

BULLYING PREVENTION AND INTERVENTION

COMMITMENT

The South Hadley Public School District is committed to creating and sustaining a safe, caring, respectful learning environment for all students. We will treat all members of our community with civility and respect in an inclusive environment. Keywords that represent our actions and our values are kindness, dignity, responsibility, courage, and honesty. Our schools strictly enforce a prohibition against bullying and harassment of any students or staff by any student or member of the school staff. The School Committee expects that in collaboration with teachers, families and community members, each school will develop and implement a plan for education and discipline, including curriculum, to prevent bullying and to help adults and students to respond effectively to reports and observations of bullying.

DEFINITION OF SCHOOL STAFF

For the purposes of this policy, school staff is defined as including, but is not limited to, administrators, educators, athletic coaches, bus drivers, cafeteria workers, clerical employees, custodians, advisors to extra-curricular activities, paraprofessionals, and school nurses. School staff may be named the “aggressor” or “perpetrator” in a bullying report.

DEFINITION OF BULLYING

Bullying is the repeated use by one or more persons of written, verbal, or electronic expression or a physical act or gesture,¹ or any combination thereof, directed at a target that has the effect of:

- (a) causing physical or emotional harm, or of damage to his/her/their property,
- (b) placing a target in reasonable fear of harm or of damage to his/her/their property, (c) creating an unwelcoming or hostile environment at school for another person, (d) infringing on the rights of another person at school, or
- (e) materially and substantially disrupting the education process or the orderly operation of a school.

All protections, provisions and sections of this policy are applicable to and afforded to all students equally regardless of their legal status under the law.

DEFINITION OF HARASSMENT

Harassment is 3 or more acts of willful and malicious conduct aimed at a specific person committed with the intent to cause fear, intimidation, abuse or damage to property and that does in fact cause fear, intimidation, abuse or damage to property; or an act that: (A) by force, threat or duress causes another to involuntarily engage in sexual relations; or (B) constitutes a violation of section 13B, 13F, 13H, 22, 22A, 23, 24, 24B, 26C, 43 or 43A of chapter 265 or section 3 of chapter 272.

RETALIATION

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying shall be prohibited. Retaliation means any form of intimidation, reprisal or harassment directed against a person who reports bullying, provides information during an investigation about bullying, or witnesses or has reliable information about bullying.

¹ Deliberate acts of exclusion which have the same effect are also considered forms of bullying under this policy

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CYBER-BULLYING

Cyber-bullying is 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 any of the following: wire, radio, electromagnetic, photo-electronic or photo-optical system including, but not limited to, electronic mail, internet communications, instant messages, facsimile communications, cell phone, texting or social media.

Cyber-bullying shall also include the creation of a webpage or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber-bullying 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 can occur in and out of school, during and after school hours, at home and in locations outside of a home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents or guardians and their families are expected.

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

Some student misconduct that falls under South Hadley Public Schools' bullying prevention policy may also fall under one or more of the federal anti-discrimination laws that prohibit harassment on the basis of race, color, national origin, disability, gender identity or sex. Harassment on the basis of these enumerated categories is discrimination and a federal civil rights violation that schools are obligated to address.

BULLYING PROHIBITED

Bullying is prohibited on school grounds, property immediately adjacent to school grounds, at school sponsored or school-related activities, 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 district, or through the use of technology or an electronic device owned, leased or used by the school district.

Bullying is 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 district, if the act or acts in question create a hostile environment at school for the victim, infringe on the rights of the victim at school, or materially and substantially disrupt the education process or the orderly operation of a school.

The School Committee expects administrators to make clear to students and staff that bullying will not

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be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students, and termination for employees.

All staff members are required to report any bullying or harassment they see or learn about. The district will promptly and reasonably investigate all allegations of harassment, including bullying. The principal of each building will be responsible for handling all complaints alleging harassment or bullying.

Retaliation against a person who reports bullying, who provides information during an investigation of bullying, or who is a witness to or has reliable information about bullying, is prohibited and will be grounds for disciplinary action up to and including suspension and expulsion for students, and termination for employees.

