

**The Public Schools of Brookline
333 Washington Street
Brookline, Massachusetts 02445**

Bullying Prevention and Intervention Plan



Original Plan: December 30, 2011

Updates July 2013; July 2014

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I. Introduction

It is the mission of the Public Schools of Brookline (PSB) to ensure that every student develops the skills and knowledge to pursue a productive and fulfilling life. To truly live this mission, it is essential that our schools are safe, welcoming, respectful, and nurturing. Such a culture is created when everyone in the school is aligned to requisite beliefs, values, and behaviors. Children need to learn these beliefs, values, and behaviors, and adults need to model, guide, and explicitly teach them to children using intentional strategies in order to establish a culture conducive to learning. This is essential because learning is inextricably linked to school culture.

The Public Schools of Brookline, in partnership with parents, guardians, and the community, and in keeping with the PSB core value of respect for human differences, believes that a positive, safe, and civil environment in school is necessary for students to learn and achieve. Bullying disrupts a student's ability to learn by preventing that student's full engagement with his or her education. Moreover, bullying compromises a school's ability to educate its students in a safe environment.

The first Bullying Prevention and Intervention Plan January 2011, was developed in consultation with district stakeholders, including parents/guardians, teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, and students. The Superintendent and/or his designee are charged with reviewing and updating the Plan biennially. The plan was updated in 2013 to reflect M.G.L. c. 71, §37O, as amended by Sections 72 - 74 of Chapter 38 of the Acts of 2013, which changed the definition of "perpetrator" from its prior sole focus on student on student bullying to include "a member of a school staff. The plan was updated in July 2014 to reflect Chapter 86 of the Acts of 2014, which amended G.L. c. 71, §37O, the anti-bullying statute, and was signed into law on April 24, 2014. G.L. c. 71, §37O, as amended, requires school districts, to "recognize" in their bullying prevention and intervention plans that certain enumerated categories of students may be more vulnerable to being targets of bullying based on actual or perceived differentiating characteristics.

At the beginning of each school year, the Superintendent provides the school community, including staff, students, and parents/guardians with written notice of its policies for reporting bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the Assistant Superintendent for Student Services and building-level administrators (Principals, Assistant , Deans and Vice Principals), is incorporated in student and staff handbooks and in information about the Plan that is made available to parents/guardians. The Plan can be located on the district website.

A. Massachusetts General Law and PSB School Committee Policy

In 2010, the Commonwealth of Massachusetts approved new legislation, *An Act Relative to Bullying* (c. 92, Acts of 2010). Massachusetts General Laws, Chapter 71, Section 37O, require schools to take active steps to prevent and respond to bullying. The Public Schools of Brookline's **Bullying Prevention and Intervention Plan** has been updated to reflect M.G.L. c. 71, §37O, as amended by Sections 72 - 74 of Chapter 38 of the Acts of 2013, which changed the definition of "perpetrator" from its prior sole focus on student on student bullying to include "a member of a school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional." The amendments became effective July 1, 2013. Please note that

the definition of "victim" has not changed; only a student may be the victim or target of bullying.

In Brookline we are dedicated to meeting the legislative requirements, but more than that, we are committed to creating policies, and selecting and implementing programs that effectively ensure a safe and healthy learning environment for our students and staff.

Consistent with the PSB Bullying Prevention Policy, the following terms have been defined

“Aggressor” means a student or member of school staff who engages in bullying or retaliation.

“Target” means a student against whom bullying or retaliation has been perpetrated.

“Bullying” means the repeated use by one or more students or a member of school staff of a written, verbal, or electronic expression, or a physical act or gesture or any combination thereof, directed at a target that:

- Causes physical or emotional harm to the target or damage to the target’s property;
- Places the target in reasonable fear of harm to him/herself, or of damage to his/her property;
- Creates a hostile environment at school for the target;
- Infringes on the rights of the target at school; or
- Materially and substantially disrupts the education process or the orderly operation of a school

We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. The school or district will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing. The Public Schools of Brookline seeks to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying or harassment. Whenever the evaluation of the Individualized Education Program team indicates that the child has a disability that affects social skills development or that the child is vulnerable to bullying or harassment because of the child's disability, the Individualized Education Program shall address the skills and proficiencies needed to avoid and respond to bullying or harassment. The intent of this policy is to meet the obligations of M.G.L. c.71 sec. 37O, as amended.

“School Staff “ includes a member of a school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional.

Under G.L. c.71, §37O and the PSB Bullying Prevention Policy, bullying and retaliation include cyber-bullying as defined herein.

