

File: JICFB**ANTI-BULLYING**Commitment

The Sharon School Department is committed to creating a safe, caring, and respectful learning environment for all students. We are committed to treating all members of our community with civility and respect in an inclusive environment. The benchmark terms that describe our actions toward each other and the way we communicate with each other are *kindness, dignity, responsibility, courage* and *honesty*. We clearly declare and strictly enforce a prohibition against the bullying and other harassment of any of our students or staff.

In addition to the personal and emotional harm they inflict, bullying and harassment distract, interfere, and prevent students from learning. For these reasons, bullying and harassment are unacceptable in the Sharon Public Schools, and will not be tolerated.

In collaboration with Sharon teachers, families and community members, each school will develop and implement a plan for education and discipline, including curriculum, to prevent bullying and to help adults and students to respond effectively to incidents and allegations of bullying and other harassment.

The School Department shall exercise its legal right and responsibility to take action to protect victims, to notify parents and police, and assign consequences, including discipline, to any perpetrator.

This Policy applies and extends to all Sharon students, School Committee members, school employees, independent contractors, school volunteers, visitors, parents and legal guardians of students.

Definition of Bullying

“Bullying” under this Policy shall have the same meaning as established by Massachusetts law: “The repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that:

- (i) Causes physical or emotional harm to the victim or damage to the victim’s property;
- (ii) Places the victim in reasonable fear of harm to himself or of damage to his property;
- (iii) Creates a hostile environment at school for the victim;
- (iv) Infringes on the rights of the victim at school; or
- (v) Materially and substantially disrupts the education process or the orderly operation of a school as determined by the building principal,

and includes cyber-bullying.

“Cyber-bullying” under this Policy is also defined consistently with Massachusetts law: “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.

In accord with Massachusetts law, cyber-bullying under this Policy shall also include,

- (i) The creation of a web page or blog or similar communication media 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 (see above).

Cyber-bullying under this Policy and Massachusetts law 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 (see above).

To illustrate but not to limit the behavior that this Policy prohibits, the following examples are given:

1. One person's intimidating another, either physically, psychologically, or emotionally;
2. A person's threatening another, whether that threat is stated or implied, direct or indirect, or physical, emotional, or psychological in nature;
3. A person's attempted or actual assault on another, including those that are communicated, transmitted, or otherwise expressed verbally, physically, psychologically, electronically, or in writing;
4. A person's attempted or actual attack or other infliction of damage on another person's personal property;
5. A person's attack, intimidation, threat or assault on another if carried out against the targeted victim at the request or instruction of a bully; and/or,
6. A person's creating an unwelcoming or hostile environment at school for another person or group of people.

As observed above, these examples are intended to illustrate the misconduct that falls within the scope of this Policy. Other misconduct, behavior, or communications are also prohibited under this Policy if they are encompassed by the definition of Bullying (including cyber-bullying) set out above.

Bullying is Prohibited

This Policy applies to all sites and activities under the supervision and control of the Sharon Public Schools. The Policy also applies and extends to all places where the School Department has authority under state and/or Federal law, including but not limited to school buses, athletic fields, bathrooms, locker rooms, classrooms, hallways, cafeterias, and/or to those persons who attend or engage in school activities. In addition, incidents of bullying and harassment, even if they occur off school property, outside of school hours, and within a context not directly associated with school activities (for example, Internet, texting, private parties and gatherings and/or social websites), are also prohibited under this Policy when such incidents adversely impact or are reasonably likely to adversely impact the educational climate within a

school, disrupt the orderly operation of a school, threaten the safety of a student, and/or harm a student or make the student reasonably fearful of harm to him/herself or of damage to his/her property.

Bullying under this Policy is prohibited:

- (i) 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 is also prohibited,
- (ii) 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 victim, infringes on the rights of the victim 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 prohibited. A student who is found to have retaliated against another student or staff member because of the latter's reporting or cooperation with respect to an incident or incidents of bullying (or allegations thereof) will independently be subject to disciplinary action up to and including suspension and expulsion, notwithstanding the outcome of the underlying incident or allegation of bullying.

Procedures to Implement Anti-Bullying Policy

Violation of this Policy is a serious offense. The School Department is committed to protecting a complainant, and other similarly-situated individuals, from bullying that occurred, and from bullying that might in the future occur. The School Department will promptly and reasonably investigate allegations of bullying and other forms of harassment. The Superintendent shall develop administrative guidelines and procedures for the implementation of this Policy. The Principal of each building (or his/her designee) will be responsible for handling all complaints by students alleging bullying and other forms of harassment. The Administrators will make clear to students, parents, and staff that violators will be subject to appropriate disciplinary action, including suspension and expulsion from school for students, and termination of employment for employees. The School Department's response to bullying will include, when appropriate, referral to a law enforcement agency when the School Department determines that bullying or retaliation has occurred. The School Department, if it determines that bullying or retaliation has occurred, shall also notify the parents/guardians of the perpetrator and the victim.

All School Department staff members (including but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, extracurricular advisors or paraprofessionals) shall immediately report any instance of bullying or retaliation the staff member has witnessed or becomes aware of, to the school principal or the principal's building designee. The School Department will promptly investigate all allegations of bullying. Each building principal or his/her designee will be responsible for handling all complaints by persons alleging bullying.

The Superintendent shall develop or otherwise revise or adopt administrative guidelines, procedures, disciplinary actions to implement this Policy, as required by Chapter 71 §§37H and 37O of the General Laws of the Commonwealth, including but not limited to:

- A plan to provide age-appropriate instruction for students in each grade;
- A plan to offer education to parents about bullying;
- A plan to provide professional development to teachers and other staff to help them prevent and stop bullying. (DESE will identify low cost/free options);
- A plan to assist children who are particularly vulnerable, to obtain social skills to avoid and to respond to bullying;
- A flexible and responsive reporting process for staff, students and parents with respect to incidents of bullying and retaliation;
- A plan to accept anonymous reports of bullying or retaliation provided that no disciplinary action shall be taken against a student or staff member solely on the basis of an anonymous report.
- Procedures for the School Department's prompt response and investigation of reports of bullying and retaliation;
- A range of disciplinary actions that may be taken against perpetrators, which shall balance the need for accountability with the need to teach appropriate behavior;
- A process for restoring a sense of safety for the victim and assessing the victim's need for protection;
- Strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation of bullying or retaliation, or who witnesses or has reliable information about an act of bullying;
- A process for communication with parents/guardians of both the victim and perpetrator;
- A process for notifying local law enforcement as required by Massachusetts law;
- A provision to deal with persons making false accusations or bullying;
- A strategy for encouraging and/or providing counseling or referral to appropriate service providers for perpetrators, victims, and appropriate family members of said students;
- A plan to notify parents/guardians of actions taken to prevent further acts of bullying; and,
- Related record keeping and reporting.

Student handbooks shall also be revised to include age-appropriate summaries of the School Department's bullying prevention and intervention plan.

Legal Refs.: Massachusetts General Laws, ch. 71, §37O
Massachusetts Acts, Chapter 92 of the Acts of 2010-05-18
Title VII, Section 703, Civil Rights Act of 1964 as amended
Federal Regulation 74676 issued by EEO Commission
Title IX of the Education Amendments of 1972
Board of Education 603 CMR 26:00

Refs.: National School Safety Center
Maine Project against Bullying
The Wellesley College Center for Research on Women

Cross Refs.: AC, Nondiscrimination
ACAB, Sexual Harassment
JBA, Student to Student Harassment
Student Handbooks
MGL Chapter 265, Section 43