

THE PARK SCHOOL BULLYING PREVENTION AND INTERVENTION PLAN

August 2016

I. Introduction

At The Park School (the “School” or “Park”) we expect that all members of our school community will treat each other with civility and respect.

It is the policy of the School to provide and maintain a learning environment that is free of bullying, cyber-bullying, unlawful discrimination, harassment, retaliation and any other verbal, physical or emotional misconduct that disrupts the learning environment or makes it unsafe.

The Park School Bullying Prevention and Intervention Plan (the “Plan”), set forth below, is an integral part of our efforts to promote learning and to prevent behavior that can impede the learning process. Our Plan spells out The Park School’s comprehensive approach to addressing bullying, cyber-bullying, and retaliation.

The School recognizes that certain students may be more vulnerable to become Targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, 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.

This Plan is consistent with broader protections at Park against discrimination, harassment, bullying, and retaliation that appear in our Family Handbook, our Employee Handbook, and our Upper Division Handbook.

This Plan has been developed in consultation with the School’s Administrative Team and has been shared with the School’s faculty, students, parents, and guardians. It is important that this Plan be well understood by all members of the Park community. The Head of School is responsible for the implementation and administration of the Plan. Questions and concerns related to this Plan may be referred to the Head of School or to one of the School’s Division Heads.

II. Policy Against Bullying, Cyber-Bullying, and Retaliation

The School will not tolerate any form of bullying or cyber-bullying; nor will we tolerate retaliation against any person who reports bullying or cyber-bullying, provides information during an investigation of bullying or cyber-bullying, or witnesses or has information about an occurrence of bullying or cyber-bullying.

This Plan applies to all of our students and faculty/staff; it also may apply if one of our current students is subjected to bullying by a former student who comes on school grounds or who engages in cyber-bullying against one of our current students.

Bullying and cyber-bullying are prohibited on School grounds, on property immediately adjacent to the School, and at School-sponsored events, activities, functions, and programs. Bullying and cyber-bullying also are prohibited at School bus stops, on School buses and other vehicles owned, leased, or used by the School, and through use of technology or an electronic device owned, leased, or used by the School.

In addition, bullying and cyber-bullying are prohibited at locations, activities, functions, and programs that are not School-related or through the use of technology or an electronic device that is not owned, leased, or used by the School, if the bullying or cyber-bullying creates a hostile environment at School for a targeted student or member of the faculty/staff; infringes on the rights of a targeted student or member of the faculty/staff at School; or materially and substantially disrupts the educational process or the orderly operation of the School.

Definitions under the Law.

For the purpose of the Plan, several of the following definitions are drawn directly from M.G.L. c. 71, § 37O. In some instances, the School has added language to these definitions to clarify them but not to alter their meaning or scope.

Aggressor. A student or faculty/staff member who engages in bullying, cyber-bullying, or retaliation towards another person.

Bullying. Bullying is defined as the use by one or more students of a written, oral, 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; and/or
- materially and substantially disrupts the educational process or the orderly operation of the School.

By way of example only, bullying may involve, though it is not limited to:

- teasing;
- threatening;
- intimidating;
- stalking;
- cyber-stalking;
- physical violence;
- sexual, religious, racial or any other type of harassment;
- public humiliation;
- destruction of personal property;
- social exclusion, including incitement and/or coercion; and
- rumor or spreading falsehoods.

Cyber-bullying. Cyber-bullying is bullying through the use of technology or any electronic communication, including, but not 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 includes: (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 inclusive in the definition of bullying. Cyber-bullying also includes 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 included in the definition of bullying.

Faculty/Staff. Faculty/staff members include, but are not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, and paraprofessionals.

Hostile Environment. A hostile environment is a situation in which bullying causes the School environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education or a faculty/staff member's work experience.

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

School Grounds. Any property on which a School building or facility is located or property that is owned, leased or used by the School for a School-sponsored activity, function, program, instruction, or training.

Target. Any student, or a member of the faculty/staff, against whom bullying, cyber-bullying, or retaliation has been perpetrated.

Legal Definitions and School Policy.

In accordance with the School's mission, values and standards of conduct, the School has, at times, supplemented and/or provided broader protections against bullying, cyber-bullying, discrimination, harassment, and other inappropriate conduct than may be required under applicable laws. In essence, the School's standards may be stricter than the law, and the School may impose discipline accordingly. For example, although the law defines bullying as "repeated use" of certain expressions, acts and/or gestures, the School reserves the right to apply disciplinary measures and other corrective action in a case of a single expression, act or gesture if the School determines that it is of sufficient severity to warrant disciplinary measures or other remedial action or that the repetition of that expression, act, or gesture might reasonably result in bullying as defined under the law. The School's efforts to enhance its protection of students in no way expands an individual's rights under the law, and other applicable laws may supersede this Plan. Further, the School may modify and amplify the standards set forth in this Plan and use its discretion in the interpretive enforcement of all ideals and standards of conduct.