“Cyber-bullying” means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, text communications, instant messages or facsimile communications.

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

Cyber-bullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

“Hostile environment” means 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 the student’s education.

“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.

The Brookline School Committee prohibits bullying throughout the Public Schools of Brookline.

Bullying and retaliation 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 the PSB; or through the use of technology or an electronic device owned, leased, or used by the PSB; and
- 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 PSB, if the bullying creates a hostile environment at school for the target, infringes on the target’s rights at school, or materially and substantially disrupts 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.

In July of 2014, the plan was updated to reflect Chapter 86 of the Acts of 2014, which amended G.L. c. 71, §37O, the anti-bullying statute, and was signed into law on April 24, 2014. G.L. c. 71, §37O, as amended, requires school districts, to “recognize” in their bullying prevention and intervention plans that certain enumerated categories of students may be more vulnerable to being targets of bullying based on actual or perceived differentiating characteristics. Such districts and schools must also include in the plan the specific steps they will take to support these vulnerable students and provide all students the skills, knowledge and strategies they need to prevent or respond to bullying or harassment. Under the new law, school districts must notify parents and guardians of targets of bullying of the availability of the Department’s problem resolution system and assist these parents and guardians in understanding the problem resolution process.

B. Purpose of the Plan

The Bullying Prevention and Intervention Plan (hereinafter, the “Plan”) is intended to function as a guide in implementing a comprehensive approach to addressing bullying and retaliation. The PSB is committed to working with students, staff, families, law enforcement agencies, and the community to prevent bullying and retaliation. In consultation with these constituencies, the PSB has established this Plan for preventing, intervening, and responding to incidents of bullying and retaliation. Each building /Principal is responsible for the implementation and oversight of the Plan at each school, with support from the Superintendent and the central administration.

The Plan provides an overview of the PSB Comprehensive Social Emotional Learning and Bullying Prevention and Intervention Program as well as the processes and procedures specific to bullying including: reporting and responding, investigation and determination, resources, confidentiality, and the Plan’s relationship to other laws.

C. Priority Statements

The PSB is committed to providing all students with a safe learning environment that is free from bullying and retaliation. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate bullying and other harmful and disruptive behaviors that can impede the learning process.

Members of certain student groups, including, but not limited to, students with disabilities, students who are, or are perceived to be, gay, lesbian, bisexual, or transgender, and homeless students may be more vulnerable to becoming targets of bullying and retaliation. There are specific strategies within the approved programs and processes in place across the schools that help to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the knowledge and skills to prevent and respond to bullying and retaliation. Specifically, in accordance with the (Department of Elementary and Secondary Education) DESE Technical Assistance Advisory Special Education 2011-2 Bullying Prevention and Interventions, each TEAM considers Section 7 and 8 of the law and incorporates the necessary steps into the child’s (Individualized Education Plan) IEP.

II. Comprehensive Social Emotional Learning and Bullying Prevention and Intervention Program

Culture is a complex element of a school. The Public Schools of Brookline has created a comprehensive social emotional learning and bullying prevention and intervention program to nurture school culture and provide the knowledge, skills, procedures, and processes required to foster positive student behavior in support of learning. With the effective implementation of the comprehensive program, we envision all Brookline schools reflecting a safe, welcoming, respectful, and nurturing school culture that supports the development of all children through their preK-12 experiences.

The PSB Comprehensive Social Emotional Learning and Bullying Prevention and Intervention Program is characterized by the following program elements in the specified grade(s).

Social Emotional Learning

- *Responsive Classroom* (K-5)
- *Developmental Designs* (6-8)
- *Brookline High School Advisory* (9-12)
- *Facing History and Ourselves* (8)
- *Social Thinking* (K-12)

Bullying Prevention and Intervention

- *Olweus* (K-12)
- *Second Step* (7-8)
- *Understanding Disabilities* (4)

A. Social Emotional Learning

Social Emotional Learning (SEL) helps students acquire the skills necessary to be respectful and responsible members of their school community and the ever-evolving global society. Effective SEL programs emphasize the development of five core social and emotional competencies: self-awareness, social awareness, self-management, relationship skills, and responsible decision-making. Within the comprehensive PSB plan there are two SEL programs that will serve as the foundation for their learning: *Responsive Classroom* and *Developmental Designs*. In addition and where appropriate, the program *Social Thinking* will be advanced across the schools for students who exhibit pragmatic language or social communication difficulty and/or on the autism spectrum.

