

**TRURO SCHOOL DISTRICT:
BULLYING PREVENTION AND
INTERVENTION PLAN**

“You report it, we’ll sort it.”

December 2010

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I. LEADERSHIP

A. PRIORITY STATEMENTS

The Truro School District, in compliance with state and federal regulations and in support of the belief that the school, families and community must work closely in order to provide a safe environment for learning and develop a generation of citizens who are respectful and accepting of diversity in all of its forms has developed the following plan to educate, address and resolve the issue of bullying.

We are committed to providing all students of the school community with a safe learning environment that is free from bullying and cyberbullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of Bullying and other harmful and disruptive behavior that can impede the learning process.

We understand that certain student groups, such as students with disabilities, students who are gay, lesbian, bisexual, or transgender, and homeless students may be more vulnerable to becoming targets of bullying, harassment, or teasing. The school or district will take specific steps to create a safe, supportive environment for vulnerable population in the school community, and to provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, teasing, and mediation of student conflict.

We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in our school building, on school grounds, or in school related activities. We will investigate promptly all reports and complaints of bullying, cyberbullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. We will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent, guardian and family involvement.

The Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and cyberbullying, and the school or district is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. The Superintendent/Principal is responsible for implementation and oversight of this plan.

B. Plan Overview

1. Procedures for Reporting Acts of Bullying

a. If any employee of the school district observes, has reported to, or otherwise becomes aware of a possible act of bullying, that person must report the event to a school administrator (Superintendent/Principal or School Social Worker) within one (1) full school day, using the Bullying Incident Reporting form, or other appropriate means of communication.

b. If a student expresses a desire to report or discuss a possible incident of bullying with a staff member, the staff member will, in a timely manner, provide the student with a practical, safe, private, and age-appropriate way of doing so.

c. Bullying Incident Reporting forms may be obtained in the office, library, nurse's office on the district website, and other locations determined by the school. All members of the community (students, staff,

family members, or members of the community at large) may report an act of Bullying to the Superintendent/Principal or School Social Worker via the Bullying Incident Reporting Form or other appropriate means of communication. If a student requires help completing the form, a staff member will provide the necessary assistance.

d. The Bullying Incident Reporting forms may be submitted to school administration, including anonymous reports. Anonymous reports will be reviewed but no direct action will be taken based on an anonymous report.

e. Information obtained from the Bullying Incident Reporting forms it shall be recorded by the district as a "complaint" for the reporting student.

2. Procedures for the Prompt Investigation of Acts of Bullying

a. The Superintendent/Principal or School Social Worker must initiate an investigation of a report of Bullying within one (1) school day after being notified of a possible incident, consistent with due process rights, using the Bullying, Incident Investigation form.

- If the target is injured, medical treatment will be provided without delay, and the student's parents will be notified immediately.

b. The Superintendent/Principal and/or School Social Worker will conduct an investigation to determine both whether an act of Bullying occurred and which person(s) were responsible for the act(s) and/or played a role in perpetuating it. The Bullying investigation procedures will be followed.

c. Other related complaints regarding the involved parties, including those from previous schools, transportation, recreation and other related services, will be reviewed as part of the investigative process.

d. The Superintendent/Principal or School Social Worker will contact the parents/guardians of all related parties promptly and inform them of the status of the investigation.

e. Discussions with all parties should be documented by the investigator as soon as possible after the event.

f. When an act of Bullying has been determined, the Superintendent/Principal or School Social Worker will apply consequences consistent with due process rights using the School Code of Conduct as a guide.

g. If the aggressor's actions are possibly criminal and/or delinquent acts, they shall be reported by the Superintendent/Principal or School Social Worker promptly to the responsible law enforcement agency according to the laws of the State of Massachusetts and the process as outlined on the Bullying Investigation Form.

h. The Superintendent/Principal or School Social Worker will notify parents/guardians of all parties involved, of the incident, the outcome of the investigation, and whether disciplinary action was taken.

i. The Superintendent/Principal or School Social Worker will create a written record of the Bullying incident and any disciplinary actions taken, as well as the statements of the victim, witnesses, and offender. No material records or evidence will be discarded until all students involved have left the school district.

j. The Superintendent/Principal shall be notified and will summarily document the investigation.

3. Procedures for Following Up Acts of Bullying

a. After the determination that an act of Bullying has occurred and after appropriate discipline has been enforced, the Superintendent/Principal or School Social Worker will develop with the target student and their parents or guardians a safety plan; and with the aggressor student and their parents or guardians a conduct plan. Both plans will include notifying the staff not only of the incident, but also of all the parties involved, specifying their roles.

b. The safety plan for the target will include, but not be limited by, the following. A staff member (as designated by the Superintendent/Principal, student and parents/guardians) will be assigned as a check-in person to regularly meet with the student to ensure the following:

- No acts of retaliation have occurred.
- Strategies are provided for dealing with future incidents, emphasizing immediate reporting of any further acts.
- Information regarding outside support services are provided to student and family.
- The frequency and duration of check-ins will be determined on a case-by-case basis, but will not be less than two (2) times per week for a period of four (4) weeks.
- After two weeks, the check-in person will provide a progress report on the emotional well-being of the student to the Superintendent/Principal or School Social Worker.
- The safety plan cannot be discontinued without the agreement of the student, the parents/guardians, the designated check-in person, and the Superintendent/Principal or School Social Worker.

c. The conduct plan for the aggressor will include, but not be limited by, the following: The Superintendent/Principal or School Social Worker will conduct compulsory conduct meetings to ensure the following:

- No further acts of bullying have been committed.
- The student has been educated regarding acceptable alternative behaviors.
- The student has received further education of the school's anti-bullying policy, including the potential for more severe school consequences and/or criminal charges being filed.
- The frequency and duration of these meetings will be agreed upon and will depend upon future actions. However, the minimum requirement should be at least two (2) times per week for a period of four (4) weeks.
- Information regarding outside support resources will be made available to the student and parents/guardians.
- A progress report identifying student conduct will be provided after two weeks.
- Discontinuation of the conduct plan will be determined by the Superintendent/Principal or School Social Worker. All meetings and the ending of the conduct plan should be documented and kept throughout the student's school career. Parents/guardians will be notified of the discontinuance of a conduct plan.

4. Availability of the Bullying Incident Reporting Form

- a. Staff will be informed about the availability of the Bullying Reporting Form for their use during opening-of-school meetings and then periodically throughout the school year.
 - b. Truro Central School will inform students about the availability of the form and its use during orientation sessions and periodically throughout the school year.
 - c. Samples of the form, as well as a description of the form's availability (as described below), will be included in the faculty and student/parent handbooks.
4. Forms will be available in the school's main office, social worker's office, library, and nurse's office. Electronic versions of the form will be available on the district website.
5. In addition to those noted above, the Truro School district will continue to work to identify additional developmentally appropriate methods by which very young elementary age students may report anonymously. Generally, at these young ages students are not able to write, and students readily report most everything to classroom teachers in private, during morning meetings, and during weekly social skills instruction. Generally speaking underdeveloped impulse control in the early elementary levels results in students blurting out a report whenever a teacher is within earshot. Therefore direct instruction regarding the concept of "anonymous" is also a component to be implemented.

II. TRAINING AND PROFESSIONAL DEVELOPMENT

A. Annual staff training on the Bullying Prevention and Intervention Plan. Annual training for all school staff on the Bullying and Prevention Plan will include staff duties under the Plan, an overview of the steps that the principal or school social worker will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula instructed by the school social worker at all grades throughout the school. Staff members hired following the start of the school year are required to participate in school based training during the school year in which they are hired.

The training will occur annually prior to the opening day of the school year for students. Circumstances that will trigger training following the annual program shall include, but not be limited to:

1. New Hires
2. Significant developments in bullying or cyber-bullying prevention research or incidents;
3. Community concerns about bullying as expressed through the School Committee, School Council, staff, parent/student surveys, or through other means.

