

# Middleborough Public Schools



## **Bullying Prevention and Intervention Plan**

ALL STAFF RECEIVE WRITTEN ANNUAL NOTICE OF THIS PLAN.

*Updated 2025*

# Middleborough Public Schools

## Bullying Prevention and Intervention Plan

### Priority Statement

The purpose of the Middleborough Public School District's Priority Statement is to communicate the School District's vision in creating and implementing its bullying prevention and intervention strategies. In this regard, the Middleborough Public School District expects that all members of the school community will treat each other in a civil manner and with respect for differences. To that end, the School District is committed to providing all students with a safe learning environment that is free from bullying, cyber-bullying, and retaliation. This commitment is an integral part of our comprehensive efforts to promote learning, to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process, and to embrace diversity, equity, inclusion, and belonging for all.

The Middleborough Public School District is committed to providing a safe, positive and productive educational environment that is free from bullying and cyber-bullying of students . Towards that, the Middleborough Public Schools absolutely prohibits bullying and cyber-bullying:

- On school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by Middleborough Public Schools, and
- At a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by Middleborough Public Schools, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

The Middleborough Public Schools also absolutely prohibits 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. Violation of this policy is a serious offense. As a school community we want to ensure that our students feel safe and supported and are excited to come to school each day. We are committed to doing what is necessary to engage our students so that they know bullying is not acceptable and support the students experiencing bullying. The Middleborough Public Schools will support this plan in all aspects of its activities, including its curricula, instructional programs, staff development, extracurricular activities and parental involvement.

Students who engage in bullying, cyber-bullying or retaliation will be subject to disciplinary action and/or remedial action reasonably calculated to stop the conduct and prevent its recurrence. Disciplinary action taken must balance the need for accountability with the need to teach appropriate behavior. The range of disciplinary action includes, but is not limited to, one or more of the following: verbal warnings, written warnings, reprimands, detentions, short-term

or long-term suspensions, or expulsions from school as determined by the school administration and/or school committee, subject to applicable procedural requirements. Staff who engage in bullying or retaliation will be subject to disciplinary action based upon appropriate standards and expectations in light of the staff member's role and responsibilities. The Middleborough Public Schools' response to bullying actions will include, when appropriate, referral to a law enforcement agency.

The Middleborough Public Schools Bullying Prevention and Intervention Plan applies to all sites and activities under the supervision and control of the Middleborough Public Schools, or where it has jurisdiction under the law. Nothing in this policy is designed or intended to limit the authority of school administrators and/or the school committee (a) from taking disciplinary or other action against a student or staff for conduct that does not meet the definition of bullying or cyber-bullying, as defined above, but nevertheless is inappropriate for the school environment.

The plan has been developed and reviewed by the Middleborough Public Schools Bullying Prevention committee which consists of administrators, teachers, parents, and community members.

## **TABLE OF CONTENTS**

- I. LEADERSHIP
- II. TRAINING AND PROFESSIONAL DEVELOPMENT
- III. ACCESS TO RESOURCES AND SERVICES
- IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES
- V. COLLABORATION WITH FAMILIES
- VI. DEFINITIONS
- VII. POLICY PROHIBITING BULLYING AND RETALIATION, STAFF REPORTING OBLIGATIONS, and RESPONSES
- VIII. POLICIES AND PROCEDURES FOR REPORTING
- IX. RESPONDING TO REPORTS OF BULLYING AND RETALIATION
- X. DETERMINATION OF BULLYING
- XI. PROBLEM RESOLUTION SYSTEM
- XII. RELATIONSHIP TO OTHER LAWS

I. LEADERSHIP

- A. Public involvement in developing the Plan. As required by M.G.L. c. 71 §. 370, this Plan was developed through consultation with teachers, school staff, professional support personnel, administrators, community representatives, local law enforcement officers, students, and parents. Notice and a public comment period were provided before the Plan was adopted by the School Committee.
- B. Assessing needs and resources. This Plan is intended to serve as a blueprint for enhancing the District's capacity to prevent and respond to instances of bullying within the context of other healthy school climate initiatives. As part of the planning process, the Middleborough Public Schools, with input from families and staff, will continuously assess the adequacy of our existing programs, review our current policies and procedures, analyze the available data on bullying and behavioral incidents, and assess the available resources including curricula, training programs, and behavioral health services.

This process will assist our schools in identifying resource gaps and the most significant areas of need. Our District findings will serve us as we revise policies and procedures, establish partnerships with local community agencies, and set priorities. 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.

Principals are responsible for the implementation and oversight of this Plan at their respective schools 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 in accordance with this Plan, including addressing the safety of the alleged target. If the Superintendent is the alleged aggressor, the School Committee or its designee shall be responsible for investigating the report in accordance with this Plan, including addressing the safety of the alleged target.

- C. Planning and oversight.

***The following school and district leaders are responsible for the corresponding tasks under the Plan:***

1. Receiving reports on bullying (principals or designee and Superintendent's Office).
2. Collecting and analyzing building- and/or school-wide data on bullying to assess the present problem and to measure improved outcomes (principals or designee and Superintendent's Office).
3. Creating a process for recording and tracking incident reports and for accessing information related to targets and aggressors (principals or designee).
4. Planning for the ongoing professional development that is required by the law (principals or designee, Office of Student Services, Office of Curriculum, Special Education etc.).
5. Planning supports that respond to the needs of targets and student aggressors (principals or designee, Office of Student Services, Office of Curriculum, Special Education etc.)

6. Special Education Teams will individually review eligible students to determine if their disability makes them vulnerable to bullying, harassment, or teasing. The Team will annually update the students' IEPs to identify the skills and proficiencies needed to avoid and respond to acts of bullying (G.L. c. 71B, §3, as amended by Chapter 92 of the Acts of 2010.)"
7. Choosing and implementing the curricula that the school or district will use (principals, Office of Student Services, Office of Curriculum, Special Education etc.)
8. Developing new or revising current policies and protocols under the plan, including an Internet safety policy, and designating key staff to be in charge of the implementation of them (School Committee, Superintendent's Office).
9. Amending student and staff handbooks and codes of conduct (School Committee and Superintendent's Office).
10. Leading the parent or family engagement efforts and drafting parent information materials (principals or designee and Superintendent's Office).
11. Reviewing and updating the Plan on an annual basis (principals or designee and Superintendent's Office).