Responsive Classroom, Grades K-5

Responsive Classroom is a widely used, research-based approach to elementary education that shows evidence of increasing academic achievement, decreasing problem behaviors, improving social skills, and leads to more high-quality instruction. It is an approach that emphasizes the development of social and emotional competencies in an effort to increase student

engagement across the social and academic realm and decrease disciplinary problems.

Developmental Designs, Grades 6-8

Just as *Responsive Classroom* provides a highly effective social curriculum that emphasizes social, emotional, and academic growth in a safe school environment at the K-5 level, *Developmental Designs* targets grades 6-8. The two programs together provide a consistent framework through the K-8 schools. The *Developmental Designs* approach aims to support the development of a school community where members are invested in the goal of supporting each other, students and adults alike. Furthermore, it strives to build a safe and respectful environment where students build trust, gain perspective, and ultimately become empowered members of their community.

Brookline High School Advisory

BHS Advisory is a program supported by the 21st Century Fund since 2009 as part of a larger initiative, *the Ithaca Project*. The goals of Advisory are to provide every student with an adult in the school that knows her/him well and to create smaller diverse peer communities to support students' relationships with other students for whom they may otherwise not engage.

Facing History and Ourselves, Grade 8

In the Public Schools of Brookline, *Facing History and Ourselves* (FHAO) offers students the language and strategies to address adolescent challenges such as peer pressure, stereotyping, and ostracism. The curriculum also provides students with the opportunity to explore the moral choices made by individuals who had to decide whether to be bystanders or upstanders when confronted with unjust treatment of others. As a consequence of this learning, students develop enhanced interpersonal understandings and negotiating skills that contribute to increased intergroup tolerance and greater civic engagement in later life. All grade 8 students undertake a unit on the Holocaust and Human Behavior in Social Studies. At several schools, English/Language Arts and Social Studies teachers collaborate to create interdisciplinary learning experiences for 8th grade students. In addition, The Good Citizen in the Good Society course that is available at Brookline High School was developed in collaboration with FHAO.

Social Thinking, Grades K-12, as appropriate

Before people can successfully interact on a social level, Social Thinking must occur. Social Thinking refers to the consideration of emotions, points of view, responses and beliefs of others before social exchange occurs. While this is the way of relating to the people in every aspect of life, there are many who find themselves challenged by this process and need specific intervention in order to acquire the skills necessary to positively interact with others. The Social Thinking program teaches students how their behaviors have emotional effects on others and how behaviors affect their own emotions, responses to and relationships with others across different social contexts.

B. Bullying Prevention and Intervention

Bullying prevention curricula is informed by current research that, among other things, emphasizes the following developmentally age appropriate approaches:

1. Empowering students to take action by knowing what to do when they witness other students engaged in bullying or retaliation, including seeking adult assistance;

2. Helping students understand the dynamics of bullying and cyber-bullying, including the underlying power imbalance;
3. Emphasizing cyber-safety, including safe and appropriate use of electronic communication technologies;
4. Enhancing students' skills for engaging in healthy relationships and respectful communications;
5. Engaging students in a safe, supportive school environment that is respectful of diversity and difference; and
6. Ensuring that bullying and other hurtful behavior is not tolerated.

Olweus Bullying Prevention Program, Grades K-12

After a thorough review of multiple programs, the Public Schools of Brookline determined that the highly effective and research-based *Olweus Bullying Prevention Program* was best for our schools. The goals of Olweus are to: reduce existing bullying problems among students, prevent new bullying problems, and achieve better peer relations at school. This whole school, comprehensive program is used at the school, classroom, and individual level and is designed to improve peer relations and make the school a safer and more positive place for students to learn and develop. The program features the establishment of Bullying Prevention Coordinating Committees in each school, training for committee members and all staff, regular class meetings, and a connection to parents. Olweus has been implemented in all of the eight (8) Brookline elementary schools and is in the early stages of implementation at Brookline High School. Implementation at BHS is targeted for September 2013.

Second Step

The *Second Step* program (a program of the *Committee for Children*) is effective at improving students' social and emotional knowledge and skills, pro-social attitudes, and behavior. The *Second Step* program reduces problem and aggressive behaviors by building the social and emotional competence that is crucial for academic success. *Second Step* has been piloted through Health classes across the PSB in grades 7 and 8.

Understanding Disabilities Program

Understanding Disabilities is a district-wide elementary level program that utilizes a nationally recognized, award-winning curriculum, *Understanding Our Differences*, to teach children to "see the person and not the disability." The program is designed to foster respect, tolerance, and compassion in elementary schools and communities at large and, in Brookline, is implemented at the 4th and 5th grade level. The approach is grounded in the belief that children are naturally curious about differences and that accurate information can be the difference between acceptance and discrimination. The program and curriculum help elementary school children to develop understanding and respect for fellow students and others with physical, sensory or developmental disabilities. This program is especially important as a strategy to support a group of students that may be targets of bullying more often. *Understanding Disabilities* has a long tradition in the PSB.