B. Ongoing professional development. The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. The school district will provide annual professional development to build the skills of staff members to prevent, identify, and respond to bullying. Staff members required to participate include but are not limited to, educators, administrators, counselors, paraprofessionals, school nurses, school secretaries, cafeteria workers, custodians, bus drivers, after-school activities instructors, and tutors. The school social worker, a MARC (Massachusetts Aggression Reduction Center) certified trainer, will facilitate the professional development which shall include, but not be limited to:

1. developmentally appropriate strategies to prevent bullying incidents;
2. developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents;
3. information regarding the complex interaction and power differential that can take place between and among an aggressor, target and witnesses to bullying;
4. research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
5. information on the incidence and nature of cyber-bullying; and
6. internet safety issues as they relate to cyber-bullying

Professional development will address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

Additional areas identified by Truro Central School for professional development include ongoing Responsive Classroom training which focuses upon:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;

- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management and empathy for others;
- engaging students in school or classroom planning and decision-making; and
- maintaining a safe and caring classroom for all students.

C. Written notice to staff. The school district will provide all staff with an annual written notice of the Bullying and Prevention and Intervention Plan by publishing information about it, including sections related to staff duties, in the school district employee handbook.

III. ACCESS TO RESOURCES AND SERVICES

A. Identifying resources. The majority of staff at Truro Central School, including classroom teachers, specialists, administrators, paraprofessionals, secretaries, custodians, cafeteria staff and bus drivers are trained in the Responsive Classroom approach, an approach that emphasizes social, emotional, and academic growth in a strong and safe school community. The following school-wide practices have been adopted: aligning policies and procedures with Responsive Classroom philosophy; allocating resources to support Responsive Classroom implementation; planning all-school activities to build a sense of community; welcoming families and community as partners; and organizing the physical environment to set a tone of learning.

Truro Central School employs a full time school social worker, full time school nurse, 80% school psychologist/special education coordinator, 60% speech and language pathologist, and 10% behavioral consultant all of whom provide services to targets, aggressors and families as necessary.

Referrals to the school social worker may occur as a result of concerns from a variety of sources, including but not limited to: individual staff members, building base support team, parent(s)/guardians and students.

An updated directory of community resources will be maintained by the school social worker, school psychologist/special education coordinator and the school nurse.

Once a need has been identified, the school social worker, school psychologist, and/or school nurse will reference the directory and assist families in connecting with the appropriate practitioner/agency.

If a need is identified where no resource is currently listed, the above referenced staff will work with the family to locate an appropriate practitioner/agency.

B. Counseling and other services. A team of school personnel including but not limited to the school social worker, school psychologist/special education coordinator, speech and language pathologist, school nurse and behavioral consultant assist students and families who may be targets, aggressors, or bystanders/witnesses of incidents of bullying and/or retaliation.

The school social worker, school psychologist and school nurse maintain an updated directory of culturally and linguistically appropriate resources for the students and families of the Truro Central School community.

The school social worker provides instruction across grade levels of bullying prevention/social skills programs, along with the principal facilitates the creation of safety plans for students who have been targets of bullying or retaliation, and facilitates the creation of conduct plans as well as direct education and/or intervention services for students exhibiting bullying behaviors. The school psychologist/special education coordinator, speech and language pathologist and behavior consultant work in conjunction with the social worker to develop and provide behavioral intervention plans, small social skills groups and individually focused curricula to students and families as needed.

The school social worker is available to meet with all students and families on an individual basis. In this setting students are provided an opportunity to discuss their thoughts and feelings regarding issues of concern. The social worker builds an atmosphere of trust and understanding that enables students to make appropriate decisions, accept outcomes, and adapt to change. As deemed appropriate by the school social worker and/or upon request of the family, a referral to an outside practitioner will be facilitated.

The staff at Truro Central School work together:

- providing intervention when aware of student conflict
- developing effective social and emotional skills in all students
- responding quickly and comprehensively to students in crisis
- providing coordinated interventions for students with significant needs
- providing referrals to community resources where needed

D. Referral to outside services. Truro Central School has established partnerships with service providers in the community including providers of health, mental health, emergency services, hospitals, social service agencies, child care and after-school programs. The school social worker, school psychologist, and school nurse maintain updated directories of these resources and assist families in connecting with the appropriate practitioner/agency.

IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES

A. Specific bullying prevention approaches. Social and emotional learning is the process by which children acquire the knowledge, attitudes and skills necessary to recognize and manage their emotions, demonstrate caring and concern for others, establish positive relationships, make responsible decisions and constructively handle social situations. Age appropriate instruction on bullying prevention focuses on building a safe, caring, respectful culture among all students that will help prepare them for lifelong success in the workplace, in the community, and in personal relationships. Bullying prevention curricula will be informed by current research.

The instruction emphasizes the following approaches:

Instruction is provided weekly to grades PreK- 6 by the school social worker. The primary evidence based bullying prevention curricula used by Truro Central School is **Second Step, Steps to Respect**, and the **MARC K-12 Curriculum: Bullying and Cyber bullying Prevention** which, among other things, emphasizes the following approaches:

- increasing students ability to identify feelings in themselves and others;
- increasing students ability to take others' perspective;
- using scripts and role plays to develop skills;
- empowering students to take action by knowing what to do when they witness other students engaging in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyber bullying, including the underlying power imbalance;
- enhancing students' skills for engaging in healthy relationships and respectful communications;
- engaging students in a safe, supportive school environment that is respectful of diversity and difference;
- increasing students' ability to reduce impulsive and aggressive behavior by employing strategies to calm down and problem solve;
- emphasizing and teaching anger reduction techniques
- emphasizing cyber safety, including safe and appropriate use of electronic communication technologies

Curricula

Second Step (Committee for Children)

A violence prevention curriculum that is a school-based skills curriculum that teaches children to change attitudes and behaviors that contributes to violence. The goals of this curriculum are to reduce aggression and to promote the social competence of children from preschool through grade nine. The curriculum is designed to improve children's skills in three general areas. Children are taught the empathy skills needed to identify emotions and to recognize possible causes of the emotions that occur in their interactions with others. Children are taught to respond to social interactions thoughtfully rather than impulsively, learning problem solving steps to do so. Children are taught how to manage their own anger constructively. Within these units a range of other behaviors that may be warning signs of violence and aggression are addressed, including acting with extreme impulsiveness, interrupting, calling people names, bullying and threatening.

Steps to Respect

The research based Steps to Respect program teaches elementary students to recognize, refuse and report bullying, be assertive, and build friendships. A recent study found that the program led to a 31% decline in bullying and a 70% cut in destructive bystander behavior. STEPS TO RESPECT lessons can help kids feel safe and supported by the adults around them so that they can build stronger bonds to school and focus on academic achievement.

MARC K-12 Curriculum: Bullying and Cyber bullying Prevention

The goal of this curriculum is to educate children in grades K-5 about bullying and cyber bullying, and to raise their awareness about how these behaviors impact children, help children identify the adults in the school they can feel safe to go to for help and support, and help children develop additional strategies to deal with all aspects of bullying. It utilizes both Teacher-As-Educator and Peer-Learning Models. The curriculum also teaches about bystander behaviors and how these can unwittingly contribute to bullying in school and how online bullying feels and can lead to more problems in school as well. Bullying and cyber bullying are not treated separately or even as though they are significantly different.

