

Procedures for Reporting and Investigating Bullying and Retaliation

It is the responsibility of the School Administration and Principals to make clear to students and staff that bullying or harassment in the school building, on school grounds, on the bus or school sanctioned transportation, or at school sponsored functions will not be tolerated. School Principals or their designees shall be responsible for implementation of bullying prevention and intervention procedures, including investigating all charges of bullying, cyberbullying and/or retaliation. However, in the event that an allegation of bullying, cyberbullying or retaliation is made against a School Principal, the charge should be reported to the Chief of Staff for the Southbridge Public Schools and the allegation shall be investigated by the Superintendent or designee.

Violations of School and/or District policy and procedures will be addressed in conformance with existing disciplinary policies. In addition, all reporting, investigations and responses shall be consistent with local, state and federal law regarding anti-discrimination and the protection of civil and human rights. Consultation with district legal staff, and representatives of local, regional and state law enforcement and justice agencies may be required to ensure the rights of targets/victims and aggressors/perpetrators are maintained.

Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to compliance@doe.mass.edu or individuals can call 781-338-3700. Hard copies of this information is also available at the Superintendent's office.

A. Reporting Bullying or Retaliation

A school or district staff member is required to report immediately to the principal or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. The requirement to report to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

At the beginning of each school year, the school or District will provide the school community, including administrators, staff, students, and parents or guardians, written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the Principal or designee, will be incorporated into the Parent and Student Handbooks and posted on the Southbridge Public Schools' website.

Though the Southbridge Public Schools Incident Reporting Form is not required as a condition of making a report, the school or district will:

- Include a copy of the Incident Reporting Form in the information packets that are distributed for students at the beginning of the school year and in the Parent and Student Handbooks
- Make the Incident Reporting Form available in the school's main office, the

counseling office, the school nurse's office, and other locations determined by the principal or designee

- Make the Incident Reporting Form available on the Southbridge Public School website

Reports of bullying or retaliation made by students, parents or guardians, or other individuals who are not school or district staff members, may be oral or written, via telephone/cell-phone, text or face-to-face, by email, in writing, or anonymously.

1. Reporting by Staff

Any staff member that encounters an interaction that may be construed as bullying will first be asked to try to address the incident between the target(s)/victim(s) and aggressor(s)/perpetrator(s). The staff member will then report the incident immediately to the Principal or designee so the investigation process may begin. This initial report should ideally include:

- Date, time and location of the incident
- Individuals involved and their roles (e.g. target/victim, aggressor/perpetrator, bystander)
- Information about if/how the incident is part of a pattern of
- Any actions taken by the staff person to defuse the situation

This initial report may be done orally, by email or via a written note. The initial report must be documented in writing using the Incident Reporting Form within 72 hours of the initial report of the incident.

2. Reporting by Students, Parents/Guardians, and Others

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the Principal or designee. This may be done by telephone/cell-phone, text, face-to-face, by email, in writing, or anonymously. Students, parents/guardians and others are not required to complete the Incident Reporting Form. If an oral report of a bullying incident is made, the Principal/Designee will complete an Incident Reporting Form to document in writing the allegation. An Incident Reporting Form may also be completed by the Principal/Designee to complement written reports of bullying by a student, parent/guardian or others in those instances where additional data is secured to substantiate or complete the allegation. This form may also be completed by school staff to complete the incident file.

Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee.

Anonymous reporting will be managed at the school or district level. Students, parents/guardians and others will be able to make anonymous bullying reports by telephone/cell-phone, text, by mail, and through the Southbridge Public Schools website. Anonymous reports should include at least the following information:

- Date, time and location of the incident

- Individuals involved and their roles (e.g. target/victim, aggressor/perpetrator, bystander)
- Any knowledge of prior incidents that were reported or not
- The relationship of the reporter to the incident (e.g. witnessed firsthand, third party report)

Upon receipt of an anonymous report the school or District will initiate a preliminary investigation. If the anonymous allegation is deemed to have potential merit, an Incident Reporting Form will be completed by the investigating staff member and the investigation process at the school level will proceed.

