

1 **LEXINGTON SCHOOL COMMITTEE POLICY**

2
3 **BULLYING PREVENTION AND
4 INTERVENTION PLAN POLICY**

First Reading: November 30, 2010

Second Reading: December 14, 2010

**Date Approved by
5 School Committee: December 14, 2010**

Signature of Chair: _____ On File _____

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10 **Page 1 of 5**

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13 The Lexington Public Schools (LPS), in partnership with parents, guardians, and the community,
14 and in keeping with the LPS core value of respect for human differences, believes that a positive,
15 safe, and civil environment in school is necessary for students to learn and achieve. Bullying is
16 conduct that can disrupt a student's ability to learn by preventing that student's full engagement
17 with his or her education. Moreover, bullying compromises a school's ability to educate its
18 students in a safe environment. The Lexington School Committee, therefore, prohibits acts of
19 bullying or cyber-bullying throughout the Public Schools of Lexington.

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21 "Bullying" shall include, but is not limited to, the repeated use by one or more students of a
22 written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof,
23 directed at a target that:

- 24
- 25 • causes physical or emotional harm to the target or damage to the target's property;
 - 26 • places the target in reasonable fear of harm to him/herself, or of damage to his/her
27 property;
 - 28 • creates a hostile learning and/or social environment at school for the target;
 - 29 • infringes on the rights of the target at school; or
 - 30 • materially and substantially disrupts the education process or the orderly operation of a
31 school.

32
33 "Cyber-bullying" means bullying through the use of technology or any electronic
34 communication, which shall include, but shall not be limited to, any transfer of signs, signals,
35 writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- 36
- 37 • wire
 - 38 • radio
 - 39 • electromagnetic, photo-electronic or photo-optical system, including, but not limited to,
40 electronic mail, internet communications, instant messages, facsimile communications,
41 cell phone or texting.

42
43 Cyber-bullying shall also include the creation of a web page or blog in which the creator assumes
44 the identity of another person or knowingly impersonates another person as author of posted
45 content or messages, if the creation or impersonation creates any of the conditions enumerated in
46 the definition of bullying.

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

5
6 Bullying and cyber-bullying can occur in and out of school, during and after school hours, at
7 home and in locations outside of a home. When bullying and cyber-bullying are alleged, the full
8 cooperation and assistance of parents or guardians and their families are expected.

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10 For the purpose of this policy, whenever the term bullying is used, it is to denote either bullying,
11 or cyber-bullying.

12
13 Bullying is prohibited:

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- 15 • on school grounds;
- 16 • on property immediately adjacent to school grounds;
- 17 • at school-sponsored or school-related activities, functions or programs, whether on or off
- 18 school grounds;
- 19 • at school bus stops;
- 20 • on school buses or other vehicles owned, leased or used by the school district; or,
- 21 • through the use of technology or an electronic device owned, leased or used by the LPS;
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23 Bullying and cyber-bullying are prohibited at a location, activity, function or program that is not
24 school-related or through the use of technology or an electronic device that is not owned, leased
25 or used by the LPS if the act or acts in question:

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- 27 • create a hostile learning and/or social environment at school for the target;
- 28 • infringe on the rights of the target at school; and/or
- 29 • materially and substantially disrupt the education process or the orderly operation of a
- 30 school.
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32 Prevention and Intervention Plan

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34 The superintendent or designee shall oversee the development of a prevention and intervention
35 plan, in consultation with all district stakeholders, which may include parents and guardians,
36 teachers, school staff, professional support personnel, school volunteers, administrators,
37 community representatives, local law enforcement agencies, and students, consistent with the
38 requirements of this policy, as well as state and federal laws. The bullying prevention and
39 intervention plan shall be reviewed and updated at least biennially.

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41 A principal or designee is responsible for the implementation and oversight of the bullying
42 prevention and implementation plan within his or her school.

43 Reporting

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46 Students who believe that they are a target of bullying are encouraged and urged to report the
47 matter to a member of the school staff. Students who observe an act of bullying, or who have
48 reasonable grounds to believe that these behaviors are taking place, are obligated to report

1 incidents to a member of the school staff, and may be subject to discipline for failing to report
2 such incidents. However, the target shall not be subject to discipline for failing to report bullying.

3
4 A member of a school staff shall immediately report to the school principal or designee any
5 instance of suspected bullying the staff member has witnessed or become aware of. If the staff
6 member fails to do so, he or she may be subject to disciplinary action.

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8 Parents or guardians, or members of the community, are encouraged to report an incident of
9 suspected bullying as soon as possible to a school principal.