Supplemental curricula:

Quit it! A Teacher's Guide on Teasing and Bullying for Use with Students in Grades K-3. A joint publication of Educational Equity Concepts, Inc.; Wellesley College Center Research on Women; NEA Professional Library

Bully Proof A Teacher's Guide on Teasing and Bullying for Use with Fourth and Fifth Grade Students
A joint publication of Educational Equity Concepts, Inc.; Wellesley College Center for Research on Women; NEA Professional Library

B. General teaching approaches that support bullying prevention efforts. According to research, a school environment in which there are strong adult-student connections in place is an environment which fosters a sense of safety among students. Supportive connections between adults and students serve as a foundation for the development and promotion of pro-social behavior. As a Responsive Classroom school we follow a school wide approach to elementary teaching that emphasizes social, emotional, and academic growth in a strong and safe school community. The goal is to enable optimal student learning. Created by classroom teachers and backed by evidence from independent research, the Responsive Classroom approach is based on the premise that children learn best when they have both academic and social-emotional skills. The approach therefore consists of classroom and school wide practices for deliberately helping children build academic and social-emotional competencies. The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines;
- creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;

- encouraging adults to develop positive relationships with students;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the Internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

Further supports to encourage positive relationships between students and adults in the school setting include the following:

Bus Buddies

In response to second grade students identifying the school bus ride to and from school as a time when many students feel unsafe, a “Bus Buddies” program was developed and implemented in 2005. “Bus Buddies” is aimed at building multi-age alliances among students with the goal of increasing the sense of safety students feel during their time on the school bus as well as providing the opportunity for older students to become active bystanders when instances of bullying occur. Every student is assigned a specific seat as well as a “bus buddy”, in most instances, of a different age group.

Caught in the Act

Caught in the Act is a school-wide initiative that encourages and recognizes pro-social behaviors among students. All staff i.e., custodians, cafeteria personnel, specialists, administrators, teachers, educational assistants, secretaries and bus drivers are asked to “catch” students (K-6) in the act of engaging in pro-social behaviors. The “Caught in the Act” book is kept in a prominent location in the school lobby. As each and every student is “caught in the act” he/she decorates a page which includes a certificate and photo of themselves, to be placed in the book. The goal of the book is two-fold, student behavior and choices will be noticed, encouraged and praised by the adults in their school community, and adults in modeling pro-social behaviors themselves will be actively participating in strengthening their school community.

Mix-It-Up-At-Lunch Day

Truro Central School participates annually in Mix-It-Up-Lunch Day, a nationwide initiative sponsored by Teaching Tolerance. Founded in 1991 by the Southern Poverty Law Center, Teaching Tolerance is dedicated to reducing prejudice, improving intergroup relations and supporting equitable school experiences for our children. In our continued effort to support an environment with less conflict and fewer instances of exclusion of others children are seated at lunch with students across grade levels with whom they would not typically converse. Sixth graders host the lunch groups during both first and second lunch. The event is a simple call to action. Mix It Up at Lunch Day helps student become more comfortable interacting with different people. Family members are encouraged to model this very important social skill by joining their children for breakfast and sit with someone with whom they are not well acquainted.

V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

A. Responding to a report of bullying or retaliation.

1. Safety

Before fully investigating the allegations of bullying or retaliation, the principal or school social worker 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 incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan for the target; pre-determining seating arrangements for the target and/or aggressor in the classroom(s), 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 principal or social worker will take additional steps to promote safety during the course of and after the investigation, as necessary.

The principal or school social worker will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation, which may include but not be limited to, the above mentioned responses for the target.

2. Obligations to Notify Others

- a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the principal or social worker will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or social worker contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
- b. Notice to Another School or District. If the 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 or social worker first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be 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, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age

of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the liaison from the police department, and other individuals the principal or social worker deems appropriate.

B. Investigation.

The principal or social worker will investigate promptly 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.

During the investigation the principal or social worker will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or social worker (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or social worker, other staff members as determined by the principal or social worker, and in consultation with the school psychologist, as appropriate. To the extent practice, and given his/her obligation to investigate and address the matter, the principal or social worker will maintain confidentiality during the investigation process. The principal or social worker will maintain a written record of the investigation.

C. Determinations.

The principal or social worker will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or social worker will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefitting from school activities. Where necessary the aggressor's freedom of movement will be visibly impacted, rather than restricting the target's movement. The principal or social worker will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the principal or social worker may choose to consult with the students' teacher(s), and the target's or aggressor's parents or guardians, to identify and underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or social worker will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or social worker cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

D. Responses to Bullying.

1. Teaching Appropriate Behavior Through Skills-Building

Upon the principal or social worker determining that bullying or retaliation has occurred, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c.71, 370(d)(v). Aggressors must be provided with educational opportunities to develop social skills and reinforce alternative behaviors. Skill building approaches that the principal or social worker may consider include:

- offering individualized skill building sessions based on Truro Central School's bullying prevention curricula which:
 - Includes empathy training
 - a. instructs strategies to appropriately express feelings
 - b. instructs strategies to appropriately resolve conflict
 - c. reinforces calming and impulse-control strategies
- providing relevant educational activities for individual students or groups of students, in consultation with other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting with parents or guardians to engage family support and to reinforce the bullying prevention curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills; and;
- making a referral for evaluation

2. Taking Disciplinary Action

If the principal or social worker decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or social worker, 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 will be consistent with the Plan and with Truro Central School's discipline policy.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline. Discipline procedures in accordance with these laws are consistent with Truro Central's School discipline policy.

If the principal or social worker determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

3. Promoting Safety for the Target and Others

The principal or social worker 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. Planning for safety will consider but not be limited to:

- creating a safety plan for the target, witness/reporter, and/or conduct plan for the aggressor

- increasing adult supervision at transition times and in locations where bullying is known to have occurred and is likely to occur
- determining where the aggressor, or target, sits on the bus
- determining where the aggressor, or target, sits at breakfast and/or lunch
- determining where the aggressor, or target, plays at recess
- determining how the aggressor, or target, will pass from class to class without meeting or incident?
- determining if the aggressor, or target attend the same school sponsored after school activity
- planning for the safety of the target on day and/or overnight field trips

If deemed appropriate, the principal and/or social worker will develop with the target student and their parents or guardians a personal safety plan; and with the aggressor student and their parents or guardians a conduct plan. Both plans will include notifying teachers not only of the incident, but also for all the parties involved, specifying their roles.

If the principal or social worker determine that a safety plan is appropriate, a staff member (as designated by the principal or social worker) will be assigned as a check in person to meet regularly with the student to ensure that the safety plan is followed, which will include, but not be limited by, the following:

- a. The target has a clear understanding that the incident of bullying was not his/her fault.
- b. No acts of retaliation have occurred.
- c. Strategies are provided for dealing with future incidents, emphasizing immediate reporting of any further acts.
- d. Information regarding outside support services are provided to student and family.
- e. The frequency and duration of check-ins will be determined on a case-by-case basis, but will not be less than two times per week for a period of four weeks.
- f. After two weeks, the check-in person will provide a progress report on the emotional well-being of the student to the Principal or administrative designee.
- g. The safety plan cannot be discontinued without the agreement of the student, the parents/guardians, the designated check-in person, and the Principal or administrative designee.

If the principal or social worker determine that a conduct plan for the aggressor is appropriate, the principal or social worker will conduct compulsory conduct meetings to ensure the following:

- a. No further acts of bullying have been committed.
- b. The student has been educated regarding acceptable alternative behaviors.
- c. The student has received further education of the school's anti-bullying policy, including the potential for more severe school consequences and/or criminal charges being filed.
- d. The frequency and duration of these meetings will be agreed upon and will depend upon future actions. However, the minimum requirement should be at least two times per week for a period of four weeks.
- e. Information regarding outside support resources will be made available to the student and their parents/guardians.
- f. A progress report identifying student conduct will be provided after two weeks.

- g. Discontinuation of the conduct plan will be determined by the Superintendent/Principal or social worker. All meetings and the ending of the conduct plan should be documented and kept throughout the student's school career. Parents/guardians will be notified of the discontinuance of a conduct plan.

VI. COLLABORATION WITH FAMILIES

A. Parent education and resources. Truro Central School will offer education programs for parent and guardians that are focused on the parental components of the bullying prevention curricula and any social competency curricula used by the school. The programs will be offered in collaboration with the T.E.E.A. (Truro Educational Enrichment Alliance), CPC (Community Partnership Council), School Council, Special Education Parent Advisory Council, or similar organizations.

B. Notification Requirements. Each year Truro Central School will inform parents or guardians of enrolled students about the bullying prevention and social competency curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. Truro Central School will send parents written notice each year about the student-related sections of the plan and the school's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. Truro Central School will post the Plan and related information on its website.