No disciplinary action will be taken against an alleged aggressor/perpetrator solely on the basis of an anonymous report.

B. Responding to a Report of Bullying or Retaliation

1. Safety

Before fully investigating the allegations of bullying or retaliation, the Principal and/or a team designated by him/her will take steps to assess the need to restore a sense of safety to the alleged target/victim and/or to protect the alleged target/victim from possible further incidents. Responses to promote safety may include, but not be limited to:

- Creating a personal safety plan
- Pre-determining seating arrangements for the target/victim and/or the aggressor/perpetrator in the classroom, at lunch, or on the bus
- Identifying a staff member who will act as a “safe person” for the target/victim
- Altering the aggressor’s/perpetrator’s schedule and access to the target/victim

The Principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary. The Principal or designee will implement appropriate strategies to protect any student who (a) reports bullying or retaliation, (b) witnesses bullying or retaliation, (c) provides information during an investigation of allegations of bullying or retaliation, or (d) has reliable information about an alleged act of bullying or retaliation from further acts of bullying or retaliation. Strategies that may be used to create a safer environment for the target(s)/victim(s) and/or aggressor(s)/perpetrator(s) include:

- Increasing adult supervision at times and /or in locations where bullying is known to have occurred or is likely to occur
- Temporarily and/or permanently changing the target(s)/victim(s) and/or aggressor(s)/perpetrator(s) class schedule and/or seating arrangements to reduce opportunities for retaliation
- Establishing a safe zone for the target/victim to go to when s/he feels vulnerable

This is not an exhaustive list. The creation of safe environments for targets/victims, aggressors/perpetrators, or others impacted by the incident will be considered for each individual person and incident.

2. Obligation to Notify Others

The Principal or designee has primary responsibility to notify the following constituencies in writing – through a letter or email message - when bullying or retaliation has occurred. A copy of all written or electronic communication with these constituencies must be sent to the Office of Student Support Services so they are (a) appropriately informed, and (b) can assist with response as needed.

- a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target/victim and the aggressor/perpetrator (or the aggressor(s)/perpetrator(s) if he/she/they is or are school staff) of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
- b. Notice to Another School or District. If the reported incident involves aggressor(s)/perpetrator(s) or target(s)/victim(s) from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone/cell-phone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.
- c. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor/perpetrator, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor/perpetrator.

In making this determination, the principal will, consistent with the Bullying Prevention and Intervention Plan and with applicable school or district policies and procedures, consult with the supervisor of school resource officers and other individuals the principal or designee deems appropriate.

C. Investigation

The principal or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the aggressor(s)/perpetrator(s) or target(s)/victim(s) involved.

During the investigation the Principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or

designee (or whoever is conducting the investigation) will remind the alleged aggressor(s)/perpetrator(s), victim(s)/targets, and witnesses that retaliation is strictly prohibited and will result in disciplinary action. If the alleged aggressor(s)/perpetrator(s) is a staff member, he/she will have the right to request union representation during the investigation phase.

Interviews may be conducted by the Principal or designee, other staff members as determined by the Principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The Principal or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the Principal or designee will consult with legal counsel about the investigation.

Upon receipt of an anonymous report the school or District will initiate a preliminary investigation. If the anonymous allegation is deemed to have potential merit, an Incident Reporting Form will be completed by the investigating staff member and the investigation process at the school level will proceed.

D. Determinations

The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target/victim is not restricted in participating in school or in benefiting from school activities. The principal or designee will:

- Determine what remedial action is required, if any
- Determine what responsive actions and/or disciplinary action is necessary

Depending upon the circumstances, the principal or designee may choose to consult with the target(s)/victim(s) or perpetrator(s)/aggressor(s) teacher(s) and/or school counselor, and the target's/victim's or aggressor's/perpetrator's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents or guardians of the target(s)/victim(s) and the aggressor(s)/perpetrator(s) (or the aggressor(s)/perpetrator(s) if he/she/they is/are school staff) about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations.

Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's/victim's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other

directive that the target/victim must be aware of in order to report violations.