## **II. TRAINING AND PROFESSIONAL DEVELOPMENT**

- A. Annual staff training on the Plan. Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. Staff members hired after the start of the school year are required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.
- B. Ongoing professional development. The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. We will be looking at professional development that will build the skills of staff members to prevent, identify, and respond to bullying. We have partnered with MARC (Massachusetts Aggression Reduction Center) as our primary source of professional development; however, this will not be the only source we will utilize. As required by M.G.L. c. 71, § 37O, the content of schoolwide and district wide professional development will be informed by research and will include information on:
  - (i) developmentally (or age-) appropriate strategies to prevent bullying;
  - (ii) developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
  - (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
  - (iv) 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;
  - (v) information on the incidence and nature of cyber-bullying; and
  - (vi) Internet safety issues as they relate to cyber-bullying.

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs

of students with autism or students whose disability affects social skills development.

Additional areas identified by the school or district for professional development include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies (PBIS);
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making;
- maintaining a safe and caring classroom for all students; and
- engaging staff and those responsible for the implementation and oversight of the Plan to distinguish between acceptable managerial behaviors designed to correct misconduct, instill accountability in the school setting, etc. and bullying behaviors

- C. Written notice to staff. The Middleborough Public Schools will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties and bullying of students by school staff, in the Middleborough Public Schools' Employee Handbook and the code of conduct.

### **III. ACCESS TO RESOURCES AND SERVICES**

Middleborough Public Schools is committed to providing adequate levels of personnel and services to support the creation of a positive school environment and to support the social and emotional well-being of all of our students. This is accomplished through annual reviews of staffing levels and programs by administration, faculty, and staff. The resources, supports, and programs provided for students and their families include:

- School Psychologists
- School Counselors
- School District and Administrators
- Coaches
- Adjustment Counselors
- School Nurses
- Health/Wellness Teachers
- School Resource Officers
- Behavior Specialists
- Speech/Language Pathologists
- Occupational Therapists
- Special Education
- ELL Support
- Child Study Teams
- Crisis Response Teams

- Social Skills Groups
- Transitional Meetings for Students
- Behavior Intervention Plans
- Functional Behavioral Assessments
- Community-Based Counseling Programs (CCBC, High Point)
- After-School Activities & Programs
- Care Solace

The Department of Student Services, school counselors and school psychologists maintain a list of outside agencies and services available for students and families. Parents/Guardians should contact these personnel at their child's school to obtain assistance and/or a referral to an outside agency.

As required by 603 CMR 49.00: M.G.L. 71, §37O, as added by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment or teasing.

In addition to the district anti-bullying curriculum listed in section four, each school principal works with staff and families to continually build positive school environments. The Middleborough Public Schools will employ these and other methods to support vulnerable students and to provide all students with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment.

#### Memorial Early Childhood Center

Bucket Fillers  
 Social Thinking  
 Positive Behavior Incentives and Supports (PBIS)  
 Transitional meetings  
 Weekly Newsletter

#### Mary K. Goode Elementary School

Positive Behavior Incentives and Supports (PBIS)  
 Ticket System  
 Student Support ESP  
 Social Thinking  
 CharacterStrong/Purposeful People: Word of the Month Program  
 Diversity, Equity and Inclusion Parent Group  
 Weekly Newsletter  
 Tier 2 & 3 Social/Emotional small groups interventions  
 Student Survey  
 Family Survey  
 Clearly defined expectations on the Report Card  
 Universal Screener (Panorama)

Town Meeting (Grade level meeting with students)  
Transitional meetings

Henry B. Burkland Elementary School

Purposeful People Program

PBIS (Positive Behavior Intervention Supports) and PBIS Committee

- Positive Behavior Expectations (Burkland's BEST)
- Tickets for Husky Haven when meeting Burkland's BEST
- Character Word of the Month Program

Social Thinking

Student Survey

Family Survey

Universal Screener (Panorama)

Tier 2 and 3 SEL Intervention Groups

New Student Groups

Clearly defined expectations on Report Card

Transitional meetings

Weekly Newsletter

John T. Nichols, Jr. Middle School

Student Council

Monthly grade level assemblies discussing topics surrounding positive behavior and culture

Builders Club

GSA Club

ROAR Awards

Intramural Sports

Tiger Stripes

Transitional meetings

Weekly Newsletter

MARC Peer Mentoring/Leadership program

Middleborough High School

Student Council

Key Club

StartStrong Program for Incoming Freshman

Welcome Back Rally with Motivational Speaker(s)

Special Olympics Pep Rally and Unified Sports

LGBTQ (Lesbian, Gay, Bisexual and Transgender, Queer/Questioning)

Monthly Recognition for Good Citizenship and Academic Achievement and Effort

A World of Difference Anti-bias Education and Bullying Prevention

PBIS (Positive Behavior Intervention Supports)

Weekly Newsletter

Technology & Internet

Web Filtering

Network Firewall

#### **IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES**

The *Middleborough Public Schools* community is committed to creating and maintaining a positive and proactive school environment, which promotes our core value of respect for human differences. Children learn best when they are safe, connected, respected, and empowered with the skills to analyze, think critically, problem solves, set goals, and work cooperatively with the rich and diverse members of their learning community.

Grade-span specific curricula to prevent bullying will be noted in the handbook for each school annually. The violence prevention curricula currently identified for implementation at each school are:

- Grades 1 – 5 - Purposeful People, MARC curriculum, Harmony
- Grades 6 – 8 - MARC curriculum
- Grades 9-12 - World of Difference, MARC curriculum

A. Specific bullying prevention approaches. Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:

- using scripts and role plays to develop skills;
- empowering students to take action by knowing what to do when they witness other students or school staff engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyber-bullying, including the underlying power imbalance;
- emphasizing cyber-safety, including safe and appropriate use of electronic communication technologies;
- enhancing students' skills for engaging in healthy relationships and respectful communications; and
- engaging students in a safe, supportive school environment that is respectful of diversity and difference.

Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan. The Plan should include specific information about how and when the school or district will review the Plan with students.

B. Teaching approaches that support bullying prevention efforts. The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines;

- creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;
- encouraging adults to develop positive relationships with students;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the Internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

C.. Staffing and Personal Relationship Building:

- **Administration:** Our Administrative setup enables us to anticipate situations and develop relationships with potential targets and student aggressors in advance of negative behaviors.
- **Counselors:** At every level, counselors follow students throughout their years at their respective schools, thus enabling the counselor to develop relationships with students and families.
- **Teachers:** Work with administration and counselors to help with timely and consistent communication, promoting early intervention and support for students. Teachers play a key role in this work—they're often closest to students and have valuable insight into what's happening day to day.
- **District Clinical Team:** Clinical members of each building come together each month to assess the needs of our district, schools, and specific students. They work closely together on transitioning students from building to buildings, accessing community resources and advocating for students as needed.
- **Child Study Teams:** Administrators, teachers, guidance counselors, and school psychologists meet to develop plans to help students in need of assistance and programs to improve the school.
- **Student Placement:** Students are placed in classes with consideration of the teacher and other students they will best connect with.
- **School Resource Officer:** MPS has 1 high school School Resource Officer, 1 Middle School Officer and 1 Elementary School Resource Officer. Their ability to develop relationships, remain approachable, and anticipate student conflict helps to prevent bullying.

D. **Institutional Prevention:** Bullying primarily takes place in specific locations including buses, hallways, cafeteria, and recess. Our school has taken steps in order to prevent negative behaviors in these locations.

- **Location of Special Education Classrooms:** Special Education classes are located in visible, high-traffic locations as opposed to isolated locations that are sometimes found in

schools. This sends a message to the community that all students are part of our community while also allowing staff to see any negative behaviors.

- **Security Cameras:** Some schools are monitored electronically so that accusations can be responded to and student misbehavior is deterred by the knowledge that the cameras are watching.
- **Bus Cameras:** Buses with a high number of incidents have cameras on them.
- **Hallway Supervision:** Staff members are expected to be in the hallways between classes and escort students to/from most classes and lunch. Adult presence helps to deter bullying.
- **Cafeteria Supervision:** Administrators, teachers, counselors, and cafe monitors actively monitor and supervise the cafeteria and student behavior. Their presence deters misbehavior.
- **Recess Supervision:** ESP staff members are assigned to recess duty in order to supervise student safety.
- **Bathroom Sign-in/Sign-out Process:** Each school has established procedures to supervise bathrooms.
- **E-Hall pass system at Secondary levels** to help determine who is out of the class at any given time.

## **V. COLLABORATION WITH FAMILIES**

Parents and guardians will receive information about the bullying prevention curriculum of Middleborough Public Schools, how they can reinforce that curriculum at home, how they can support the district or school prevention and intervention plan, the dynamics of bullying, and online safety and cyberbullying through student handbooks and scheduled information sessions. Information on the bullying plan and information sessions for families will be conveyed to parents through communication by any number of the following: flyers on parent presentation and trainings, School Newsletters, Open House, Parent-Teacher Conferences, PTA, PTSA, School Council Meetings, School Committee Presentations, Parent Coffees, District and School Web Pages, etc.

Middleborough Public Schools will work with families to prevent bullying. Upon investigation and determination that bullying or retaliation has occurred, the principal will promptly notify the parents of the target and the student aggressor of the determination and the school district or school's procedures for responding to the bullying or retaliation. The principal will inform the target's parent of actions that school officials will take to prevent further acts of bullying or retaliation. A principal's notification to a parent about an incident or a report of bullying or retaliation must comply with confidentiality requirements of the Massachusetts Student Records Regulations, 603 CMR 23.00, and the Federal Family Educational Rights and Privacy Act Regulations, 34 CFR Part 99, as set forth in 603 CMR 49.07 as well as laws and policies governing personnel records.

A. Parent education and resources. The school or district will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the district or school. The programs will be offered in collaboration with the PTSA, PTA, School Councils, Special Education Parent Advisory Council, or similar organizations.

B. Notification requirements. Each year the school or district will inform parents or guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. The school or district will send parents written notice each year about the student-related sections of the Plan and the school's or district's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. The school or district will post the Plan and related information on its website.

## VI. DEFINITIONS

Aggressor is a student or a member of a school staff who engages in bullying, cyber-bullying, or retaliation towards a student.

Bullying, as defined by Massachusetts General Law c. 71, §37O, means the repeated use by one or more students or a member of a school staff of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- (a) causes physical or emotional harm to the target or damage to the target's property;
- (b) places the target in reasonable fear of harm to himself or herself or damage to his or her property;
- (c) creates a hostile environment at school for the target;
- (d) infringes on the rights of the target at school; or
- (e) materially and substantially disrupts the education process or the orderly operation of a school.

Bullying shall include cyber-bullying.

Bystander means others who are within the visual and/or verbal range of an act of bullying. They can encourage or discourage bullying.

Cyber-bullying is bullying through the use of technology or any electronic communication, which shall include, but 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:

- (a) the creation of a web page or blog in which the creator assumes the identity of another person;
- (b) 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 above in (a) through (e) of the definition of bullying; or
- (c) 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 above in (a) through (e) of the definition of bullying.

Hostile environment, as defined in MGL, 71, 37O 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.

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

School 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.

School grounds means property on which a school building or facility is located; or property that is owned, leased or used by a school district, commonwealth charter school or non-public school for any school-sponsored activities, functions, programs, instruction or training.

Target is a student against whom bullying, cyber-bullying, or retaliation has been perpetrated

## **VII. POLICIES PROHIBITING BULLYING AND RETALIATION, STAFF REPORTING OBLIGATIONS, and RESPONSES**

The District will not tolerate any unlawful or disruptive behavior, including any form of bullying and cyber-bullying in our schools or school-related activities. The District will promptly investigate all reports and complaints of bullying and cyber-bullying and take prompt, effective action to end that behavior and prevent its recurrence. Action will include, where appropriate, referral to a law enforcement agency. The District will support this commitment in all aspects of its activities, including its curricula, instructional programs, staff development, extracurricular activities, and parental involvement.