VII. PROHIBITION AGAINST BULLYING AND RETALIATION

Acts of bullying, which include cyberbullying, are prohibited:

- (i) 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 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
- (ii) at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt 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.

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

VIII. DEFINITIONS

Aggressor is a student who engages in bullying, cyberbullying, or retaliation.

Bullying, as defined in M.G.L. c. 71, § 37O, is 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 target that:

- i. causes physical or emotional harm to the target or damage to the target's property;
- ii. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school; or
- v. materially and substantially disrupts the education process or the orderly operation of a school.

Cyberbullying, is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

Hostile environment, as defined in M.G.L. c. 71, § 37O, is 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 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 includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Target is a student against whom bullying, cyberbullying, or retaliation has been perpetrated.

IX. RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the school or district, 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 school or district 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 school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

This plan specifically addresses the identification, investigation, intervention and resolution of bullying conduct, which creates a hostile school environment for children which does not have to be predicated on any "protected classification." However, when bullying creates a hostile environment for a student who is a member of a protected class, we must remain vigilant in adhering to the mandates of existing anti-discrimination statutes (e.g. Title VI, Title X, Section 504 and Title II of the ADA).

A. Bullying vs. Harassment

While Bullying and Harassment may often consist of similar conduct, (e.g. "Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by the school.") there are some subtle differences:

- **Protected classification:** Bullying conduct may be bleed into unlawful Harassment under the civil rights laws, if the conduct affects a student who is a member of a protected class.
- **Multiple vs. Single Incidents:** Bullying requires multiple incidents; Harassment can be a single incident that is egregious enough to create a hostile environment.
- **Specific Target vs. hostile environment:** Bullying is conduct that involves on or more aggressors and a target. Harassment does not have to be directed at a specific target.
- **Specific Intent:** In the context of harassment, there is no requirement of any intent to harm a particular target.

Which Path to Take?

The Truro School District subscribes to the philosophy of: "You report it, and we'll sort it."

Therefore any and all incidents of suspected bullying are to be reported and the designated individuals will make a determination. Schools have responsibility under state and federal law. Responding to one does not necessarily mean that a school is excused from its responsibility under the other. DESE guidance states: "If an investigation reveals that discriminatory harassment has occurred, a school must take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment and its effects and prevent harassment from reoccurring. These duties are a school's responsibility even if the misconduct also is covered by an anti-bullying policy and regardless of whether a student has complained, asked the school to take action or identified the harassment as a form of discrimination.

When Bullying and Harassment Intersect:

- Identify individuals responsible for carrying out the bullying protocols and harassment procedures and coordinate the responsibilities.
- Identify where there are variations in the bullying protocols and harassment procedures and make sure you are following both.
- In correspondence regarding the incident, identify that the school is following the mandates of the bullying law as well as civil rights laws.
- Be mindful of the student and employee handbooks regarding disciplinary consequences for Bullying, Harassment and student conflict.

In cases of Bullying and Harassment, the paths will generally be parallel and the destination may be the same.

Anti-gay Harassment as a form of sex-discrimination under federal law:

In the past the federal government has not recognized sexual orientation as a protected class. However, certain cases have suggested that when sexual orientation is not a protected class, a student may nevertheless be protected under Title IX.

In his comments regarding guidance on this issue U.S. Secretary of Education, Duncan said, "...anti-gay bullying can often take the form of harassment for not conforming to gender stereotypes such as boys with effeminate mannerisms or girls participating in traditionally male activities. Harassment on the basis of these stereotypes is prohibited sex discrimination."

B. Special Education

In May 2010 Massachusetts General Law Chapter 71 B_3 was amended to include the following language:

"Whenever the **evaluation** of the Individual Education Program team **indicates that the child has a disability that affects social skills development or that the child is vulnerable to bullying, harassment or teasing because of the child's disability**, the Individualized Education Program shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing."

The Truro Central School special education department recognizes that a survey of recent research has established that overweight and special needs youth are at higher risk for being targets of bullying. Research has also established that certain disability categories are at greater risk for involvement in bullying dynamics due to a weakness in the understanding of social cause and effect that is inherent in the disability type (examples include but are not limited to: Autism Spectrum Disorders, Asperger Syndrome, Non-verbal Learning Disability, and Attention Deficit Disorders).

In light of the recent law amendment cited above, along with the research in the field of disabilities the following **procedures** shall be followed by all evaluation teams at both **initial evaluations and 3 year re-evaluation team meetings as well as whenever a student with a disability has been involved in a reported bullying incident** (i.e.: at the next annual IEP review meeting):

1. The **team chairperson** shall address the following:
 - a. Does any member of the team feel that this student is vulnerable to bullying, harassment, or teasing due to the child's disability status or other issue? Particular attention will be given to

- the students within the disability categories that are known to contain weaknesses in the areas of social emotional understanding.
- b. If the answer to this question is yes, please list the skills and proficiencies that the student needs to learn or practice in order to avoid and / or respond to bullying, harassment, and teasing.
 - c. How, when, and where will these skills and proficiencies be taught to this student?
2. The chairperson will facilitate a discussion to include all of the above. **A summary statement reflecting this discussion will be placed in the Key Evaluation Results Summary section of the Individualized Education Program (IEP) document.**
 3. Any **goals or benchmarks** related to social emotional learning, and / or social skills instruction will be **placed in the goal section and service delivery section of the proposed IEP as necessary.**
 4. Special Education staff members (both Teachers, and Paraprofessionals) will be **trained annually** via discussion and research review in the area of bullying dynamics, bullying prevention, bullying intervention strategies and the law. This will be done in conjunction with the general staff training program delivered annually.
 5. At **budget development** time, the Director of Special Education will solicit teachers and specialist regarding the need for specialized curriculum resources and teaching tools that may be needed in the area of social emotional learning. Teachers and specialist will be encouraged to seek additional training, professional development, and resources in their areas of specialty related to bullying, teasing, and harassment response within the school settings.
 6. **Evaluation teams** will be encouraged to use **best, research validated, practices** when evaluating and treating students with disabilities who may be vulnerable to participation within bullying, harassment, or teasing incidents. These best practices may include but are not limited to the following list:
 - a. Functional Behavioral Assessments (FBA)
 - b. Behavior Intervention Plans (BIP)
 - c. Formative assessments of behavior
 - d. Video modeling / Role Play / Rehearsals
 - e. Parent Interviews and Checklists
 - f. Teacher Interviews and Checklists
 - g. Structured Observations across all settings (academic and social)
 - h. Data analysis to measure progress

Appendices:

- A. Bullying Incident Reporting, Investigative, Determination and Safety/Conduct Plan forms
- B. Student Handbook addition
- C. Employee Handbook addition
- D. 603 CMR 49.00
- E. OCR Advisory
- F. District Policy
- G. MOA with Local Law Enforcement

Truro Public Schools Bullying Incident Reporting Form

This form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g. Incident Report to be filed in the disciplinary record and incident entered into the database.

Directions: Bullying is a serious offense and will not be tolerated. If you are a student, the parent/guardian of a student, a volunteer or visitor, and wish to report an incident of alleged bullying, complete this form and return it to the Principal or School Social Worker at Truro Central School. All school employees are required to report alleged violations. Contact the school for additional information or assistance at any time. This form can be completed anonymously by omitting signature and name and returning to the Principal or School Social Worker.

Every reported act of bullying will be investigated, and parents/guardians will be informed.