The principal or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination

E. Responses to Bullying

The creation of school environments where every student feels a sense of belonging is integral to student success. To this end, the Southbridge Public Schools will modify or institute procedures by grade level as necessary to provide a safe environment at all times of the school day including non-classroom times such as lunch, bus rides, recess, and after-school and other out-of-school time, particularly for students who have been targets/victims of substantiated allegations of bullying/cyberbullying/retaliation, as well as aggressors/perpetrators of said actions as needed to restore a safe and supportive learning environment for all students .

1. Teaching Appropriate Behavior Through Skills-building

Upon the Principal or designee determining that bullying or retaliation has occurred, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O(d)(v). Skill-building approaches that the principal or designee may consider include:

- Offering individualized skill-building sessions based on the school's/district's anti-bullying curricula
- Providing relevant educational activities for individual students or groups of students or school staff, in consultation with guidance counselors and other appropriate school personnel
- Implementing a range of academic and nonacademic positive behavioral supports to help students and school staff understand pro-social ways to achieve their goals.
- Meeting with parents/guardians/school staff to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home
- Adopting behavioral plans or contract to include a focus on developing specific social skills
- Making a referral for any further evaluations as appropriate

If a student who is found to be the target/victim or aggressor/perpetrator in a substantiated bullying incident has an Individualized Educational Plan (IEP) and the cause of the incident is related to his/her disability, then the provision of skill building training shall be integrated into that student's IEP.

2. Taking Disciplinary Action

If the Principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the target(s)/victim(s) and aggressor(s)/perpetrator(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Parent and Student Handbooks. If the aggressor(s)/perpetrator(s) is school staff, disciplinary action, if any, may include, but is not

limited to disciplinary action that is permissible by Southbridge Public Schools Policy, State and Federal Laws and Regulations, Case Law, including but not limited to Administrative Hearings and/or Union Contracts/Agreements.

Discipline procedures for aggressor(s)/perpetrator(s) with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), in cooperation with state laws regarding student discipline.

If the Principal or designee determines that a knowingly false allegation of bullying or retaliation has been made, appropriate actions will be taken. This may include disciplinary actions for those incidents where the accuser is a student or school staff.

Discipline, the need to identify constructive limits and controls in order to develop positive behaviors in all children, is an essential ingredient in every student's total learning experience. The goal of discipline is to help students and school staff develop wise decision-making skills so that they may learn to make responsible choices in their interactions with others. Progressive discipline strategies are used by the teachers and administrators of the Southbridge Public Schools and may include any one of the following strategies and/or combination of the following discipline strategies:

- Counseling that starts at the classroom level between teacher and aggressor(s)/perpetrator(s), and if not productive, proceeds to the social worker, guidance counselor, or principal and/or the assistant principal
- Detention: office, after-school, and/or weekend
- Assignment to an Adjustment Counselor
- Suspension from school that may be imposed by the principal or assistant principal for up to 5 days for serious misbehavior and that may be extended to 10 days with the approval of the Superintendent, or Assistant Superintendent
- If the aggressor(s)/perpetrator(s) is/are school staff, disciplinary action, if any, may include, but is not limited to disciplinary action that is permissible by Southbridge Public School Policy, State and Federal Laws and Regulations, Case Law, including but not limited to Administrative Hearings and/or Union Contracts/Agreements.

3. Promoting Safety for the Target/Victim and Others

Upon the completion of the investigation, the Principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's/victim's sense of safety and the sense of safety for others as well.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the Principal or designee will contact the to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the Principal or designee will work with appropriate school staff to implement them immediately.

4. Confidentiality

The Southbridge Public Schools recognizes that both the alleged target/victim and alleged aggressor/perpetrator have strong interest in maintaining the confidentiality of an allegation and related information. The privacy of the alleged target/victim, alleged aggressor/perpetrator, and all witnesses will be respected and maintained consistent with legal obligations to investigate, to take appropriate action, and to comply with the Bullying Prevention and Intervention Plan.

5. Survey and Reporting to the Department of Elementary and Secondary Education

At least once every four years, the district will administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools. Additionally, the school or district will annually report bullying incident data to the Department.