Acts of bullying, which include cyber-bullying, are prohibited:

- On school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and
- At a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also prohibited. The District is committed to protecting a target and witnesses, from future bullying.

At the same time, anyone who knowingly makes false accusations of bullying or retaliation may be subject to appropriate disciplinary and/or corrective action to stop the conduct and prevent its recurrence.

All students are afforded the same protection from bullying regardless of their legal status. In accordance with the Massachusetts Anti-Bullying Statute, we recognize that certain students, as listed in the Massachusetts Anti-Bullying Statute, may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating 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. Please note, however, that students do not need to be a member of a vulnerable student population or a member of a legally protected class in order to be the target of bullying - any student can be the target of bullying, and all students are protected by this Plan and the Massachusetts Anti-Bullying Statute. this Plan and the Massachusetts Anti-Bullying Statute.

- When students with disabilities are identified as the aggressor in an incident(s) their specific comprehension of events need to be taken into consideration when determining the outcome. If the student's behavior is directly or substantially related to the student's identified area of disability, the IEP team with the support of building administration, will discuss the appropriate support and learning opportunities necessary to prevent further incidents.

A staff member must report immediately to the principal or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. 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, but this authority does not eliminate the staff member's obligation to report conduct that may be bullying or retaliation

Students who engage in bullying or retaliation will be subject to disciplinary action; however, disciplinary action taken must balance the need for accountability with the need to teach appropriate behavior. The range of disciplinary action includes, but is not limited to, one or more of the following: verbal warnings, written warnings, restorative justice procedures, reprimands, detentions, short-term or long-term suspensions, or expulsions from school as determined by the school administration and/or school committee, subject to applicable procedural requirements.

Staff who engage in bullying or retaliation will be subject to disciplinary action, based upon appropriate standards and expectations in light of the staff member's role and responsibilities. Disciplinary action, whether it be of students or staff, is subject to applicable procedural requirements. Further, nothing in this policy is designed or intended to limit the District's authority to discipline or take remedial action in response to conduct that is inappropriate in a school setting, regardless of whether the conduct is covered by this policy.

The principal will refer to the Memorandum of Understanding with local law enforcement and make a determination as to whether or not communication with local law enforcement is appropriate.

## **VII. REPORTING BULLYING INCIDENTS AND RETALIATION**

All viable reports of bullying will be investigated.

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member will be recorded in writing. 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. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. No determination of bullying will be made solely on the basis of anonymous reports.

Staff, students and parents/guardians will report incidents of suspected bullying by any one of the following methods:

- Completing an Incident Report Form and submitting it to the principal/assistant principal. The form is available:
  - in school offices
  - from classroom teachers
  - through the district website
- Contacting the principal or designee by phone or email.
  - <https://www.middleboro.k12.ma.us/students-sevices/bullying-harrasment-descrimination/report-bullying>
- Submitting a report by mail to each principal. Addresses are available in Appendix 1.

*Completion of the Incident Report Form is not required in order to report bullying. Families and students may meet with a staff member for assistance in completing the form.*

**Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously through any of the above methods. Anonymous phone calls or messages will be directed to the building principal or designee.**

**Reporting by Staff:** A member of 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, shall immediately report any instance of bullying or retaliation s/he has witnessed or become aware of to the school principal or designee.

**Reporting by Students, Parents/Guardians, and Others:** The district expects students, parents/guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the school principal or designee. An individual may make an anonymous report of bullying or retaliation; however, no disciplinary action may be taken against a student solely on the basis of an anonymous report. A student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action.

**Reporting to Parents/Guardians:** Upon investigation and determination that bullying or retaliation has occurred, the principal or designee shall promptly notify the parents of the target and the aggressor of the determination and the school district or school's procedures for responding to the bullying or retaliation. The principal or designee shall inform the target's parent of actions that school officials will take to prevent further acts of bullying or retaliation. Nothing in this provision prohibits the principal or designee from contacting a parent of a target or aggressor about a report of bullying or retaliation prior to a determination that bullying or retaliation has occurred. If the alleged target and alleged aggressor attend different schools, the principal receiving the report shall inform the principal of the other student's school, who shall be responsible for implementing this reporting requirement for the student attending his school.

**Reporting to Local Law Enforcement:** At any point after receipt of a report of bullying or retaliation, including after an investigation, if the school principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the school principal or designee will notify the local law enforcement agency. In addition, if an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in a school, the principal of the school informed of the bullying or retaliation or designee will notify the local law enforcement agency if s/he has a reasonable basis to believe that criminal charges may be pursued against the aggressor. The principal shall document the reasons for his or her decision to notify law enforcement.

**Reporting to Administrator of Another School District or School:** If an incident of bullying or retaliation involves students from more than one school district, charter school, non-public school, approved private day or residential school or collaborative school and the Middleborough Public School District is the first to be informed of the bullying or retaliation, then the Superintendent of the Middleborough Public Schools or designee must, consistent with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action. In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

## **IX. RESPONDING TO REPORTS OF BULLYING AND RETALIATION**

**SAFETY:** Before fully investigating the allegations of bullying, cyber-bullying or retaliation, the Principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target 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 and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the target; and altering the aggressor's schedule and access to the target.

The Principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary. These include protecting from bullying, cyber-bullying or retaliation a student who has reported bullying, cyber-bullying or retaliation, a student who has witnessed bullying, cyber-bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying, cyber-

bullying or retaliation. The Principal or designee will inform a student aggressor and the aggressor's parents/guardians and anyone else involved in the investigation that any form of retaliation perpetrated against any of the above-mentioned parties is strictly prohibited and could result in discipline being imposed, as well as notification to the Middleborough Police Department if deemed necessary.

### **INVESTIGATION-GENERAL PROCEDURES.**

The investigator will seek to determine the basis of the complaint, gathering information from the target or witness, including such matters as: what specifically happened, who committed the alleged acts, who was present or may have information about the events, when the events occurred (date, time of day), and where the events occurred.