C. Additional Resources and Support for Social Emotional Learning and Bullying Prevention

Our Comprehensive Social Emotional Learning and Bullying Prevention program is wide-

ranging and far-reaching, and still more is needed to better insure that children are learning and applying the skills necessary to be responsible members of the school community. Additional resources and support are available from staff in our schools and community partners beyond our schools.

In school the staff members that can help to identify resources and areas of need may include:

- Guidance Counselors
- Psychologists
- Social Workers
- Board Certified Behavior Analysts (BCBAs),
- Nurses
- Special Education Team Facilitators
- Child Study Team members

Community partners that also provide additional resources and support may include:

- *Brookline Community Mental Health Center*
- *Mass Health*
- *Tufts Floating Hospital*
- *Children's Hospital Fellows* (under the direction of the school system's physician)
- *Brookline Public Libraries*
- *Brookline Parent Education Network (B-PEN)*
- *Brookline Adult and Community Education*

III. Sustainability: Professional Development and Training

A. Educators

The goal of professional development is to establish a common understanding of the tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development builds the skills of staff members to prevent, identify, and respond to bullying as required by M.G.L. c. 71, § 37O. The content of professional development continues to be informed by research, including:

1. Identify developmentally appropriate strategies to prevent bullying;
2. Provide developmentally appropriate strategies for immediate, effective interventions to stop bullying;
3. Allow for the dissemination of information regarding the complex interaction and power differential that can take place between and among aggressors, targets, and witnesses to bullying;
4. Utilize DESE guidelines and advisories to inform and identify early categories of students who have been shown to be particularly at risk for bullying in the school environment; and
5. Provide up to date information on the incidence and nature of cyber-bullying.

Brookline's Comprehensive Social Emotional Learning and Bullying Prevention program

operates as a framework for educator training. In addition to learning these programs, teachers learn about the issues described above and how they relate to Brookline, specifically.

Professional development also includes the training necessary to prevent and respond to bullying or retaliation of students with disabilities. When the evaluation of a special education team indicates that a child has a disability on the autism spectrum or other disability affecting his/her social skill development or that the child is vulnerable to bullying, harassment or teasing because of the child's disability, the child's team shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing in the child's IEP. The educators included in professional development for this purpose may include: Psychologists, Speech and Language Pathologists, Guidance Counselors and Board Certified Behavior Analysts. As previously highlighted, student IEP TEAMS take seriously the profile of children and develop strategies, goals, and dialogue necessary to ensure regulatory guidelines are followed.

In addition to professional development regarding instruction and the system-wide Olweus program, there is annual training for PSB staff relating to the procedures and practices as outlined in this Plan. The training includes, for example, staff responsibilities under the Plan, a review of the steps that the building administrator(s) follow upon receipt of a report of bullying or retaliation, and a clear message of the district's commitment to creating a safe and welcoming school culture. Staff are also provided with written notice of the Plan in the school employee handbook and posted on our school website to state strongly our dedication to the Plan.

Staff members hired after the start of the school year participate in training during the school year in which they are hired.

B. Community

Professional development and training are essential for the adults in our schools, and the flow of critical information and collaboration with adults outside of the school building is also essential. Parent/guardian school groups support regular communication. Examples of such groups include, but are not limited to Parent Teacher Organizations (PTOs), Special Education Parent Advisory Council (SEPAC), School Councils, and Extended Day boards.

In addition to standing groups, teachers and administrators meet regularly with parents/guardians to discuss a variety of school issues. These gatherings are often used to communicate salient information and teach parents/guardians the skills and language used in the classrooms.

Each year the Superintendent or designee notifies parents/guardians of enrolled students about the Bullying Prevention and Intervention Plan and the PSB's Technology Education and Student Technology Use Policy. All such notices will be provided in the language(s) most prevalent among students and their parents/guardians. This information is posted on the system's website.

In addition, the school leaders notify parents/guardians of the social competency curricula in place. This notice includes information about reinforcing the bullying prevention and

intervention program and supporting the Plan at home, the dynamics of bullying, and cyber-bullying, and online safety.

