



# HILLTOWN COOPERATIVE CHARTER PUBLIC SCHOOL

## SY24-25 Bullying Prevention Policy Update

Date: December 11, 2024

Priority level: High

Approximate time needed for discussion: 10 minutes

Proposal to be presented to Board of Trustees by: Chris Kusek, Head of School

### Text of proposal:

#### **BULLYING PREVENTION AND INTERVENTION PLAN**

HCCPS is committed to creating a safe, caring, respectful learning environment for all students and strictly enforces a prohibition against bullying, including without limitation, cyberbullying, of any of its students by anyone and also strictly enforces a prohibition against retaliation on any person who reports bullying, provides information during an investigation of bullying or witnesses, or has reliable information about bullying. Site-based initiatives, developed collaboratively between school administration and personnel, students, families, and community members will seek to: (1) help students of all ages and abilities stay safe, act wisely, and believe in themselves; and (2) help adults respond effectively to students' reports and their own observations.

#### **1. Definitions**

**Bullying** is defined as the **repeated use** by one or more students or by a member of school staff (including, but not limited to, an educator, administrator, school nurse, athletic coach, advisor to an extracurricular activity or teaching assistant) of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target/victim that:

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

**Cyberbullying** is further defined as 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. Cyberbullying shall also



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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. Cyberbullying shall also include the distribution by electronic means of 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.

**Aggressor or Perpetrator** is defined as a student or 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, school volunteer or a vendor, contractor or other person working under a contract with the school who engages in bullying, cyberbullying, or retaliation.

**Hostile environment** is defined as 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 defined as 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.

**Staff** is defined to include, but is not limited to, educators, administrators, counselors, school nurses, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, clerical staff, or teaching assistants/paraprofessionals.

**School** is defined to include the school, school grounds, travel to and from school and/or school-sponsored events or functions, property immediately adjacent to school grounds, school-sponsored or school-related activities, functions, programs whether on or off school grounds (such as social events, trips, sports events, or similar school-sponsored events and functions), at a school bus stop, on a school bus or other vehicle owned, leased or used by the school, on the way to and from school or through the use of technology or an electronic device owned, leased or used by the school 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 school, if the act creates a hostile environment at school for the target/victim or witnesses, infringes on the rights of the victim or witnesses at school or materially and substantially disrupts the education process or the orderly operation of a school.

**Target or Victim** is defined as a student or an adult against whom bullying, cyberbullying, or retaliation has been perpetrated.

## 2. Prohibition



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Bullying of students occurring in schools is prohibited by law and will not be tolerated by HCCPS.

Bullying can take many forms and can occur in any setting. Bullying can include but is not limited to, intimidation such as name-calling or threatening, social alienation such as shunning or spreading rumors, or physical aggression such as assaults on a student or attacks on a student's property.

Bullying can create an atmosphere of fear for all members of the school community. It also can create unnecessary and unwarranted anxiety that affects the ability of a student to attend school, learn in school, walk in school corridors, eat in the school cafeteria, play in the schoolyard or recreation areas, participate in or attend special or extracurricular activities or travel to and from school.

Bullying behaviors that are not addressed can lead to devastating consequences for young people, including depression, and drops in school performance and attendance. The failure to address bullying behaviors also gives other students the message that it is permissible to engage in negative behaviors.

Consistent with state law, HCCPS recognizes that certain students 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 (1) or more of these characteristics.

### 3. Process and Response

HCCPS takes allegations of bullying seriously and will respond promptly to complaints and allegations of bullying. Additionally, allegations of retaliation against a person who reports bullying provides information during an investigation of bullying or witnesses; or has reliable information about bullying also shall be taken seriously and HCCPS will respond promptly to such complaints and allegations.

If any student, caregiver/guardian of a student, staff member, or other community member believes that a student has been subjected to bullying, or to retaliation for reporting bullying, providing information during an investigation of bullying or witnessing or having reliable information about bullying, they should bring the matter to the attention of the Head of School, Director of Teaching and Learning, or Behavior Support Coordinator. This may be done verbally, electronically, or in writing.

Reports of bullying and/or reports of retaliation for reporting bullying, providing information during an investigation of bullying, or witnessing or having reliable information about bullying also may be made anonymously to the Head of School, Director of Teaching and Learning, or Behavior Support Coordinator. Please note; however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report having been received.

Before fully investigating the allegations of bullying or retaliation, the Head of School, Director of Teaching and Learning, and/or Behavior Support Coordinator 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



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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 Head of School, Director of Teaching and Learning, and/or Behavior Support Coordinator will take additional steps to promote safety during the course of and after the investigation, if necessary.

Where it is determined that inappropriate conduct has occurred, HCCPS will act promptly to eliminate the conduct and will impose corrective action as necessary, which may range from requiring the aggressor to work with school personnel on better behavior, the recommendation for the provision of counseling or other therapeutic services and/or disciplinary action where appropriate, up to and including suspension, expulsion and/or court involvement.

Additionally, consistent with state law, if it is determined that bullying or retaliation has occurred, the Head of School or Director of Teaching and Learning shall:

- (i) notify local law enforcement if school administration believes that criminal charges may be pursued against the aggressor
- (ii) take appropriate disciplinary action
- (iii) notify the caregivers/guardians of the aggressor; and
- (iv) notify the caregivers/guardians of the target/victim, to the extent consistent with state and federal law, of the action taken to prevent any further acts of bullying or retaliation.

Furthermore, if it is determined that a student has knowingly made a false accusation of bullying or retaliation, they shall be subject to discipline, up to and including suspension, expulsion and/or court involvement.

All students shall be afforded the same protection regardless of their status under the law.

In notifying the caregivers/guardians of the target and the aggressor, the Head of School, Director of Teaching and Learning, and Behavioral Support Coordinator must comply with the confidentiality requirements of the Massachusetts Student Record law and regulations and the Federal Family Education Rights and Privacy Act and corresponding regulations.

More specifically, school administration may not disclose information from a student record of a target or aggressor to a caregiver/guardian unless the information is about the caregiver/guardian’s own child.

The Head of School or Director of Teaching and Learning may disclose a determination of bullying or retaliation to a local law enforcement agency without consent of a student or their parent/guardian, but the school administration shall communicate with law enforcement officials in a manner that protects the privacy of targets, student witnesses and aggressors to the extent practicable under the circumstances.



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Additionally, if the Head of School, Director of Teaching and Learning, and/or Behavioral Coordinator has determined that there is an immediate and significant threat to the health or safety of the student or individuals, school administration may disclose student record information about a target or aggressor to appropriate parties in addition to law enforcement in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. In this latter situation, the disclosure is limited to the period of the emergency and the Head of School and/or the Director of Teaching and Learning must document the disclosure and the reasons that the Head of School and/or Director of Teaching and Learning determined that a health and safety emergency exists.

#### **4. Bullying Prevention and Intervention Plan**

The Head of School and/or Director of Teaching and Learning will develop and keep updated on at least a biennial basis, as required by law, a plan to address bullying prevention and intervention. Such a plan shall, as required by law, be developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians.

The HCCPS' Bullying Prevention and Intervention Plan will address training and professional development for staff and will also address sharing information with parents/guardians and students about bullying, including information on prevention of bullying, reporting of bullying, and the potential legal consequences of engaging in bullying. Additionally, the Bullying Prevention and Intervention Plan will include specific steps that schools will take to support vulnerable students and to provide all students with the skills, knowledge, and strategies needed to prevent or respond to bullying and harassment.