If age appropriate, the target or witness may be asked to put the complaint in writing and to sign and date it. If the target or witness cannot, or chooses not to, write a complaint, the investigator will record the allegations, read them to the target/witness to confirm accuracy, and ask him or her to sign the document. If the target/witness cannot, or chooses not to, sign, the investigator may sign and date the document her/himself.

**Interviews:** Once the allegations are established, the investigator will gather other evidence, which often involves interviews of the alleged aggressor and/or other witnesses. If appropriate, the investigator should remind the alleged aggressor and witnesses that retaliation against persons whom they believe might have reported the incidents or cooperated with the investigation is strictly prohibited and will result in disciplinary action. If appropriate, the investigator should also remind witnesses of the importance of being truthful.

**Confidentiality:** The confidentiality of the person who reports bullying or retaliation and/or provides information during an investigation of bullying or retaliation will be maintained to the extent practicable, consistent with the school's legal obligations.

### **CONSIDERATIONS WHEN INVESTIGATING A REPORT OF BULLYING BY SCHOOL STAFF**

Procedures for investigating reports of bullying and retaliation by staff are consistent with district policies and procedures for investigations of other alleged misconduct by staff. They are likely to include interviews, consistent with the general provisions set forth above. If necessary, the designated school official will consult with legal counsel about procedures specific to the staff member position and role in the District.

### **X. DETERMINATION OF BULLYING AND RESPONSES**

School personnel must weigh all of the evidence objectively to determine whether the alleged events occurred and, if they did, whether the events constitute bullying or retaliation. The determination must be based upon all of the facts and circumstances and the perspective of a reasonable person. When applied to children, the "reasonable person" standard is generally "that of a reasonable person of age, intelligence, and experience under similar circumstances."

If bullying or retaliation is substantiated, the school will take steps reasonably calculated to prevent recurrence and ensure that the target is not restricted in participating in school or benefiting from school activities. As with the investigation, the response will be individually tailored to all of the circumstances, including the nature of the conduct and the ages of the students involved.

Staff members who engage in bullying or retaliation will be subject to disciplinary action based upon appropriate standards and expectations in light of the staff member's role and responsibilities.

Students who engage in bullying or retaliation will be subject to discipline, provided that the need for accountability will be balanced with the need to teach appropriate behavior. The principal/designee will also adhere to obligations under M.G.L. c. 71 Sec. 37H 3/4 to avoid suspension from school as a consequence until trying alternatives unless specific reasons are documented as to why such alternative remedies would be unsuitable or counter-productive. Other than disciplinary action, the following are examples of steps that may be taken to prevent the recurrence of bullying or retaliation:

- Conferencing with parents of target and aggressor;
- Transferring an aggressor's classroom or school (or the target's if requested by target or parents);
- Limiting or denying an aggressor access to an area of a school;
- Enhancing adult supervision on school premises;
- Excluding an aggressor from participation in school-sponsored or school-related functions, after-school programs, and/or extracurricular activities;
- Providing relevant educational activities for individual students or groups of students;
- Developing a Personalized Action Plan and directives for future conduct, including providing the target with a process for reporting any concerns about future conduct immediately. *It is critical to involve the student in creating an action plan that involves a reporting process that works for that particular student.*
- Providing counseling (or other appropriate services) or referral to such services for the target and/or the aggressor and/or for appropriate family members of said students as necessary.
- Referral for an evaluation

The principal shall promptly notify the parents of the target and the student aggressor of the determination and the actions that school officials will take to prevent further acts of bullying or retaliation. **Because of the legal requirements regarding confidentiality of student records and personnel records, the principal or designee cannot report specific information to the target's parent about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.**

If appropriate, within a reasonable time period following the determination that bullying or retaliation occurred, the principal or designee will contact the target to determine whether there has been any

recurrence of the prohibited conduct. If there has been a recurrence, the principal or designee will determine the appropriate next steps.

Each school will retain a report of the complaint, containing the name of the target, the name of the aggressor, the date of the complaint, investigator, school, a brief statement of the nature of the complaint, the outcome of the investigation, and the action taken. A copy of the report will be given to the building principal, school counselor, the SRO and uploaded into the district file for keeping.

## **XI. PROBLEM RESOLUTION SYSTEM**

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/prs>, emails can be sent to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or individuals can call 781-338-3700. Hard copies of this information are also available at the Superintendent's office.

## **XII. RELATIONSHIP TO OTHER LAWS**

Consistent with state and federal laws, and the policies of the Middleborough Public Schools, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or 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. Nothing in the Plan prevents the Middleborough Public Schools from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the Middleborough Public Schools to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, 37H¾, M.G.L. c. 71, §§41 and 42, M.G.L. c 76 § 5, or other applicable laws, or local school or district policies, or collective bargaining agreements, in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

### ***Checklist-Procedures for Reporting***

\*\*\*The process outlined in this plan only applies to situations where bullying is alleged, without also including allegations/concerns that the conduct is based upon a protected classification (such as race, gender, gender identity, etc.) Incidents of alleged Harassment based upon a protected classification must be reported in accordance with Middleborough Public Schools Harassment and Sexual Harassment Policy. Other incidents will be reported using the school disciplinary action process.

#### **Overarching steps for staff:**

- 1. Intervene as soon as possible.**

2. **Support the target.**
3. **Report incident in writing.**

A **staff member** who witnesses or receives a report of an incident of aggression will:

- 1) Use professional judgment to intervene as soon as possible to stop the behavior and determine if there are immediate safety issues. (Note child's level of distress and/or the presence of injuries, damaged/torn clothes, etc.) If immediate safety issues exist, take child to nurse and/or report incident to principal/ designee immediately.
- 2) If the staff member suspects that there may be potential bullying, he/she will assist the reporter or target to complete the **BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM** and give it to a building principal or designee. All staff will have copies of the Incident Report Form readily available. If the reporter, target or witness, is unwilling or unable to complete the form, the receiving staff member will complete the form with as much information as could be obtained from the child.
- 3) Report all suspected bullying incidents even if you are unsure if the child wants the incident reported.