IV. Processes and Procedures

A. Planning and Oversight

1. The Principals are responsible for implementation and oversight of the Plan in their buildings.
2. The Principals and school staff members collect and analyze building- specific data on bullying to assess the present problem and to measure outcomes over time.
3. The Office of Teaching and Learning in conjunction with the Principals and Assistant Superintendent for Student Services will plan ongoing professional development.
4. Beginning in the 2013-2014 school year, annual reports will be provided to the Superintendent.
5. The School Committee reviews and revises policies related to bullying including the “Technology Education and Student Technology Use” Policy, as needed. Policy review and development includes designating key staff to be in charge of implementation.
6. Student and staff handbooks and codes of conduct include bullying requirements of the Plan and PSB policy.
7. The Plan is reviewed and updated biennially under the direction of the Superintendent or his/her designee.

B. Reporting

All PSB employees utilize the following guidelines in dealing with reported or observed bullying or retaliation situations:

1. Staff will not ignore bullying. Aggressors count on other people to ignore bullying behaviors, and this allows them to continue bullying activities.
2. Staff will intervene immediately; bullying is common and not benign.
3. Staff will separate alleged aggressor(s) and target(s). The PSB does not condone the use of mediation or attempts to force students to confront one another or students to confront staff if a staff member is the alleged aggressor.
4. Bullying is different from conflict.
5. Staff will remain neutral and calm dealing with alleged bullying situations. The tone that employees take with students during investigations will affect their ability to defuse the bullying.
6. Staff will reassure reporter(s) and target(s) that they have done the right thing by reporting.
7. Staff will make sure that reporter(s), target(s) and witness (es) know that they will be protected from retaliation.

8. Staff will seek to empower aggressors to change by reminding aggressors that they have power to stop the bullying. The PSB will teach strategies to assist aggressors to stop.
9. Staff will maintain confidentiality but ACT. It is important to protect reporters from retaliation, but information on bullying MUST be acted upon.
10. Staff will be objective in note-taking.
11. Staff will be timely. The faster that all students are spoken to by an adult, the less likely that the students will feel social pressure to change their stories.
12. Staff will ensure that all applicable laws and policies related to students with disabilities are followed.
13. The staff is also utilizing the Olweus language and acknowledging “bullying-like” behavior.
14. When the alleged aggressor is a staff person, the matter will be investigated at the requisite level by the relevant administrator, up to and including the superintendent and the school committee.

Reports of bullying or retaliation may be made by staff, students, parents/guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. Staff members report immediately to the Principal/Superintendent/School Committee or designee any bullying or retaliation the staff member becomes aware of or witnesses. PSB has incident report forms available on its website for reporting, and encourages families to report incidents of bullying or retaliation.

Use of a Bullying Incident Report Form is not required as a condition of making a report. However, the PSB will provide access to a Bullying Incident Report Form as follows:

1. Include a copy of the Bullying Incident Report Form in the beginning of the year packets for students and parents/guardians;
2. Make the form available in the main office of each school and other locations determined by the Principals; and
3. Post the form on the PSB website.

The Bullying Incident Report Form is available in the most prevalent language(s) of students and parents/guardians.

Reporting by Staff

All staff will immediately report bullying or retaliation the staff member has witnessed or become aware of to the Principal/Superintendent/School Committee or designee or his/her designee. The requirement to report to the Principal/Superintendent/School Committee or his/her designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or system policies and procedures for behavior management and discipline.

Reporting by Students, Parents/Guardians, and Others

The PSB expects students, parents/guardians, and others who witness or become aware of bullying or retaliation involving a student, to report it to the Principal/Superintendent/School Committee or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents/guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss bullying and retaliation with a staff member, or with the /Principal/Superintendent/School Committee or designee.

Anonymous Reporting

Reports made by students, parents/guardians, or other individuals, may be made anonymously, although no formal disciplinary action will be taken solely on the basis of an anonymous report. Anonymous reporting will be available via a weblink located on the district website's main page no later than March 1, 2013.

C. Responding to a Report of Bullying or Retaliation

1. Safety

Upon receiving a report of bullying or retaliation, the Principal/Superintendent /School Committee or designee, with the assistance of appropriate support staff, takes prompt steps to assess the need to restore a sense of safety to the alleged target(s), along with those who report, witness, provide information in an investigation of, or have reliable information about, bullying or retaliation. The /Principal/Superintendent/School Committee or designee also takes steps to protect these individuals from possible further bullying or retaliation. 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 a transportation vehicle; 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/Superintendent/School Committee or designee takes additional steps to promote safety during the course of and after the bullying or retaliation investigation, as necessary.