10
11 Each school shall have a means for anonymous reporting by students of incidents of suspected
12 bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous
13 report.

14
15 Any student who is found to have knowingly made a false accusation/report of bullying may be
16 subject to disciplinary action.

17 Investigation Procedures

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20 A school principal or designee shall promptly investigate any report of bullying, using a
21 Bullying/Cyber-bullying Report Form. It may include, but is not limited to, interviewing the
22 alleged target, alleged aggressor, staff members, students and/or witnesses.

23
24 A principal or designee, upon determining that bullying or retaliation has occurred, shall
25 promptly contact the parents or guardians of the alleged target(s) and the alleged aggressor(s).
26 Actions being taken to prevent further acts of bullying shall be discussed.

27
28 The investigation shall be completed within a reasonable amount of time. The parents or
29 guardians of both the aggressor(s) and the target(s) shall be notified if there has been a finding
30 that bullying has occurred. They will be updated periodically during the investigation, and, upon
31 its completion, shall be informed of the results, including whether the allegations were found to
32 be factual, whether a violation of this policy was found, whether disciplinary action has or shall
33 be taken, and whether or what steps will be taken to prevent retaliation or further acts of
34 bullying.

35
36 A principal or designee shall assess an alleged target's needs for protection and create and
37 implement a safety plan that shall restore a sense of safety for that student.

38
39 Confidentiality shall be maintained to protect all parties, which includes, but is not limited to,
40 alleged aggressor(s) or target(s), a person who reports bullying, or provides information during
41 an investigation of bullying, or is witness to or has reliable information about an act of bullying.

42 Disciplinary Actions

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45 If a school principal or designee determines that bullying has occurred, he/she shall take
46 appropriate disciplinary action, and if it is believed that criminal charges may be pursued against
47 the aggressor, the principal shall notify the appropriate local law enforcement agency and notify
48 the superintendent.

1 Disciplinary actions for students who are found to have committed an act of bullying or
2 retaliation shall be in accordance with LPS disciplinary policies.

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4 Assistance

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6 The LPS may provide appropriate counseling or referral to appropriate services, including, but
7 not limited to, guidance, academic intervention, and protection to any affected students, as
8 necessary.

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10 Documentation

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12 Each school shall document any incident of bullying that is reported per this policy, and the
13 principal or a designee shall maintain a file of these reports.

14
15 The superintendent or designee shall inform the School Committee periodically of any trends or
16 implications of these reports in order to give the School Committee the opportunity to review
17 and amend this policy.

18
19 Confidentiality shall be maintained consistent with the school's obligations under law.

20
21 Retaliation

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23 Reprisal or retaliation against any person associated with a report of bullying or the investigation
24 thereof is prohibited. Disciplinary action for a person who is found to have engaged in reprisal
25 or retaliation will reflect the extreme seriousness of such an act. Disciplinary action may include,
26 but is not limited to, suspension or expulsion.

27
28 Training and Assessment

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30 The superintendent or designee shall provide training annually for school employees and
31 volunteers who have significant contact with students so as to improve preventing, identifying,
32 responding to, and reporting incidents of bullying. The faculty and staff at each school shall be
33 trained annually on the bullying prevention and intervention plan applicable to the school.

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35 Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into
36 the curriculum for all K to 12 students.

37
38 Publication and Notice

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40 Annual written notice of the relevant sections of the bullying prevention and intervention plan
41 shall be provided in each school handbook to students and their parents or guardians, in age-
42 appropriate terms.

43
44 The superintendent or designee shall provide written notice annually of the bullying prevention
45 and intervention plan to all school staff.

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47 Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty
48 and staff shall be included in faculty handbooks.

1 The bullying prevention and intervention plan and policy shall be posted on the LPS website.
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10 REFERENCES: Massachusetts Department of Elementary and Secondary Education's
11 Model Bullying Prevention and Intervention Plan
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14 LEGAL REFS. : Title VII, Section 703, Civil Rights Act of 1964 as amended
15 Federal Regulation 74676 issued by EEO Commission
16 Title IX of the Education Amendments of 1972
17 603 CMR 26.00
18 MGL 71:37O
19 M.G.L. c. 71, 37H & 37H1/2
20 MGL 265:43, 43A
21 MGL 268:13B
22 MGL 269:14A
23 Discipline of Special Education Students Under IDEA 2004
24 20 U.S.C. 1415(k) and 34 CFR 300.530-300.536
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28 LEXINGTON PUBLIC SCHOOLS POLICIES: PROHIBITING HARRASSMENT (Approved:
29 2/15/03.)

30 DISCIPLINING SPECIAL NEEDS STUDENTS POLICY (Approved: on file.)
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