If a **child or parent/guardian** reports an incident of aggression to a staff member as potential bullying, the staff member will:

- 1) Determine if there are immediate safety issues that must be addressed right away. (Note the child's level of distress and/or the presence of injuries, damaged/torn clothes, etc.) If immediate safety issues exist, take child to nurse and/or report incident to principal/ designee immediately.
- 2) *Report all incidents of aggression to administration.* If the incident is suspected to be bullying, encourage child to complete the **BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM** (subject to age and ability). If the reporter, target or witness, is unwilling or unable to complete the form, the receiving staff member will complete the form with as much information as could be obtained from the child.
- 3) Give the completed Incident Reporting Form to the principal or designee.

Bullying reports can be submitted **anonymously** provided that no disciplinary action shall be taken against the student solely on the basis of any anonymous report.

- Incident Reporting Forms are available in each school office and on the homepage of the Middleborough Public Schools website at [www.middleboro.k12.ma.us](http://www.middleboro.k12.ma.us) under the heading **Community; Select Report Bullying.**
- Anonymous reports can be left as a voice message for the principal in each building. If reporting bullying anonymously by any method, please provide information on the following: Who was the target? Who was the aggressor? Where did it happen? When did it happen (date and time)? What happened?

**Please note: False reports of bullying will not be tolerated and will result in disciplinary action for anyone deliberately providing false information.** The range of disciplinary action includes, but is not limited to, one or more of the following: verbal warnings, written warnings, reprimands, detentions, short-term or long-term suspensions, or expulsions from school as determined by the school administration and/or school committee, subject to applicable procedural requirements.

## PROCEDURES FOR INVESTIGATING

The principal or designee will promptly investigate all viable reports of bullying or retaliation.

- 1) Interview **target** of aggression.
  - Interview the target rather than the aggressor first. This addresses the urgency of the targeted child's need to talk to someone and allows the investigator to assess if immediate danger or safety issues exist and must be dealt with right away.
  - Encourage the child to provide a written description of the incident (subject to age and ability).
  - Do not ask to see the target in the alleged aggressor's presence. It is important to stress that mediation should not be used with bullying situations, i.e. conflicts characterized by an inequality of power where one child is being clearly targeted by another.
  - Remind the target that retaliation is strictly prohibited and will result in disciplinary action.
  - Consider whether or not a 51A should be filed.
  - If at any point after receiving a report of bullying or retaliation, including after an investigation, the principal has a reasonable basis to believe that criminal charges may be pursued, the principal will notify the Middleborough Police Department in accordance with the Memorandum of Understanding.
  - 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 Middleborough Police Department if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.
  - If the reported incident involves students 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 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.
  - Support the target (additional guidance on this will be developed for each grade span).
- 2) Interview any witnesses, including staff, students, parents or guardians and others as necessary.
  - Remind the witnesses that retaliation is strictly prohibited and will result in disciplinary action.
  - Encourage the witnesses to provide a written description of the incident (subject to age and ability).
- 3) Interview alleged **aggressor**.

- Remind the alleged aggressor that retaliation is strictly prohibited and will result in disciplinary action. This includes retaliation against the reporter, target or any witnesses.
- Encourage the alleged aggressor to provide a written description of the incident (subject to age and ability).

### **CHECKLIST- ACTION STEPS UPON DETERMINATION OF BULLYING**

- *A principal or designee may opt to contact a parent of a target or aggressor about a report of bullying or retaliation prior to a determination that bullying or retaliation has occurred.*
- Develop a safety plan for the target if needed.
- Develop a Personalized Action Plan to prevent a recurrence of the behavior. This may include counseling or access to other school resources.
- Share action steps taken with:
  - Target and parent/guardian\* in keeping with state and federal law (maintaining confidentiality)
  - Appropriate staff member(s)\*/student(s)\* who reported the incident (maintaining confidentiality)
  - Support staff\* (e.g., lunchroom and playground staff), as needed and
  - Teachers\* or administrators who have contact with the target or aggressor, as needed.
- Monitor safety of target and increase supervision of aggressor as needed.
- Document the report, the investigation, the action steps taken and any disciplinary action on the Incident Reporting Form and additional pages as needed.
- Contact parents of both target and aggressor promptly if the incident is determined to be bullying.
- Enter incident information on the school log.
- Schedule a follow up with the target.
- Complete and send a copy of the written report to the following parties, Principal, School Counselor and School Resource Officer.
  - In addition, principal and/or designee will upload reports into the secure district H drive to ensure district access to all the reports.

\*Note: Sharing the outcome of this incident is critical for maintaining a school climate where adults and children feel able to report such behaviors. Student-specific information regarding discipline or other actions taken cannot be shared with families or school personnel who do not have a need to know for educational purposes. However, families may be informed of safety plans and preventive action steps and should be referred to this plan and the student handbook as guides for outcomes of investigations.

**REPORTING FORM FOR ALLEGATIONS OF BULLYING/CYBERBULLYING  
OR RETALIATION RELATED TO BULLYING  
MIDDLEBOROUGH PUBLIC SCHOOLS**

**1. Name of Reporter:** \_\_\_\_\_

(Note: Reports may be made 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 behavior     Reporter (not the target)

**3. Check whether you are a:**     Student     Staff member (specify role) \_\_\_\_\_

Parent     Administrator     Other (specify) \_\_\_\_\_

**4. State your school or work site:** \_\_\_\_\_

**5. Information about the Incident:**

**Name of Target** (of behavior) \_\_\_\_\_

**Name of Alleged Aggressor:** \_\_\_\_\_

**Date(s) of Incident(s):** \_\_\_\_\_

**Time When Incident(s) Occurred** \_\_\_\_\_

**Location of Incident(s)** (Be specific.) \_\_\_\_\_

**6. Witnesses** (List of people who saw the incident or have information about it):

**Name:** \_\_\_\_\_     Student     Staff     Other \_\_\_\_\_

**Name:** \_\_\_\_\_     Student     Staff     Other \_\_\_\_\_

**Name:** \_\_\_\_\_     Student     Staff     Other \_\_\_\_\_

• Additional List of Witnesses is attached to this form.