2. Obligations to Notify Others

a. Notice to Parents or Guardians

Upon receipt of a report of bullying or retaliation, the Principal/Superintendent/School Committee or designee shall promptly notify the parents/guardians of the alleged target(s) and aggressor(s) of the report. The Principal/Superintendent/School Committee or designee shall also periodically update the parents/guardians of the alleged target(s) and aggressor(s) during the investigation.

Notice to parents/guardians under this section shall be in the primary language of the home and consistent with the confidentiality requirements of the Plan. In coordination with ELL Director, adherence to timelines will be dependent on securing qualified translators. Public Schools of Brookline have vendors in place ready for the most prevalent languages of students and parents as

collected via home surveys.

b. Notice to Another School or District

If a 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/Superintendent/School Committee or designee who was informed first of the incident promptly notifies the /Principal/Superintendent/School Committee or designee of the other school(s) of the incident so that each school may take appropriate action. All communications are in accordance with State and Federal privacy laws and regulations, and 603 CMR 49.00.

c. Notice to Law Enforcement

At any point, after receiving a report of bullying or retaliation, including after an investigation, the Principal/Superintendent/School Committee or designee immediately notifies the local law enforcement agency if he/she has a reasonable basis to believe that criminal charges may be pursued against the aggressor(s).

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 the school system or school, the /Principal/Superintendent/School Committee or designee shall notify the local law enforcement agency if the /Principal/Superintendent/School Committee or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor(s).

In making a determination to notify law enforcement authorities under this section, the Principal will, consistent with the Plan and applicable PSB policy and procedure, consult with the Superintendent or his/her designee, and with any other individuals the Principal deems appropriate after consultation with the Superintendent or his/her designee. The /Principal shall document the reasons for his/her decision to notify law enforcement if such notification is made.

Notice to any law enforcement agency under this section shall be consistent with 603 CMR 49.00, PSB policy, including Section J(5)(j) (Police/School Agreement), and the confidentiality requirements of the Plan.

D. Investigation

The Principal/Superintendent/School Committee or designee investigates all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved. Specifically, the Principal/Superintendent/School Committee or designee shall complete the investigation within a reasonable amount of time, not to exceed 15 school days following the date of the report.

The investigation may include, but shall not be limited to, interviewing the alleged target(s), the

alleged aggressor(s), staff members, students and/or other witnesses, and reviewing available evidence. The Principal/Superintendent/School Committee or designee will remind the alleged aggressor(s), target(s), and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

The Principal/Superintendent/School Committee or designee, as appropriate, may conduct interviews. The /Principal/Superintendent/School Committee or designee maintains confidentiality during the investigative process as more fully set forth herein.

Procedures for investigating reports of bullying and retaliation include the following:

1. With the assistance of support staff, assess the alleged target's need for protection;
2. Create and implement a safety plan that shall restore a sense of safety for the target;
3. Notify the parent/guardians of the alleged target(s) and the alleged aggressor, if a student and conduct an investigation;
4. If a report of bullying or retaliation involves students from another PSB or non-PSB school, the Principal/ or his/her designee shall promptly notify the appropriate administrator of the other school so that both may take appropriate action;
5. The investigation may include, but shall not be limited to, interviewing the alleged target(s), the alleged aggressor(s), staff members, students and/or other witnesses, and reviewing available evidence. Parents/guardians of the alleged target(s) and alleged aggressor(s) will be notified periodically of the status of the investigation, as permitted by law;
6. At any point after receiving a report of bullying or retaliation, including after an investigation, the /Principal/Superintendent/School Committee or designee shall immediately notify the local law enforcement agency if he/she has a reasonable basis to believe that criminal charges may be pursued against the aggressors(s); and
7. Such notification will be made after consultation with the Superintendent or his/her designee. The /Principal shall document the reasons for his/her decision to notify law enforcement if such notification is made.

If necessary, the Principal, after consultation with the Superintendent, consults with legal counsel about the investigation.

The /Principal/Superintendent/School Committee or designee maintains a written record of the investigation, including the preservation of all email, text communications, and other evidence.

E. Determination

The Principal/Superintendent/School Committee or designee makes

determinations based upon all of the facts and circumstances. If, after an investigation, the Principal determines that bullying or retaliation has occurred, the Principal/Superintendent/School Committee or designee will take steps reasonably calculated to stop the prohibited conduct, prevent its reoccurrence, and ensure that the target(s) is/are not restricted in participating in school or in benefiting from school activities. Specifically, the /Principal shall:

- Determine what remedial action is required, if any;
- Determine what responsive actions and/or disciplinary action is necessary, including, when appropriate, consultation with support staff to identify any underlying social or emotional issue(s) that may have contributed to the bullying or retaliation, and assess the level of need for additional social skills development or referral to one or more of the resources identified in the Plan; and
- In the event of a staff member, the administrator will consult with the Assistant Superintendent of Human Resources to determine the appropriate course of action.
- Notify the parents/guardians of the target(s) and the aggressor(s) of the determination and of the procedures for responding to the bullying or retaliation; and
- Notify the parents/guardians of the target(s) of the action to be taken to prevent further bullying or retaliation.