Name of Student Target: _____		Grade/School: _____	
Name(s) of Alleged Offenders	Grade	School	Is she/he a student?
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Incident Date: ____/____/____			

Where did the incident occur? (Check all that apply)	What happened during the incident? (Check all that apply)	Did a physical injury result from this incident? (Check one)
<input type="checkbox"/> School Bus/Stop <input type="checkbox"/> To/From School <input type="checkbox"/> Text/Phone/Internet/Social Media <input type="checkbox"/> School Sponsored Activity <input type="checkbox"/> Event off school property <input type="checkbox"/> School Grounds <input type="checkbox"/> Other _____	<input type="checkbox"/> Taunting <input type="checkbox"/> Retaliation <input type="checkbox"/> Threat <input type="checkbox"/> Humiliation <input type="checkbox"/> Intimidation <input type="checkbox"/> Exclusion <input type="checkbox"/> Stalking <input type="checkbox"/> Physical Contact <input type="checkbox"/> Theft <input type="checkbox"/> Cyber-bullying <input type="checkbox"/> Other _____	<input type="checkbox"/> No <input type="checkbox"/> Yes, medical attention required <input type="checkbox"/> Yes, medical attention NOT required <hr/> Student absent from school as a result of the incident? <input type="checkbox"/> No <input type="checkbox"/> Yes Number of days absent: _____

Describe the incident: (Use the back of this sheet for additional space.)

Are you:	<input type="checkbox"/> Student	<input type="checkbox"/> Faculty/Staff	<input type="checkbox"/> Parent/Guardian	<input type="checkbox"/> Other: _____
Leave blank if reporting anonymously.				
Person reporting incident: (Please print.) _____				
Telephone/Cell information: _____				
Signature: _____				Date: _____

**Truro Public Schools
Safety/Conduct Plan
Page 1**

This form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C.§1232g. Safety/Conduct Plan to be filed in the disciplinary record and incident entered into the database.

Directions: After the determination that an act of bullying has occurred and after appropriate discipline has been enforced, the Principal or School Social Worker develops a safety/conduct plan with the student. The parent/guardian is involved in the development of the plan. Teachers/Teams are notified of the incident, parties involved and their roles in the incident. **Please check the appropriate box.**

<input type="checkbox"/> Safety Plan for Student Target	<input type="checkbox"/> Conduct Plan for Aggressor Student
--	--

Name of Student: _____ Grade: _____ School: _____

Brief description of incident: _____

Check-in Person: _____

Frequency and duration will not be less than two (2) times per week for a period of four (4) weeks.

Number of times weekly: _____ Number of weeks: _____ Duration of Plan : ____/____/____ to ____/____/____

For more than 3 (3) objectives/strategies, attach additional sheets. When objectives/strategies involves seeking outside counseling/assistance, provide a list of qualified agencies. As Progress Reports are completed they should be attached to the Action Plan.

Objectives/Strategy #1					
Implementer:					
Steps:					
Progress Report Dates		One:		Two:	
Teachers/Team Notified		Copy to parent/guardian		Objective Met	
<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Implementer Signature				Date:	
Student Signature				Date:	
Parent/Guardian Signature				Date:	

**Truro Public Schools
Safety/Conduct Plan
Page 2**

Objectives/Strategy #2					
Implementer:					
Steps:					
Progress Report Dates		One:	Two:	Three:	
Teachers/Team Notified	<input type="checkbox"/> Yes <input type="checkbox"/> No	Copy to parent/guardian	<input type="checkbox"/> Yes <input type="checkbox"/> No	Objective Met	<input type="checkbox"/> Yes <input type="checkbox"/> No
Implementer Signature				Date:	
Student Signature				Date:	
Parent/Guardian Signature				Date:	

Objectives/Strategy #3					
Implementer:					
Steps:					
Progress Report Dates		One:	Two:	Three:	
Teachers/Team Notified	<input type="checkbox"/> Yes <input type="checkbox"/> No	Copy to parent/guardian	<input type="checkbox"/> Yes <input type="checkbox"/> No	Objective Met	<input type="checkbox"/> Yes <input type="checkbox"/> No
Implementer Signature				Date:	
Student Signature				Date:	
Parent/Guardian Signature				Date:	

Meeting/Contact with Parents/Guardian (date): _____ Follow-up: _____

Meeting/Contact with Parents/Guardian (date): _____ Follow-up: _____

Meeting/Contact with Parents/Guardian (date): _____ Follow-up: _____

Truro Public Schools
Bullying Investigation & Determination Form
Page 1

Investigation Form to be filed in the disciplinary record and incident entered into the database.

Principal/School Social Worker conducting investigation: _____

Dates of investigation: ____/____/____ to ____/____/____

Targeted Student: _____
Name Date Name of Parent/Guardian

Method of Contact

Alleged Aggressor(1): _____
Name Date Name of Parent/Guardian

Method of Contact

Alleged Aggressor(2): _____
Name Date Name of Parent/Guardian

Method of Contact

If additional sheets are necessary, print the appropriate sections and attach to this form.

INTERVIEWS

Target's Interview Date: _____ Relationship between the students: _____

Description of incident:

How frequently do incidents occur? (times & places)

Does the target perceive physical or emotional harm or damage to property? Yes No

Is the target in reasonable fear for themselves or their property? Yes No

Does the target perceive that a hostile environment exists? Yes No

Are the rights of the target being infringed upon? Yes No

Does the target perceive the orderly operation of school to be disrupted? Yes No

Truro Public Schools
Bullying Investigation & Determination Form
Page 2

Witness #1 Interview Date: _____

Description of Incident:

How frequently do incidents occur? (times & places):

Did this student play an active role in the incident? Yes No

If yes, re-identify the student as Alleged Aggressor. Please return to the previous page and use one of the sections labeled Alleged Aggressor. Print additional sheets as necessary, staple to this form.

Witness #2 Interview Date: _____

Description of Incident:

How frequently do incidents occur? (times & places):

Did this student play an active role in the incident? Yes No

If yes, re-identify the student as Alleged Aggressor. Please return to the previous page and use one of the sections labeled Alleged Aggressor. Print additional sheets as necessary, staple to this form.

Witness #3 Interview Date: _____

Description of Incident:

How frequently do incidents occur? (times & places):

Did this student play an active role in the incident? Yes No

If yes, re-identify the student as Alleged Aggressor. Please return to the previous page and use one of the sections labeled Alleged Aggressor. Print additional sheets as necessary, staple to this form.

Truro Public Schools
Bullying Investigation & Determination Form
Page 3

Alleged Aggressor #1 Interview Date: _____ Relationship between the students: _____

Description of the Incident:

Explanation/Rationale of Incident:

Alleged Aggressor #2 Interview Date: _____ Relationship between the students: _____

Description of the Incident:

Explanation/Rationale of Incident:

Alleged Aggressor #3 Interview Date: _____ Relationship between the students: _____

Description of the Incident:

Explanation/Rationale of Incident:

Truro Public Schools
Bullying Investigation & Determination Form
Page 4

ADMINISTRATIVE FINDINGS

1. Yes No Is there physical or emotional harm to the target or damage to the target's property?
2. Yes No Is the target in reasonable fear for themselves or their property?
3. Yes No Is there a hostile environment for the target?
4. Yes No Are the rights of the target being infringed upon?
5. Yes No Is the orderly operation of the school being disrupted?

1. Yes No Is the behavior repeated?
2. Yes No Is the behavior an act of retaliation?

INVESTIGATION FINDINGS

Yes No Investigation determined – complete safety/conduct plans and file Bullying Report, Investigation/Determination and Safety/Conduct forms in student discipline files.

Yes No Bullying – Other actions taken

Describe: _____

Yes No Bullying not determined – intentionally false claim

ACTIONS

1. Safety Plan Conduct Not Applicable
2. Resource Officer Contacted Date: _____ Not Applicable
3. _____

- Contact target's parent/guardian Date: _____
- Contact aggressor's (1) parent/guardian Date: _____
- Contact aggressor's (2) parent/guardian Date: _____
- Contact aggressor's (3) parent/guardian Date: _____
- Contact witness' (1) parent/guardian Date: _____
- Contact witness' (2) parent/guardian Date: _____
- Contact witness' (3) parent/guardian Date: _____

Signature _____

Date _____

BULLYING PREVENTION AND INTERVENTION

On May 3, 2010 Governor Patrick signed an *Act Relative to Bullying in Schools*. This new law prohibits bullying and retaliation in all public and private schools, and requires schools and school districts to take certain steps to address bullying incidents. Parts of the law (M.G.L. c. 71, § 37O) that are important for students and parents or guardians to know are described below.