**7. Describe the details of the incident (including names of people involved, what occurred, and what**

**each person did and said, including specific words used). Please use additional space on the back, if necessary.**

**8. Signature of Person Filing this Report:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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

9. Form given to: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_

---

**ITEMS BELOW ARE FOR ADMINISTRATIVE USE ONLY**

Signature of person\* receiving this  
report \_\_\_\_\_

Date Received: \_\_\_\_\_

**INVESTIGATION AND RESPONSE TO ALLEGATIONS OF BULLYING  
OR RETALIATION RELATED TO BULLYING  
(FOR ADMINISTRATIVE USE ONLY)**

**1. Investigator(s):** \_\_\_\_\_ **Position(s):** \_\_\_\_\_

**2. Interim Measures: Please list any interim measures, if applicable, that have been put in place to restore a sense of safety for the target or to prevent possible further incidents while the investigation is pending:**

(check all that apply)

Increased supervision

Separation

Transfer of alleged aggressor, or, if voluntary, transfer of alleged victim

Administrative leave during pendency of the investigation (for employees)

Other: \_\_\_\_\_

\_\_\_\_\_

If the formal process was used, continue with completion of this form.

**3. Investigation Checklist/Guidance:**

The investigator(s) have conducted an investigation designed to gather all relevant information, with consideration given to the order of collecting evidence, including interviewing the complainant, the alleged target, the alleged aggressor, and other witnesses and adhering to the following concepts as appropriate to the circumstances:

- Witnesses were interviewed separately outside the presence of others with consideration for confidentiality;
- Before beginning the interview, the purpose of the interview and the prohibition/protection against retaliation was explained;
- Explained to witnesses that they may be asked to be interviewed again as a follow up as is often the case in any investigation;
- Explained to both the complainant and the alleged aggressor that they will be notified of the outcome of the investigation after it has been concluded;
- Requested that witnesses maintain confidentiality regarding the investigation to protect the integrity and reliability of the investigation;
- Requested a statement from the victim, target and other witnesses which are dated;
- Asked witnesses for names of all relevant witnesses;

- Interviewed all witnesses identified by the target and aggressor (and/or their parents);
- Interviewed all other relevant witnesses;
- Maintained notes of all interviews;
- Notes reflect specifics in terms of dates, times and locations of any incidents;
- Reviewed video surveillance; or  Video surveillance not available/applicable;
- Sought copies of all relevant documentation if necessary, including texts, emails, photograph and/or social media evidence from relevant parties and witnesses; and
- Considered information from prior investigations involving the same parties.

**4. Interviews:**

<input type="checkbox"/> Interviewed target(s)	Name: _____	Date(s): _____
	Name: _____	Date(s): _____
<input type="checkbox"/> Interviewed aggressor(s)	Name: _____	Date(s): _____
	Name: _____	Date(s): _____
	Name: _____	Date(s): _____
<input type="checkbox"/> Interviewed witnesses	Name: _____	Date(s): _____
	Name: _____	Date(s): _____
	Name: _____	Date(s): _____
	Name: _____	Date(s): _____
	Name: _____	Date(s): _____

5. Any prior documented incidents involving the target?  Yes  No  
 If yes, who were the alleged aggressors? \_\_\_\_\_
- Any previous incidents with findings of bullying or retaliation?  Yes  No
6. Any prior documented incidents involving 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\*\*

**Based on a preponderance of the evidence, the investigation established the following facts:**  
*(Describe the facts that were established through the investigation and the basis of determinations of credibility where appropriate).* (Use additional paper and attach to this document as needed.)

**\*Ongoing Consideration Regarding Potential Civil Rights Violation:** If the investigation at any point reveals evidence indicating that the reported incident is related to a protected classification (i.e. race, color, religion, national origin, age, sex, gender identity, sexual orientation, disability), the

### CONCLUSION/OUTCOME OF THE INVESTIGATION (FOR ADMINISTRATIVE USE ONLY)

Apply the flowcharts to the facts set forth above (as determined by a preponderance of the evidence.)

1. **Flowchart to Determine Bullying (including Cyber-Bullying).** Complete this flow chart whenever investigating a report of bullying or cyber-bullying.

a. **Incident.** Was there a written, verbal or electronic expression or physical act or gesture (or any combination thereof) (“incident”) directed at a target? (Factual finding must be based upon a preponderance of the evidence.)

Yes  No

If “yes,” continue to the next section. If “no,” then no bullying/cyber-bullying occurred.

b. **Repetition of Incidents.** Have there been prior incidents involving the target?

Yes  No

If “yes,” continue to the next section. If “no,” then no bullying/cyber-bullying occurred.

c. **Level of Harm.** Check off any that apply. Did the incident:

- cause physical or emotional harm to target or damage to target’s property;
- place target in reasonable fear of harm to himself or damage to target’s property;

- create “hostile environment” at school for target (i.e. cause school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter condition of target’s education);\*
- infringe on the rights of the target at school;\* or
- materially & substantially disrupt education process or orderly operation of school\*?

If any of the levels of harm described above apply, then continue to the next section.  
If none applies, then no bullying/cyber-bullying occurred.

d. **Location.** Did this incident occur on/immediately adjacent to school grounds, at school-related activity, at school bus stop or on school district school bus or through use of school district technology?

- Yes                       No

If “yes,” then the incident constitutes bullying or cyber-bullying as defined by c. 71, s. 37O. If “no,” (i.e. location or program is not school-related or the technology is not school technology), the incident constitutes bullying or cyber-bullying as defined by c. 71, s. 37O **only if** the target experiences a level of harm designated above with an asterisk (\*).

**Based upon Flowchart above, was bullying substantiated?**

- YES, the facts as applied to the flow chart established that the victim was subjected to bullying as defined under M.G.L. c. 71, 37O.
- NO, the facts as applied to the flow chart did not establish the student(s) was subjected to bullying as defined under M.G.L. c. 71, 37O.

**2. Flowchart to Determine Retaliation.** Complete this section whenever investigating a report of retaliation related to a bullying complaint.