If, after an investigation, the Principal/Superintendent/School Committee or designee determines that bullying or retaliation has not occurred, he/she shall notify the parents/guardians of the alleged target(s) and aggressor(s) of the determination and shall verify that they have received notice of the student-related sections of the Plan. Notice to parents/guardians shall be in the primary language of the home and consistent with the confidentiality requirements of the Plan.

The Principal shall maintain a file of all reports of bullying or retaliation, along with the investigative materials and documentation of report(s) made to law enforcement. A quarterly report shall be provided to the Superintendent or his/her designee.

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

F. Responding to Bullying or Retaliation

1. Teaching Appropriate Behavior Through Skills Building

If the Principal/Superintendent/School Committee or designee determines that bullying or retaliation has occurred, he/she will use a range of responses that balance the need for accountability with the need to teach appropriate behavior (M.G.L. c. 71, § 37O(d)(v)). Skill building approaches that the /Principal/Superintendent/School Committee or designee may consider include:

- Providing relevant educational activities for individual students or groups of students, in consultation with counselors and other appropriate school personnel;
- Implementing a range of academic and nonacademic positive behavioral support to help students understand pro-social ways to achieve their goals;
- Meeting with parents and guardians to engage parental support and to

reinforce the anti-bullying curricula and social skills building activities at home;
and,

- Adopting behavioral plans to include a focus on developing specific social skills.

2. Taking Disciplinary Action

If the Principal/Superintendent/School Committee or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the /Principal or his/her designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline, which may include suspension and/or expulsion, will be consistent with the Plan, PSB disciplinary policies, and the school code of conduct. Appeal of a decision to discipline a student based upon a determination of bullying or retaliation will be consistent with PSB disciplinary policies. Disciplinary procedures for students with disabilities are governed by the Federal Individuals with Disabilities Education Improvement Act, which will be followed in conjunction with state laws regarding student discipline.

The School Committee expects administrators and supervisors to make clear to students and staff that the act of bullying in the school building, on school grounds, on the bus or school-sanctioned transportation, or at school-sponsored functions will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students and termination for employees.

The District will promptly and reasonably investigate allegations of harassment, including bullying. The Principal of each building will be responsible for handling all complaints by students alleging harassment, including bullying whether the act has been witnessed by staff or not.

If the /Principal/Superintendent/School Committee or designee determines that a student or staff knowingly made a false allegation of bullying or retaliation, that student or staff shall be subject to disciplinary action equivalent to that for bullying or retaliation, including suspension and/or expulsion from school for students and up to and including termination for employees.

3. Promoting Safety for the Target and Others

The Principal/Superintendent/School Committee or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. Specific examples of responses to promote safety are included in "Policies and Procedures for Reporting and Responding to Bullying and Retaliation," Section V(C)(1).

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the /Principal/Superintendent/School Committee or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are

needed. If so, the /Principal/Superintendent/School Committee or designee will work with appropriate school staff to implement them immediately.

G. Confidentiality

All communications arising from the implementation of this Plan and related PSB policy shall be consistent with applicable federal and state privacy laws and regulations, including, but not limited to, the Massachusetts Student Record Regulations (603 CMR 23.00, et seq.) and the Family Educational Rights and Privacy Act of 1974 (“FERPA”). In accordance with these laws and regulations:

1. The Principal/Superintendent/School Committee or designee may not disclose specific information to a target’s parent/guardian about disciplinary action taken against an aggressor unless it involves a “stay away” order or other directive that the target and/or his/her parents or guardians must be aware of in order to report violation;
2. The Principal/Superintendent/School Committee or designee may not disclose information from a target’s or aggressor’s student record to a parent/guardian unless the information is about the parent/guardian’s own child;
3. The Principal may, in a manner that protects the privacy of targets, student witnesses, and aggressors to the extent practicable under the circumstances, disclose a determination of bullying or retaliation to local law enforcement authorities without the consent of a student or his/her parents/guardians; and
4. The Principal/Superintendent/School Committee or designee may, in situations where he/she determines that there is an immediate and significant threat to the health or safety of a student or other individual, disclose student record information about a student to appropriate parties, including law enforcement authorities, if such disclosure is necessary to protect the health or safety of the student or other individual.

H. Problem Resolution System

Regardless of the outcome of the bullying or retaliation determination, the principal or designee will inform the parent or guardian of the target about the Department’s problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. This information will be made available in both hard copy and electronic formats: Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to compliance@doe.mass.edu or individuals can call 781-338-3700. Hard copies of this information is also available at the Superintendent’s office.

I. Relationship to Other Laws

Consistent with state and Federal laws and PSB policies, 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, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the PSB 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 PSB policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the schools to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H1/2, or other applicable laws in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

References in the Student Handbook

Section 2.4 No Verbal or Written Harassment, Bullying

Section 2.5 No Inappropriate Sexual Behavior

Section 2.6 No Sexual Harassment; Harassment Complaint Procedures

Right to an Equal Education

State and federal laws prohibit discrimination in education. The Public Schools of Brookline do not discriminate on the basis of race, color, sex, religion, national origin, disability or sexual orientation with regard to admission, access to programs or activities, or employment opportunities. In the Public Schools of Brookline:

1. No student shall be excluded from participation in, denied the benefit of, or subjected to discrimination, or subjected to harassment in any academic, extracurricular, research, vocational or other school-sponsored activity because of such student's race, color, sex, religion, national origin, disability or sexual orientation (i.e., protected status).
2. No student shall be excluded from any school program or school-sponsored activity because of pregnancy or because of marital or parental status, except where required by health considerations or where the educational process would be disrupted.
3. After giving birth, a student is permitted to return to the same academic and extracurricular programs as before her leave. The district does not require a pregnant student to obtain certification of a physician that the student is physically and emotionally able to continue in school, other than the same health and immunization records that are required of all students. The only limitations or accommodations implemented for a pregnant student will be those deemed necessary by the student's physician, as documented in writing by that physician.

Definitions

Discrimination: Treating people differently, or interfering with or preventing a student from enjoying the advantages, privileges or courses of study because of a student's actual or perceived race, color, sex, religion, national origin, disability or sexual orientation (i.e., protected status).

Harassment: Harassment is oral, written, graphic, electronic or physical conduct on school property or at a school-related event, function or activity relating to a student's actual or perceived race, color, sex, religion, national origin, disability or sexual orientation (i.e., protected status) that is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the school's programs or activities, by creating a hostile, humiliating, intimidating, or offensive educational environment. For purposes of this policy, harassment shall also mean conduct, if it persists, that will likely create a hostile, humiliating, intimidating or offensive educational environment.

Retaliation: Any form of intimidation, reprisal, or harassment, against a student who reports a complaint of discrimination or harassment, provides information during an investigation, or witnesses or has reliable information about discrimination or harassment.

Sexual Harassment: Unwanted sexual attention from peers, staff, or anyone the person may interact with on school property or at a school-related event, function or activity. The range of behaviors include: verbal comments, leering, pinching, patting and other forms of unwanted touching, subtle pressure for sexual activity, as well as rape or attempted rape.

Procedure for Filing Complaints Related to Discrimination or Harassment

If a student feels he or she has been discriminated against, harassed or has been subject to retaliation, the student may lodge a complaint with appropriate school staff, the principal of his or her school, or to the Superintendent. All reports of discrimination, harassment, or retaliation will be investigated promptly and in an impartial and as confidential a manner as possible, to ensure prompt and appropriate action. Any individual who is found, after appropriate investigation, to have engaged in discriminatory conduct, or harassing conduct, or retaliation will be subject to disciplinary action up to and including suspension or termination of employment.

It is the policy of the Public Schools of Brookline to deal with discrimination and harassment complaints at the individual school level whenever possible. However, if a satisfactory resolution cannot be achieved, a student may file a written complaint with the Superintendent of Schools or his/her designee. The Superintendent or his/her designee shall respond in writing within 30 days. If the individual is not satisfied with the response, he/she may take the complaint to the Massachusetts Department of Elementary and Secondary Education, Program Quality Assurance, 350 Main Street, Malden, MA 02148-5023 or other appropriate federal or state agency. The Section 504, Title VI and Title IX Coordinator is Karen Shmukler, Assistant Superintendent for Student Services

Sexual harassment may constitute child abuse under Massachusetts law (G.L.c.119, §51a). Public Schools of Brookline will comply with Massachusetts law in reporting suspected cases of child abuse, including those involving sexual harassment, to the Department of Social Services and/or the Brookline Police Department.