III. Prevention of Bullying and Cyber-bullying

From the earliest grades at Park, students learn that as members of our community they have a right to be treated with civility and respect and have an obligation to treat others with civility and respect. Our curriculum emphasizes respect for differences, and teachers strive to be clear in their expectations for student behavior. As appropriate, parents are notified and asked to reinforce standards for membership in the Park community. In Grades VI-VIII, an "Upper Division Handbook" is reviewed with students and shared with parents each fall.

This Handbook includes explicit policies around the acceptable use of technology at Park.

Morning Meetings are utilized by administrators (Head of School, Division Heads, Athletic Director, Director of Technology) to help ensure that students are well informed about what is expected of them and to reinforce positive conduct.

Growth Education classes focus on peer relationships and empower students to take action if they feel targeted or if they witness other students engaging in bullying or other unacceptable behavior.

The administration and faculty recognize that it is essential that expectations for student conduct extend to corridors, locker rooms, lunch, recess, carpool, buses and the like. The School strives to ensure that ample adult supervision is provided on School premises, including in the corridors and locker rooms, at lunch and at recess, and on School-provided transportation throughout the school day as well as at School-sponsored events.

IV. Training and Professional Development

The School conducts an annual training for faculty/staff (and more often, as determined by the Head of School), which includes: (a) developmentally appropriate strategies to prevent bullying incidents; (b) developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; (c) information regarding the complex interaction and power differential that can take place between and among a perpetrator, Target and witnesses to the bullying; (d) research findings on bullying, including information about students who have been shown to be particularly at risk for bullying in the school environment; (e) information on the incidence and nature of cyber-bullying; and (f) internet safety issues as they relate to cyber-bullying.

V. Reports of Bullying, Cyber-Bullying, or Retaliation

Any student who is the Target of bullying, cyber-bullying, or retaliation or who has witnessed an incident of bullying, cyber-bullying, or retaliation or who otherwise has relevant information about any behavior prohibited by this Plan is strongly encouraged to promptly report the matter orally or in writing to the Head of School or a Division Head or to any other faculty or staff member with whom the student is comfortable speaking. Oral reports made to a member of the faculty/staff will generally be memorialized in writing. Also, any student who is subject to retaliation in violation of this Plan, or who knows of another student who has been subject to retaliation, is urged to report it as soon as possible. A student who knowingly makes a false accusation of bullying or retaliation may be subject to disciplinary action.

A parent of a student who is the Target of bullying, cyber-bullying, or retaliation or of a student who has witnessed or otherwise has relevant information about bullying, cyber-bullying, or retaliation is strongly urged to promptly notify the Head of School or a Division Head. Furthermore, any parent who has him or herself witnessed bullying, cyber-bullying, or retaliation, or who has any relevant information concerning such an incident, is strongly urged to come forward to the Head of School or a Division Head.

Any member of the faculty or staff of the School who witnesses or otherwise becomes aware of bullying or cyber-bullying in violation of this Plan or who becomes aware of retaliation against an individual who reported information concerning a violation of this Plan is required to report it immediately to the Head of School or one of the Division Heads. There are to be no exceptions. Also, a member of the faculty or staff may not make

a promise to hold in confidence an allegation of bullying, cyber-bullying, or retaliation that is reported to him or her by a student or the parent or guardian of a student. Nor may a member of the faculty or staff make any report under this Plan anonymously.

If a member of the faculty/staff witnesses an act of bullying, cyber-bullying, or retaliation in progress, the faculty/staff member is expected to take reasonable steps to stop the act by communicating directly with the person whose behavior is considered unacceptable, offensive, or inappropriate.

Although Massachusetts law permits a student or the parent or guardian of a student to make a report of bullying, cyber-bullying, or retaliation anonymously to a Division Head or the Head of School, the School urges students and their parents or guardians not to make anonymous reports under this Plan. While there are circumstances in which an anonymous report is better than none at all, it is nonetheless far more difficult to determine the facts of what occurred if a report is made anonymously. No disciplinary action will be imposed solely on the basis of an anonymous report. Students and parents are encouraged to bear in mind that the School takes its policy against retaliation seriously. While the School cannot promise strict confidentiality to a student, parent, or guardian who makes a report under this Plan, because information must be shared in order to conduct an effective investigation, the School releases information concerning reports of bullying, cyber-bullying, and retaliation only when it determines that there is a legitimate need-to-know.

VI. Responding to a Report of Bullying, Cyber-bullying, or Retaliation

A. Preliminary Considerations.

The requirement to report to the Head of School or Division Head does not limit the authority of the faculty/staff member to respond to behavioral or disciplinary incidents consistent with School policies and procedures for maintaining safety, behavior management and/or discipline.

When a report of bullying, cyber-bullying, or retaliation is brought to the attention of the Head of School or a Division Head, an assessment is made as to whether any initial steps need to be taken to protect the well-being of students and to prevent disruption of their learning environment while the investigation is being conducted. As appropriate, strategies such as increased supervision may be implemented to prevent bullying, cyber-bullying, or retaliation during an investigation.