Has the person accused of retaliation (“aggressor”) engaged in any form of intimidation, reprisal or harassment directed against a person who reported bullying, provided information during an investigation of bullying, or against a witness who has reliable information about bullying?

- Yes
- No

If “yes,” then there must be a determination of retaliation as defined by c. 71, s. 37O.

**If bullying or retaliation is found, school officials must complete the Section on Safety Planning/Corrective Action**

**If the facts establish one or more incidents that do not constitute bullying or retaliation as defined by statute, but nevertheless constitute a violation of the code of conduct or conduct that is otherwise of concern in the school setting, school officials have the discretion to address such conduct using the Section on Safety Planning/Corrective Action or using a another format.**

- 2. Police Notification**       YES    NO  
 If yes, date contacted and name of contact: \_\_\_\_\_
- 3. Discipline Referral:**       YES    NO  
 If yes, disciplinary sanction imposed and/or individual to whom the matter was referred: \_\_\_\_\_
- 4. Special Education Status**
- A. Is the target on a 504 plan or IEP?    YES       NO  
 If yes, was the building level 504 Coordinator and/or IEP Team Chair notified of the finding?  YES       NO
- B. Is the aggressor on a 504 plan or IEP?    YES       NO  
 If yes, was the building level 504 Coordinator and/or IEP Team Chair notified of the finding?  YES       NO

**SUPPORT PLANNING/CORRECTIVE ACTIONS**

**1. Remedial and/or Corrective Actions**

- Counseling for target       Regular check-ins with target to ensure well-being
- For aggressor:  Community Service  Education, training or counseling for aggressor
- Restoration (e.g., apology, mediation \_\_only if both parties voluntarily consent)
- Transfer  Loss of Privileges  Detention
- Limitation on extra-curricular activities
- Regular check-ins to ensure adherence to action/safety plan
- Suspension    Dates Excluded: \_\_\_\_\_
- Staff: written reprimand, suspension or termination

Other \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Scheduled Follow-up with Aggressor:**

**Date(s) Scheduled:** \_\_\_\_\_

**0. Additional Support Measures Taken For the Target**

**Describe Safety Planning Measures:**

**Scheduled Follow-up with Target for safety check-in:**

Date(s) Scheduled: \_\_\_\_\_

**NOTICE OF OUTCOME**

1.  Target’s parent/guardian notified of outcome:

Verbal Notification Date:\_\_\_\_\_ Person contacted: \_\_\_\_\_

Written Notification Date:\_\_\_\_\_ Person contacted: \_\_\_\_\_

Target’s parent/guardian notification includes information about the Mass. DESE problem resolution system and process for seeking assistance or filing a claim through the problem resolution system. The parents/guardians of the target should be provided the following contact information:

Problem Resolution System, Massachusetts Department of Elementary and Secondary Education, 135 Santilli Hwy, Everett, MA, Telephone: 781-338-3000; TTY: N.E.T. Relay: 1-800-439-2370.

2.  Aggressor’s parent/guardian notified of outcome:

Verbal Notification Date:\_\_\_\_\_ Person contacted: \_\_\_\_\_

Written Notification Date:\_\_\_\_\_ Person contacted: \_\_\_\_\_

Copy of report forwarded to Director of Diversity, Equity, Inclusion, & Accessibility  
Date \_\_\_\_\_

Signature and Title: \_\_\_\_\_ Date: \_\_\_\_\_

*Attach any additional notes and written statements as needed with the report.*

**APPENDIX A**

**Addresses to Report Bullying**

Replace [at] with @ in email address

<p><b>Carolyn Lyons, J.D</b>  <i>Superintendent</i>  30 Forest St.  Middleborough, MA 02346</p>	<p>Voice: 508-946-2000  Email: clyons@middleboro.k12.ma.us</p>
<p><b>Paul F Branagan, Jr.</b>  <i>Principal, Middleborough High School</i>  71 East Grove St.  Middleborough, MA 02346</p>	<p>Voice: 508-946-2010  Email: pbranagan@middleboro.k12.ma.us</p>
<p><b>Heather Tucker</b>  <i>Principal, John T. Nichols Middle School</i>  112 Tiger Drive</p>	<p>Voice: 508-946-2020  Email: htucker@middleboro.k12.ma.us</p>

<i>Middleborough, MA 02346</i>	
<b>Ron Sanborn</b> <i>Principal, Henry B. Burkland Elementary School 41 Mayflower Ave. Middleborough, MA 02346</i>	Voice: 508-946-2040 Email:rsanborn@middleboro.k12.ma.us
<b>Lisa White</b> <i>Principal, Mary K. Goode Elementary School 31 Mayflower Ave. Middleborough, MA 02346</i>	Voice: 508-946-2045 Email: lwhite@middleboro.k12.ma.us
<b>Jeremy Gobeil</b> <i>Principal, Early Childhood Director 219 North Main St. Middleborough, MA 02346</i>	Voice: 508-946-2032 Email: jgobeil@middleboro.k12.ma.us

## **Appendix B**

### **Resources to Prevent Bullying**

- Massachusetts Aggression Reduction Center (MARC) at Bridgewater State University.  
<http://webhost.bridgew.edu/marc/index.html>
- Stop Bullying Now, practical research-based strategies to reduce bullying in schools.  
<http://www.stopbullyingnow.com/>
- Chapter 92 of the Acts of 2010, <http://www.mass.gov/legis/laws/seslaw10/sl100092.html>
- Family Educational Rights and Privacy Act Regulations (FERPA)  
<http://www2.ed.gov/policy/gen/reg/ferpa/index.html>

- Second Step and Steps to Respect Curriculum,  
<http://www.cfchildren.org/programs/ssp/overview/>
- Massachusetts Department of Education, Bullying Prevention and Intervention,  
<http://www.doe.mass.edu/ssce/bullying>
- Anti Defamation League [www.adl.org](http://www.adl.org)
- Technical Assistance Advisory SPED 2011-2  
[https://www.doe.mass.edu/sped/advisories/11\\_2ta.html](https://www.doe.mass.edu/sped/advisories/11_2ta.html)