PROCEDURES

The superintendent will develop administrative guidelines and procedures for implementation of this policy, including

- a student complaint process,
- a reporting process for staff,
- an investigation process,
- a process for communication with parents/guardians,
- record keeping and reporting, and
- annual report of bullying incidents to the School Committee.

The superintendent will publish disciplinary policies in Student Handbooks, which shall prohibit bullying and shall include the bullying prevention and intervention plan required by Chapter 71 Section 37 of the Laws of the Commonwealth. Student handbooks shall include age-appropriate summaries of the student-related sections of the district's bullying prevention and intervention plan.

BULLYING PREVENTION/INTERVENTION PLAN

The office of the Superintendent or designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include parents and guardians, teachers school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, and students, 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 and must.

1. Include descriptions of and statements prohibiting bullying, cyber-bullying, and retaliation.
2. Clearly establish that all provisions and sections of this policy are applicable to and afforded to all students equally regardless of their legal status under the law.
3. Establish clear procedures for students and staff to report bullying or retaliation.
4. Establish clear procedures for restoring a sense of safety for a target and assessing that target's needs for protection.
5. Include a provision that reports of bullying or retaliation may be made anonymously, provided that no disciplinary action shall be taken against a student solely on the basis of an anonymous report.
6. Establish clear procedures for promptly responding to and investigating reports of bullying or

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- retaliation.
7. Identify the range of disciplinary actions that may be taken against a perpetrator for bullying or retaliation.
 8. Establish clear procedures for restoring a sense of safety for a victim and assessing that person's needs for protection.
 9. Establish strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation or is witness to or has reliable information about an act of bullying.
 10. Establish procedures for promptly notifying the parents or guardians of a victim and a perpetrator, for notifying the parents or guardians of a victim of the action taken to prevent any further acts of bullying, and for notifying local law enforcement officials where criminal charges may be pursued against the perpetrator.
 11. Include a provision that a person who knowingly makes a false accusation of bullying shall be subject to disciplinary action.
 12. Include a strategy for providing counseling in-house or referral to appropriate services for perpetrators and victims and for appropriate family members of the students.
 13. Information regarding the Department of Elementary and Secondary Education's Problem Resolution System (PRS) and the process for seeking assistance or filing a claim through the Problem Resolution System.

The principal or designee is responsible for the implementation and oversight of the plan except when a reported bullying incident involves the principal or the assistant principal as the alleged aggressor. In such cases, the Superintendent or designee shall be responsible for investigating the report and other steps necessary to implement the plan, including addressing the safety of the alleged victim. If the Superintendent is the alleged aggressor, the School Committee or its designee shall be responsible for investigating the report and taking other steps necessary to implement the plan, including addressing the safety of the alleged victim.

Reporting

Students who believe that they are a target of bullying are encouraged and urged to report the matter to a member of the school staff. However, the target shall not be subject to discipline for failing to report bullying. Students who observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report such incidents.

A school or district staff member shall immediately report any instance of suspected bullying or retaliation the staff member has witnessed or become aware of to the principal or designee. This includes bullying or retaliation of a student by another student or bullying or retaliation of a student by a staff member. If the principal is the alleged aggressor, the report shall be made to the Superintendent or designee. If the Superintendent is the alleged aggressor, the report shall be made to the School Committee or designee. If the staff member fails to report, he/she/they may be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report any incidents of suspected

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bullying as soon as possible to the principal or designee. This includes bullying of a student by another student or by a staff member. If the principal is the alleged aggressor, the report shall be made to the

Superintendent or designee. If the Superintendent is the alleged aggressor, the report shall be made to the School Committee or designee.

Each school shall have a means for anonymous reporting by students of incidents of suspected bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student who is found to have knowingly made a false accusation/report of bullying may be subject to disciplinary action.

Investigation Procedures

A school principal or designee shall promptly investigate any report of bullying, using a Bullying/Cyber-bullying Report Form. The investigation may include, but is not limited to, interviewing the alleged target, alleged aggressor, staff members, students and/or witnesses. The person responsible for conducting the investigation shall remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

The parents or guardians of both the student aggressor(s) and the target(s) will be updated periodically during the investigation, and upon its completion, shall be informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, whether disciplinary action shall be taken, and whether or not steps will be taken to prevent retaliation or further acts of bullying.