These requirements are included in the Truro school or district's Bullying Prevention and Intervention Plan ("the Plan). The Plan includes the requirements of the law, and information about the policies and procedures that the Truro school district will follow to prevent bullying and retaliation, or to respond to it when it occurs.

Definitions

Aggressor is a student who engages in bullying, cyberbullying, or retaliation.

Bullying is 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 target that: (i) causes physical or emotional harm to the target or damage to the target's property; (ii) places the target in reasonable fear of harm to himself/herself or of damage to his/her property; (iii) creates a hostile environment at school for the target; (iv) infringes on the rights of the target at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. Bullying includes cyberbullying.

Cyberbullying is bullying through the use of technology or any electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings.

Hostile environment is 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.

Target is a student against whom bullying, cyberbullying, or retaliation is directed.

Retaliation is 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.

Prohibition Against Bullying

Bullying is prohibited:

- on school grounds,
- on property immediately adjacent to school grounds,
- at a school-sponsored or school-related activity, function, or program, whether it takes place 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,
- through the use of technology or an electronic device that is owned, leased or used by a school district or school (for example, on a school computer or over the Internet using a school computer),
- at any program or location that is not school-related, or through the use of personal technology or electronic devices, if the bullying 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. Nothing contained herein shall require schools to staff 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 prohibited.

Reporting Bullying

Anyone, including a parent or guardian, student, or school staff member, can report bullying or retaliation. Reports can be made in writing or orally to, or reports may be made anonymously. [Superintendent/Principal Brian Davis 508-487-1558 x 201, davisb@truromass.org or the School Social Worker Nancy Winslow 508-487-1558 x 208 winslown@truromass.org.]

School staff members must report immediately to the Superintendent/Principal or Nancy Winslow if they witness or become aware of bullying or retaliation. Staff members include, but are not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, teachers of extracurricular activities, paraprofessionals, contracted service providers.

When the school Superintendent/Principal or School Social Worker receives a report, he or she shall promptly conduct an investigation. If the school Superintendent/Principal or School Social Worker determines that bullying or retaliation has occurred, he or she shall (i) notify the parents or guardians of the target, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation; (ii) notify the parents or guardians of the aggressor; (iii) take appropriate disciplinary action; and (iv) notify the local law enforcement agency if the school principal or designee believes that criminal charges may be pursued against the aggressor.

Professional Development for School and District Staff

The Truro school district provides ongoing professional development to increase the skills of all staff members to prevent, identify, and respond to bullying.

The content of such professional development includes, but is not limited to: (i) developmentally appropriate strategies to prevent bullying incidents; (ii) developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying; (iv) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; (v) information on the incidence and nature of cyberbullying; and (vi) Internet safety issues as they relate to cyberbullying.

IS THIS BULLYING?

A GUIDE FOR PARENTS

For a behavior to be deemed "bullying", it needs to include ALL of the following elements(defined by Massachusetts State Law):

- Must be **repeated** action(s) by one or more students
- Must be a written, verbal or electronic expression or a physical act or gesture or any combination thereof
- Must be directed at a victim so that it causes one or more of the following:
 - physical or emotional harm to the victim;
 - damage to the victim's property;
 - places the victim in reasonable fear of harm to himself or damage to his property;
 - 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.

✓One-time incidents may be deliberately mean or cruel, but they are not bullying. Still, one time incidents may be subject to school discipline as per the school's policy.

✓At any program or location that is not school-related, or through the use of personal technology or electronic devices, if the bullying 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. Nothing contained herein shall require schools to staff any non-school related activities, functions or programs.

BULLYING PREVENTION AND INTERVENTION

On May 3, 2010 Governor Patrick signed an *Act Relative to Bullying in Schools*. This new law prohibits bullying and retaliation in all public and private schools, and requires schools and school districts to take certain steps to address bullying incidents. Relevant sections of the law (M.G.L. c. 71, § 37O) are described below.

These requirements are included in the Truro school district's Bullying Prevention and Intervention Plan. The Plan will include the requirements of the new law, and also information about the policies and procedures that the school or school district will follow to prevent bullying and retaliation, or to respond to it when it occurs.

Definitions

Aggressor is a student who engages in bullying, cyberbullying, or retaliation.

Bullying is 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 target that: (i) causes physical or emotional harm to the target or damage to the target's property; (ii) places the target in reasonable fear of harm to himself/herself or of damage to his/her property; (iii) creates a hostile environment at school for the target; (iv) infringes on the rights of the target at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. Bullying includes cyberbullying.

Cyberbullying is bullying through the use of technology or any electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings.

Hostile environment is 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 is 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.

Target is a student against whom bullying, cyberbullying, or retaliation has been perpetrated.

Prohibition Against Bullying

Bullying 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 that is owned, leased, or used by a school district or school and (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 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. Nothing contained herein shall require schools to staff 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 prohibited.

Responsibility of Staff to Report Bullying

A member of a school staff is required to report immediately any instance of bullying or retaliation the staff member has witnessed or become aware of to the principal or to the school official identified in the Plan as responsible for receiving such reports, or both. . [Superintendent/Principal Brian Davis 508-487-1558 x 201, davisb@truromass.org or the School Social Worker Nancy Winslow 508-487-1558 x 208 winslown@truromass.org .]

Staff includes, but is not limited to, an educator, administrator, counselor, school nurse, cafeteria worker, custodian, bus driver, teachers of an extracurricular activity, paraprofessionals, contracted service providers.

Upon receipt of such a report, the school principal or his/her designee shall promptly conduct an investigation. If the Superintendent/Principal or School Social Worker determines that bullying or retaliation has occurred, the school principal or designee shall (i) notify the parents or guardians of the target, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation; (ii) notify the parents or guardians of the aggressor; (iii) take appropriate disciplinary action; and (iv) notify the local law enforcement agency if the Superintendent/Principal or School Social Worker believes that criminal charges may be pursued against the aggressor.

Professional Development

Truro school district provides ongoing professional development to increase the skills of all staff members to prevent, identify, and respond to bullying.

The content of such professional development is to include, but not be limited to: (i) developmentally appropriate strategies to prevent bullying incidents; (ii) developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying; (iv) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; (v) information on the incidence and nature of cyberbullying; and (vi) Internet safety issues as they relate to cyberbullying.

Education Laws and Regulations

603 CMR 49.00

Notification of Bullying or Retaliation Regulations

Section:

[49.01](#): Authority

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Background:

Chapter 92 of the Acts of 2010, *An Act Relative to Bullying in Schools*, was signed into law on May 3, 2010 and took effect immediately. The law requires each school district, charter school, non-public school, approved private special education day or residential school, and collaborative school to develop and implement a plan to address bullying prevention and intervention. The statute directs the Board of Elementary and Secondary Education to promulgate regulations addressing a principal's duties under one of the ten required elements of the bullying prevention and intervention plan, namely, notification to parents or guardians of the target and the aggressor of bullying or retaliation and the action taken to prevent further bullying, and notification to law enforcement of bullying or retaliation, when the aggressor's conduct may result in criminal charges. The law further provides that the regulations must be promulgated by September 30, 2010.

This is a new regulation.

603 CMR 49.00

Notification of Bullying or Retaliation Regulations

49.01: Authority

603 CMR 49.00 is promulgated by the Board of Elementary and Secondary Education pursuant to M.G.L. c. 71, §37O, as added by St. 2010, c. 92.

49.02: Scope and Purpose

603 CMR 49.00 governs the requirements related to the duty of the principal or leader of a public school, approved private day or residential school, collaborative school, or charter school to notify the parents or guardians of a target and an aggressor when there is an incident of bullying or retaliation, and to notify the local law enforcement agency when criminal charges may be pursued against the aggressor. 603 CMR 49.00 also address confidentiality of student record information related to notification of bullying and retaliation.

49.03: Definitions and Terms

Aggressor means perpetrator of bullying or retaliation as defined in M.G.L. c. 71, §37O.

Approved private day or residential school means a school that accepts, through agreement with a school committee, a student requiring special education pursuant to M.G.L. c. 71B, §10 and 603 CMR 28.09.

Bullying, pursuant to M.G.L. c. 71, §37O, means 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

target that:

- (a) causes physical or emotional harm to the target or damage to the target's property;
- (b) places the target in reasonable fear of harm to himself or herself or damage to his or her property;
- (c) creates a hostile environment at school for the target;
- (d) infringes on the rights of the target at school; or
- (e) materially and substantially disrupts the education process or the orderly operation of a school. Bullying shall include cyberbullying.

Charter school, pursuant to M.G.L. c. 71, §37O, means a Commonwealth charter school or Horace Mann charter school established pursuant to M.G.L. c. 71, § 89.

Collaborative school, pursuant to M.G.L. c. 71, §37O, means a school operated by an educational collaborative established pursuant to M.G.L. c. 40, §4E.

Cyberbullying, pursuant to M.G.L. c. 71, §37O, means bullying through the use of technology or any electronic communication, which shall include, but 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 include:

- (a) the creation of a web page or blog in which the creator assumes the identity of another person, or
- (b) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions in 603 CMR 49.03: Bullying(a) through (e). Cyberbullying 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 in 603 CMR 49.03: Bullying(a) through (e).

Hostile environment, pursuant to M.G.L. c. 71, §37O, 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.

Local law enforcement agency means a local police department.

Local plan means the bullying prevention and intervention plan required to be developed under M.G.L. c. 71, §37O.

Parent means a student's father or mother, or guardian.

Principal means the administrative leader of a public school, charter school, collaborative school, or approved private day or residential school, or his or her designee for the purposes of implementing the school's bullying prevention and intervention plan.

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.

School means an approved private day or residential school, collaborative school, or charter school.

School district, pursuant to M.G.L. c. 71, §37O, means the school department of a city or town, a regional

school district or a county agricultural school.

Student record has the meaning set forth in the Massachusetts Student Records Regulations, 603 CMR 23.02.

Target means a student victim of bullying or retaliation as defined in M.G.L. c. 71, §37O.

49.04: Bullying and Retaliation Prohibited

(1) Bullying of a student is prohibited as provided in M.G.L. c. 71, §37O. Retaliation is also prohibited.

(2) Bullying shall be prohibited 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. Bullying 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, shall be prohibited if the bullying:

- (a) creates a hostile environment at school for the target;
- (b) infringes on the rights of the target at school; or
- (c) materially and substantially disrupts the education process or the orderly operation of a school.

(3) Each school district and school shall have procedures for receiving reports of bullying or retaliation; promptly responding to and investigating such reports, and determining whether bullying or retaliation has occurred; responding to incidents of bullying or retaliation; and reporting to parents and law enforcement as set forth in 603 CMR 49.05 and 49.06.

49.05: Notice to Parents

(1) Upon investigation and determination that bullying or retaliation has occurred, the principal shall promptly notify the parents of the target and the aggressor of the determination and the school district or school's procedures for responding to the bullying or retaliation. The principal shall inform the target's parent of actions that school officials will take to prevent further acts of bullying or retaliation. Nothing in 603 CMR 49.05 prohibits the principal from contacting a parent of a target or aggressor about a report of bullying or retaliation prior to a determination that bullying or retaliation has occurred.

(2) Notice required by 603 CMR 49.05 shall be provided in the primary language of the home.

(3) Each school district and school shall include the requirements and procedures for communicating with the parents of the aggressor and target of bullying or retaliation in the local plan.

(4) A principal's notification to a parent about an incident or a report of bullying or retaliation must comply with confidentiality requirements of the Massachusetts Student Records Regulations, 603 CMR 23.00, and the Federal Family Educational Rights and Privacy Act Regulations, 34 CFR Part 99, as set forth in 603 CMR 49.07.

49.06: Notice to Law Enforcement Agency

(1) Before the first day of each school year, the superintendent or designee of a school district and the school leader or designee of an approved private day or residential school, collaborative school, or charter school shall communicate with the chief of police or designee of the local police department about the implementation of 603 CMR 49.06. Such communication may include agreeing on a method for notification,

a process for informal communication, updates of prior written agreements, or any other subject appropriate to the implementation of 603 CMR 49.06.

(2) At any point after receipt of a report of bullying or retaliation, including after an investigation, the principal shall notify the local law enforcement agency if the principal has a reasonable basis to believe that criminal charges may be pursued against the aggressor. Notice shall be consistent with the requirements of 603 CMR 49.00 and established agreements with the local law enforcement agency. The principal shall document the reasons for his or her decision to notify law enforcement. Nothing in 603 CMR 49.06 shall be interpreted to require reporting to a law enforcement agency in situations in which bullying and retaliation can be handled appropriately within the school district or school.

(a) In making the determination whether notification to law enforcement is appropriate, the principal may consult with the school resource officer and any other individuals the principal deems appropriate.

(b) Nothing in 603 CMR 49.06 shall prevent the principal from taking appropriate disciplinary or other action pursuant to school district or school policy and state law, provided that disciplinary actions balance the need for accountability with the need to teach appropriate behavior.

(c) The principal shall respond to the incident as set forth in relevant provisions of the local plan consistent with 603 CMR 49.06.

(3) 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 district or school, the principal of the school informed of the bullying or retaliation shall notify the local law enforcement agency if the principal has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

(4) Each school district and school shall include the requirements and procedures for communicating with the local law enforcement agency in the local plan.

49.07: Confidentiality of Records

(1) A principal may not disclose information from a student record of a target or aggressor to a parent unless the information is about the parent's own child.

(2) A principal may disclose a determination of bullying or retaliation to a local law enforcement agency under 603 CMR 49.06 without the consent of a student or his or her parent. The principal 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.

(3) A principal 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 as provided in 603 CMR 23.07(4)(e) and 34 CFR 99.31(a)(10) and 99.36. 603 CMR 49.07(3) is limited to instances in which the principal has determined there is an immediate and significant threat to the health or safety of the student or other individuals. It is limited to the period of emergency and does not allow for blanket disclosure of student record information. The principal must document the disclosures and the reasons that the principal determined that a health or safety emergency exists.

Regulatory Authority:

603 CMR 49.00: M.G.L. 71, §37O, as added by Chapter 92 of the Acts of 2010

last updated: October 19, 2010

See “Appendix E” pdf

BULLYING PREVENTION

The Truro Public Schools is committed to providing a safe, positive and productive environment where students can achieve the highest academic standards. No students shall be subjected to harassment, intimidation, bullying or cyber-bullying.

“Bullying” is 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 target that:

- causes physical or emotional harm to 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.

“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 no limited to, electronic mail, internet communications, instant messages or facsimile communications.

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

Bullying and cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents and families are expected.

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

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school related activities;
- At functions or programs whether on or off school grounds
- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,

- Through the use of technology or an electronic device owned, leased or used by the Truro public schools;

Bullying or cyber-bullying are prohibited 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 Truro school district if the acts or acts in question:

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

Prevention and Intervention Plan

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

The Superintendent/Principal is responsible for the implementation plan within the school.

Reporting

Students, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The target shall, however, not be subject to discipline for failing to report bullying.

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

Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible.

A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the Superintendent/Principal or their designee.

Investigation Procedures

The Superintendent/Principal or their designee, upon receipt of a viable report, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged perpetrator of bullying. The actions being taken to prevent further acts of bullying shall be discussed.

The Superintendent/Principal or a designee shall promptly investigate the report of bullying, using a Bullying/Cyber-bullying Report Form which may include interviewing the alleged target, alleged perpetrator, staff members, students and/or witnesses.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the Superintendent/Principal or a designee determines that bullying has occurred he/she shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the principal shall consult with the school's resource officer and the Superintendent/Principal to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within fourteen school days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Superintendent/Principal or his/her designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.

Disciplinary actions for students who have committed the act of bullying or retaliation shall be in accordance with district disciplinary policies.

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Superintendent/Principal or designee. A monthly report shall be provided to the Superintendent.

Confidentiality shall be maintained to the extent consistent with the school's obligations under law.

Retaliation

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying shall be prohibited.