The School is committed to protecting the physical and emotional well-being of all of its students and faculty/staff and will take appropriate measures to do so. Thus, the School will be sensitive to the needs of both the alleged Targets as well as the alleged Aggressors. Responses to promote safety may include, but are not limited to, creating a personal safety plan, pre-determining seating arrangements for the Target and/or the Aggressor in the classroom, at lunch, or on the bus; identifying a faculty/staff member who will act as a “safe person” for the Target; and altering the Aggressor’s schedule and/or access to the Target. The School will take additional steps to promote safety during the course of and after the investigation, if the School determines, in its sole discretion, that such measures may be appropriate, including implementing protocols for protecting individuals who report or witness bullying, or who are interviewed regarding bullying.

At any point after receiving a report of bullying, cyber-bullying, and/or retaliation, the Head of School or a Division Head may notify local law enforcement, including but not limited to, in the event that the Head of School or a Division Head has a reasonable basis to believe that criminal charges may be pursued against the alleged Aggressor.

If the School receives a report of bullying, cyber-bullying, or retaliation involving students from another school, the Head of School may notify the appropriate administrator of the other school so that both schools may take appropriate action.

B. Obligation to Notify Parents.

It is the policy of the School to notify the parents of any student who is an alleged Target of bullying, cyber-bullying, or retaliation and the parents of any student who may have been accused of engaging in such behavior, promptly after a report of such behavior has been received by the School.

C. Investigation.

The following is an outline of the procedure that is typically pursued once a report of behavior prohibited under this Plan has been brought to the attention of the Head of School or one of the Division Heads:

An impartial investigation of the report is conducted by the Head of School or by one of the Division Heads or as delegated by them. That investigation may include interviews with any or all of the following: (1) the person or persons who made the report, (2) the Target or Targets who were the subject of the alleged bullying, cyber-bullying, or retaliation, (3) the person or persons against whom the report was made, and (4) any students, faculty, staff or other persons who witnessed or who may otherwise have relevant information about the alleged incident.

Depending on the circumstances, the Head of School or the Division Head conducting the investigation also may choose to consult with other teachers, the School Psychologist, and/or any other person whom the School determines to have knowledge about the complaint and/or the circumstances surrounding the complaint..

The School will not tolerate any form of retaliation directed toward an individual who in good faith makes a complaint or participates in or cooperates with an investigation. All persons involved in an investigation should understand that false or exaggerated accusations can be extremely damaging to innocent persons; therefore, all claims require the honest and full disclosure of facts by all involved persons.

D. Resolution, Notification, and Follow-up.

Following interviews and any other investigation undertaken, as the School deems appropriate, the Head of School or the Division Head will determine whether and to what extent the allegation of bullying, cyber-bullying, or retaliation has been substantiated. If it is determined that the conduct violates this Plan, the Head of School or the Division Head will determine what disciplinary action and/or other remedial action is appropriate and how it will be implemented.

The goal of an investigation and any disciplinary or other remedial process that is imposed following that investigation is to correct the situation to the extent it is reasonably possible, to take such steps as can be taken to prevent a repetition of the incident, and to prevent the Target(s) and others who participated in the investigation from being subject to retaliation.

In appropriate circumstances, such as when a crime may have been committed or a child may have been subject to abuse or neglect as reportable under M.G.L. c. 119, § 51A, law enforcement or another appropriate

government agency promptly will be notified.

Upon completion of the investigation, the Head of School or the Division Head who conducted the investigation will meet individually with the Targets of the alleged behavior, with the Aggressor(s) against whom the report was made, and with the parents or guardians of those students (as applicable), to report the results of the investigation.

Where disciplinary or other corrective action is determined to be appropriate, the parties will be informed, as appropriate, of the steps that will be taken to correct the situation. The range of disciplinary actions that may be taken against an Aggressor for bullying, cyber-bullying, or retaliation will strive to balance the need for accountability with the need to teach appropriate behavior, and may include, depending on the circumstances, temporary suspension and expulsion from the School. The amount of information provided in discussing a specific disciplinary or corrective action may be limited by confidentiality considerations. If, as the result of an investigation, the Head of School determines that faculty/staff should be subject to disciplinary action, such disciplinary action will be handled in accordance with the Employee Handbook.

Within a reasonable time following the determination and implementation of remedial and/or disciplinary action, the Head of School or Division Head will contact any student or other person found to have been targeted in violation of this Plan to inquire as to whether there have been any further incidents. If it is determined that additional supportive measures are appropriate, the Head of School or Division Head will strive to implement appropriate measures.

The School will work with both the student or students and/or faculty/staff members who have engaged in bullying, cyber-bullying, or retaliation, with the student or students and/or faculty/staff members who have been the Target of such behavior, and with student(s)' parents or guardians, to assess the need for additional counseling. In the event that the School determines that any individual (Target or Aggressor) would benefit from counseling that the School cannot provide, the School will strive to provide the family with an appropriate referral.

VII. Conclusion

This Plan is intended to: (1) prevent bullying and cyber-bullying among members of the School community; (2) encourage students, parents and faculty/staff members to have confidence in the School's procedures and to come forward promptly whenever an individual is subject to conduct that is prohibited by this or any other School policy; and (3) to implement appropriate discipline and other corrective measures when they are found to be warranted.