A principal or designee, upon determination that bullying, or retaliation has occurred, shall promptly contact the parents or guardians of the alleged target(s) and when the alleged aggressor(s) is a student, parents or guardians of the alleged aggressor(s). Actions being taken to prevent further acts of bullying shall be discussed. If it is believed that criminal charges may be pursued against the perpetrator, the principal shall consult with the school's resource officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

If the alleged aggressor is a staff member, notice will be made to that individual in accordance with district policies and procedures, including in accordance with any applicable collective bargaining agreements. The individual will be updated periodically during the investigations and, upon its completion, shall be 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 shall be taken and whether or what steps will be taken to prevent retaliation or further acts of bullying.

A principal or designee shall assess an alleged target's needs for protection and create and implement a

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safety plan that shall restore a sense of safety for that student.

Confidentiality shall be maintained to protect all parties, which includes, but is not limited to, alleged aggressor(s), target(s), a person who reports bullying, or provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

Disciplinary Actions

Disciplinary actions for students who are found to have committed an act of bullying or retaliation shall be in accordance with SHPS disciplinary policies.

Disciplinary actions for employees who are found to have committed an act of bullying or retaliation shall be in accordance with state law, any applicable collective bargaining agreements, and South Hadley Public Schools' policies and procedures.

Assistance

The South Hadley Public Schools may provide appropriate counseling or referral to appropriate services including, but not limited to, guidance, academic intervention, and protection to any affected students, as necessary.

Documentation

Each school shall document any incident of bullying that is reported per policy and the principal or designee shall maintain a file of these reports.

The Superintendent or designee shall inform the School Committee periodically of any trends or implications of these reports in order to give the School Committee the opportunity to review and amend this policy.

Confidentiality shall be maintained consistent with the school's obligations under law.

PROGRAMS

The school district will implement an anti-bullying program as a required part of the curriculum at each grade level. It will be based on age-appropriate instruction on bullying prevention using evidence-based curricula. Furthermore, the district will provide instruction on civil and ethical behavior at each grade level and hold students and adults responsible for behaving with respect toward one another at all times. Instruction will include appreciation of human differences and avoidance of behaviors that discriminate against others based on their gender, gender identity and gender expression, sexual orientation, race, national origin, religion or disability.

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STAFF DEVELOPMENT

The bullying prevention and intervention plan shall include ongoing professional development of all members of the school staff to build the skills to prevent, identify and respond to bullying and to implement the bullying prevention and intervention plan. References to staff in this policy includes the following: educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities and paraprofessionals. The content of such professional development shall include, but not be limited to (1) developmentally appropriate strategies to prevent bullying incidents; (2) developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; (3) information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; (4) information regarding the complex interaction and power differential that can take place between and among the perpetrator, the victim and any witnesses to the bullying; (5) research findings on bullying; (6) information on the incidence and nature of cyber-bullying; (7) internet safety issues as they relate to cyber-bullying; and (8) legal issues and responsibilities related to bullying. The school staff shall receive annual written notice of the bullying prevention and intervention policy.

PARENT/ GUARDIAN EDUCATION

The bullying prevention and intervention plan shall include provisions for educating parents and guardians about the bullying prevention curriculum at each school, how they can reinforce the curriculum at home, how they can support the district's prevention and intervention plan, the dynamics of bullying and online safety and cyber-bullying. In addition, the bullying prevention and intervention plan will include information regarding the Department of Elementary and Secondary Education's Problem Resolution System (PRS) and the process for seeking assistance or filing a claim through the Problem Resolution System.

The district shall provide students and their parents or guardians in age-appropriate terms and in the most prevalent languages of families, annual written notice of relevant sections of the bullying prevention plan in the student handbook.

LEGAL REFERENCE: Title VII, Section 703, Civil Rights Act of 1964 as amended
Federal Regulation 74676 issued by the EEO Commission
Title IX of the Education Amendments of 1972
603 CMR 26:00
M.G.L. 71:370; 265:43,43A; 268: 13B; 269:14A

REFERENCES: Massachusetts Department of Elementary & Secondary Education Model
Bullying Prevention and Intervention Plan

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