequent trainings will be provided on an as-needed basis. These may include, for instance, strategies to create a respectful classroom or implementation of bullying curriculum.

The DESE report indicates that professional development must include the following, which the Hopkinton Public Schools will ensure occurs:

- (1) Developmentally appropriate strategies to prevent bullying incidents;
- (2) Developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents;
- (3) Information regarding the complex interaction and power differential that can take place between and among aggressor, target, and witnesses to the bullying;
- (4) 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;
- (5) Information on the incidence and nature of cyber-bullying; and
- (6) Internet safety issues as they relate to cyber-bullying.

Professional Development for Non-Instructional Support Staff

The district will modify the curriculum for other groups, including secretaries, teaching assistants, custodians, cafeteria workers, bus drivers to reflect for the unique contexts and needs of these employees. At a minimum, these staff members will become familiar with this plan, and in particular how to spot and report bullying behavior.

Periodic Plan Review

The bully legislation requires that the DESE “biennially update the model plan and the list of resources, curricula, best practices, and research and shall post them on its website. Therefore, in the fall of 2012, the Assistant Superintendent will convene a committee of staff, parents, students, and community members to review the new model plan and resources and update this plan as necessary.

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Appendices

Code: JICFB

HOPKINTON SCHOOL COMMITTEE POLICY BULLYING PREVENTION

Statement of Purpose

The Hopkinton Public Schools is committed to fostering and maintaining a safe, nurturing, positive, and productive educational and work environment. Harassment, intimidation and bullying within the Hopkinton Public School community will not be tolerated and all complaints will be taken seriously and promptly investigated. The purpose of this policy is to prevent harassment, intimidation, and bullying between or among any members of the school community and to offer persons who believe they have been subject to it an efficient and effective means by which to end it.

Scope

This policy applies to all members of the Hopkinton Public School community; 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, and/or contract workers, students, and parents/guardians, while attending school and all extra-curricular and school sponsored activities and events, both on school property and at off-site locations, and during normal school hours as well as during non-school hours.

Definitions

“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 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; or
- materially and substantially disrupts the education process or the orderly operation of a school.

“Perpetrator”, a student or member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic 2 coach, advisor to an extracurricular activity or paraprofessional who engages in bullying or retaliation.

“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, cell phones, 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 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.

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/guardians and families are expected.

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

Prohibitions

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 also 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 School District 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 education process or the orderly operation of a school.

Prevention and Intervention

The superintendent and/or his/her designee shall oversee the development 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 or 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 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

Reports of bullying should be made via the Hopkinton Public Schools Bullying Prevention & Intervention 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 Prevention & Intervention 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 Prevention & Intervention 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/guardian makes a verbal report to school

employees, the employee must report to the principal/designee using the Hopkinton Public Schools Bullying Prevention & Intervention 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/guardians of a student who has been the alleged target or alleged aggressor. The principal may contact a parent/guardian 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/guardian 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/guardian about his/her own child. Upon notice of an alleged incident of bullying, a principal must provide a parent/guardian with the Hopkinton Public Schools Parent's Notice of Procedural Safeguards for Alleged Victims of Bullying.

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/guardian 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/guardian. 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.

A principal must report all allegations of bullying to the superintendent, biannually, by June 30th and December 30th of each year. The superintendent will report alleged incidents of bullying to the Department of Elementary & Secondary Education (DESE), 5 as required.

Investigation

The school principal or designee will promptly investigate the report of bullying, using the Hopkinton Public Schools' Bullying 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/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/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 Assessment

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	December 5, 2013; September 4, 2014
Second Reading	September 18, 2014
Adopted	December 5, 2013
Policy Amended	September 18, 2014
Legal References	Title VII, §703, Civil Rights Acts of 1964 as amended Federal Regulation 74676 Issued by EEO Commission Title IX of the Education Amendments of 1972 MGL 71:370, as added by Ch. 92 of the Acts of 2010 MGL 265:43, 43A Criminal Harassment MGL 268: 13B Intimidating a Witness MGL 269:14A Annoying Telephone Calls 603 CMR 26 and 49:00 Access to Equal Educational Opportunities / Duty to Notify

Adapted References	MASC Model Policies
Policy Cross References	AC Non-Discrimination ACAB Sexual Harassment Procedure Reference Manual HPS Bullying Prevention and Intervention Report Form (JICFB-1) HPS Bullying Investigation Form (JICFB-2)

Hopkinton Public Schools Bullying Prevention & Intervention Report Form

1. Name of Person Filing This Report

Note: Reports may be filed anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.

2. Check whether you are the: Target of the bullying behavior Reporter (not target)

3. Check whether you are a: Student Staff member (specify role)
 Parent Administrator Other (specify)

4. If you are a student, state your school: _____ Grade: _____

5. Your contact information, including telephone number: _____

6. If a staff member, state your work site: _____

7. Information about the incident

Name of target of bullying behavior: _____

Name of the aggressor: _____

Date(s) of incident(s)	Time of each	Location of each	Witnesses or others who know about the incident (if any), and their role (student, staff, parent, etc.)

If you have attached additional pages for other incidents, check here:

Describe the details of the incident(s), including the names of all who were involved, what each did, and specific words and actions. If you have attached additional sheets, please check here:

Hopkinton Public Schools Bullying Investigation Report Form

INVESTIGATION

1. Investigator(s):

2. Interviews:

Interviewed aggressor(s) Name: Date:

Interviewed target Name: Date:

Interviewed witness(es) Name: Date:
Name: Date:
Name: Date:

3. 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 or retaliation? Yes
No

Summary of Investigation (please use additional paper and attach to this document as needed):

INVESTIGATION CONCLUSIONS

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 Date:

