

## The Peabody School Committee's Anti-Bullying Policy

It is the policy of the Peabody Public Schools to foster and maintain educational environments that are free from bullying, cyber-bullying, and retaliation. It shall be a violation of this policy for any student **or members of school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity or paraprofessionals** in the Peabody Public Schools to bully another student through conduct or communication of a bullying nature and/or to retaliate against any individual for reporting bullying or cooperating with an investigation thereof. Students **or members of school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity or paraprofessionals** who engage in bullying, cyber-bullying, or retaliation will be subject to a range of disciplinary sanctions including, but not limited to, reprimand, detention, suspension, expulsion or other sanctions as determined by the school administration. Except where bullying has resulted in the student's permanent expulsion, students **or members of school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity or paraprofessionals** who engage in bullying shall also be required to participate in remedial activities designed to develop the skills and proficiencies necessary to avoid engaging in further bullying behavior(s).

The Peabody Public Schools has established separate discrimination or harassment policies that include categories of students and staff. Nothing in this policy shall prevent the Peabody Public Schools from remediating any discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law.

### A. Definitions

**Bullying:** The repeated use by one or more students **or members of school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity or paraprofessionals** of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at target(s)/victim(s) that:

(i) causes physical or emotional harm to the target(s)/victim(s) or damage to the target(s)/victim(s) property; (ii) places the target(s)/victim(s) in reasonable fear of harm to himself or of damage to his/her property; (iii) creates a hostile environment at school for the target(s)/victim(s) ; (iv) infringes on the rights of the target(s)/victim(s) at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this policy, bullying shall include cyber-bullying.

**Cyber-bullying:** 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, instant messages or facsimile communications. Cyber-

bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

**Hostile Environment:** 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 target's education.

**Target(s)/victim(s):** A student who has been subject to bullying or retaliation by another student or group of students.

**Aggressor/ Perpetrator:** A student **or members of school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity or paraprofessionals** who engages, either individually, or as part of a group, in bullying, cyber-bullying or retaliation.

**Local law enforcement agency:** local police department

**Principal:** The administrative leader of a Peabody public school or his/her designee for the purposes of investigating and responding to reports of bullying, cyber-bullying or retaliation.

**Retaliation:** Intimidation, reprisal, or harassment directed against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

**Involved Bystander:** A student, or students, **or members of school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity or paraprofessionals** who encourage or otherwise assist or commits an overt act for the furtherance of an incident of bullying.

## B. Prohibited Behavior(s)

The Peabody Public Schools is committed to maintaining learning environments that are free from bullying, cyber-bullying, and retaliation. Bullying, cyber-bullying and/or retaliation by a student is strictly prohibited and shall result in the imposition of disciplinary sanctions by school administration.

For purposes of this policy, bullying is prohibited:

- 1) on school grounds, 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
- 2) 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 a school district or school, if the bullying creates a hostile environment at school for the target(s)/victim(s), infringes on the rights of the target(s)/victim(s) at school or materially and substantially disrupts the education process or the orderly operation of a school. This prohibition shall not be construed, however, as requiring district schools to staff or supervise any non-school related activities, functions, or programs.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also strictly prohibited and may result in suspension or expulsion from school.

#### C. Reporting Requirements

In furtherance of this policy and in accordance with M.G.L. c.71, §37O, a school staff member, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, will immediately report to the school principal any instance of bullying, cyber-bullying or retaliation that the staff member has witnessed or has become aware of.

#### D. Investigations

Upon receipt of such a report or complaint of bullying, cyber-bullying or retaliation, the principal will promptly commence an investigation. If the principal or a designee determines that bullying, cyber-bullying, and/or retaliation has occurred, the principal will:

- Notify the parents of the alleged aggressor/perpetrator and target(s)/victim(s) of the receipt of such report or complaint;
- Notify the local law enforcement agency if the principal believes that criminal charges may be pursued against an aggressor;
- Take appropriate disciplinary and corrective action;
- Notify the parents of the aggressor of the investigative findings;
- Notify the parents of the target(s)/victim(s) of the investigative findings and, as consistent with state and federal law, notify the target(s)/victim(s) parents of the action taken to prevent any further acts of bullying or retaliation;
- Take appropriate action to protect the target and witnesses from further bullying or retaliation.

## E. Bullying Prevention and Intervention Plan

The superintendent will develop and implement a Bullying Prevention and Intervention Plan to address bullying prevention and intervention in district schools.

### (i) Development of the Plan

The plan shall be developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, local law enforcement agencies, students, parents and guardians. The consultation shall include notice and a public comment period. The plan shall be updated biennially.

### (ii) Contents of the Plan

The District-wide Bullying Prevention and Intervention Plan shall include:

- (a) descriptions of and statements prohibiting bullying, cyber-bullying and retaliation;
- (b) procedures for students, staff, parents, guardians and others to report bullying or retaliation;
- (c) a provision that reports of bullying or retaliation may be made anonymously but that no disciplinary action shall be taken against a student solely on the basis of an anonymous report;
- (d) a provision that a student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action;
- (e) procedures for promptly responding to and investigating reports of bullying or retaliation;
- (f) information regarding the range of disciplinary actions that may be taken against an aggressor;
- (g) a provision for assessing and monitoring the target(s)/victim(s) need and the needs of witnesses for protective interventions;
- (h) procedures for notifying the parents of a target(s)/victim(s) and of an aggressor of the investigative findings and actions to be taken;
- (i) provision for the notification of local law enforcement agencies if the principal reasonably believes that criminal charges may be pursued against the aggressor;
- (j) provision for annual and ongoing professional development to build the skills of all staff to prevent, identify, and respond to bullying. The content of such professional development training(s) shall be in accordance with the requirements of M.G.L. c.71,§37O;
- (k) provision for the implementation of an evidenced-based anti-bullying curriculum in grades K-12 and for informing parents regarding the curriculum contents and strategies for reinforcing the curriculum at home.

(iii) Implementation of the Plan

It shall be the responsibility of the building principal to implement and adhere to the District's Bullying Prevention and Intervention Plan within his/her school.

(iv) Public Notice

A summary of the Bullying Prevention and Intervention Plan shall be included in each school's student handbook and shall be posted on individual school and district websites. The Peabody Public Schools shall also provide all school staff annual written notice of the Plan.

Legal Refs: M.G.L. c.71, §37O; 603 CMR 49.00

**Adopted: December 21, 2010**