Target Assistance

The Truro Public Schools shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and perpetrators, affected by bullying as necessary.

Training and Assessment

Annual training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 6 students.

Publication and Notice

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

The bullying prevention and intervention plan shall be posted on the Truro Public Schools website.

REFERENCES: Massachusetts Department of Elementary and Secondary Education’s Model Bullying Prevention and Intervention Plan

LEGAL REFS: 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
603 CMR 26.00
MGL 71:370
MGL 265:43, 43A
MGL 268:13B
MGL 269:14A

CROSS REFS.: AC, Nondiscrimination
ACAB, Sexual Harassment
JBA, Student-to-Student Harassment
JICFA, Prohibition of Hazing
JK, Student Discipline Regulations

Adopted: November 15, 2010

MEMORANDUM OF UNDERSTANDING BETWEEN TRURO PUBLIC SCHOOLS AND TRURO POLICE DEPARTMENT

I. GENERAL PRINCIPLES

The Truro School District and the Truro Police Department agree to coordinate their efforts to intervene and prevent violence involving the students of the Truro School District; to prevent the improper and/or illegal use, abuse and distribution of alcohol and other illegal drugs involving students of Truro School District; and to promote a safe and nurturing environment in the school community.

We agree to effectively and cooperatively respond to and address, for everyone's protection, incidents of truancy, school delinquency, criminal behavior, and other activity detrimental to the welfare of the school community. The joint and cooperative response efforts will focus on incidents that take place on school grounds, within school property, at school sponsored events, and other locations in which students of the Truro School District are involved.

We also agree to keep information which is disclosed between the parties pursuant to M.G.L. c. 12 § 32; M.G.L. c. 71 § 37H1/2; M.G.L. c. 71 § 37L; 603 CMR 23; and 20 U.S.C. § 1232g; from public dissemination in accordance with State and Federal Laws.

This agreement is intended to address issues of violence; attempted violence or threatened violence; the use, abuse and/or distribution of alcohol or other drugs, bullying, or other incidents of conduct possibly detrimental to the welfare of the school community, where a law enforcement response is likely helpful or required:

- in a school setting
- during a school sponsored activity, even if the event is off school grounds; or
- in the community involving students of the Truro School District.

It will be the sole prerogative of school officials to impose internal school discipline for infractions of school rules and policies. See the *school handbook* for specific policies and procedures.

II. SCHOOL AND POLICE DEPARTMENT DESIGNATED LIAISONS

In order to facilitate prompt and clear communications between school and police personnel, the Truro School District and the Truro Police Department agree to identify individuals on their respective staffs who will function as "Designated Liaisons." These representatives shall serve as conduits between the school system and the police department for matters related to the school system and students.

A. THE TRURO POLICE DEPARTMENT DESIGNATED LIAISON(S) ARE:

John Lundborn , Acting Chief of Police
David Perry, Sergeant
Carrie D'Angelo, Officer

B. THE TRURO SCHOOL DISTRICT LIAISONS ARE:

Brian Davis, Superintendent/Principal
Nancy Winslow, School Social Worker
Lynne Newton, School Psychologist/Coordinator of SPED

The aforementioned police department designated liaison(s) are also considered the Truro School District's "Law Enforcement Unit" as defined in the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g) for purposes of sharing information between the Truro School District and the Truro Police Department regarding students.

III. ISSUES OF CONCERN TO THE DESIGNATED LIAISONS

A. REPORTABLE INCIDENTS:

- (1) The designated Liaison from the School and Police Department will review all incidents classified as Mandatory Reportable Incidents, as defined in Section IV of this agreement.
- (2) The designated Liaisons will also review any incident or information that may affect the safety or well being of students, faculty, or administrative personnel.
- (3) Additionally, upon request from the District Attorney's Office, the Designated Liaisons will provide appropriate information to the Office of the District Attorney which may be helpful in fashioning proposed terms and conditions to be imposed upon a student of the Truro Public Schools at both the pre-adjudication and post-adjudication stages of a proceeding within the court and criminal justice systems.

B. PREVENTION STRATEGIES:

In addition to the above responsibilities, the Designated Liaisons from the School, the Police Department and the Barnstable County District Attorney's Office may meet regularly for the following purposes:

- (1) to discuss incidents of violence; any use, abuse or distribution of alcohol and/or other drugs; criminal activity affecting students; or any other activity detrimental to the school community;
- (2) to identify strategies to reduce such activities, and to promote a safe and nurturing school environment;
- (3) to discuss resources available for students at risk of harm from violence, abuse, neglect or bullying
- (4) to develop and be involved with prevention and intervention programs focused on anti-violence and corresponding strategies as required by M.G.L.c. 12 § 32; and
- (5) to help outline necessary action plans for implementation of such strategies.

IV. REPORTING GUIDELINES

A. SCHOOL REPORTS TO POLICE DEPARTMENT

- (1) The following shall be considered Mandatory Reportable Incidents:
 - (a) possession, use, sale, or distribution of alcohol and/or other drugs by a student at any time, or by a non-student where it is a crime or affects students;
 - (b) possession, use, or distribution of an inhalant or any controlled substance, as defined in M.G.L. c. 94C;
 - (c) any incident involving the threat of assaultive behavior or intentional assaultive or negligent behavior that results in personal injury;
 - (d) possession of a weapon as defined in either M.G.L. c. 269 § 10, or in the *school handbook*;
 - (e) any incident involving crimes of intolerance, including, but not limited to, "bullying", certain civil rights violations, domestic abuse, dating violence, or a violation of an M.G.L. c. 209A order,
 - (f) any incident involving a child suffering physical injury resulting from abuse inflicted upon him or her which causes harm or the substantial risk of harm to the child's health or welfare,
 - (g) any incident involving an actual or suspected hate crime or violation of civil rights, including but not limited to an assault or battery upon a person or damage to the real or personal property of a person with the intent to intimidate such person because of such person's race, color, national origin, sexual orientation, or disability, in violation of M.G.L. c. 265 § 39;

- (h) any incident resulting in significant damage to municipal or private property;
 - (i) any bomb threat; fire, threatened or attempted fire setting; threatened or attempted use of an explosive device or hoax device. Such reports shall include but not be limited to the requirements of M.G.L. c. 148 § 2A;
 - (j) any creation, possession, or dissemination of a document that identifies individuals targeted for violence or death;
 - (k) any threat, direct or indirect, against a student, school personnel or other school employee, including but not limited to threats which occur via telecommunications (e.g. internet, text message, IM)
 - (l) any incident of “hazing” as defined by M.G.L. c. 269 § 17, involving a threatened or actual risk of physical or emotional harm to a student;
 - (m) any sexual assault, rape or incident of gender-based harassment. This shall include but not be limited to any and all policies, procedures, and reporting requirements as defined in the *student handbook*.
- (2) Mandatory Reportable Incidents shall be reported to the Truro Police Department as soon as possible if the incident:
- (a) occurred on school property or within 1,000 foot radius of school property;
 - (b) occurred at a school-sponsored function;
 - (c) occurred in a school owned or contracted bus or other vehicle; or
 - (d) involved a student of the Truro School District.

B. POLICE DEPARTMENT REPORTS TO THE SCHOOL

The appropriate Police Department Designated Liaison will inform the appropriate School Designated Liaison, subject to applicable statutes and regulations governing confidentiality, of:

- (1) any activity which may be classified as a Mandatory Reportable Incident as listed as listed in section IV. A(1) of this document;
- (2) any arrest of a student or the filing of a complaint application or other police or court action taken against any student of Truro School District; and
- (3) any occurrence involving a student of the Truro Public Schools, if the
 - (a) activity poses a serious and imminent threat to the safety of the student, other students, faculty, or school personnel;
 - (b) making of such report would facilitate supportive intervention by school personnel on behalf of the student; or
 - (c) activity involves actual or possible truancy.

V. PROCEDURE GUIDELINES

A. INTRODUCTION

A concern of educators is to provide a safe and nurturing climate in which learning can take place as is evidenced in the student handbook. It is also a concern of local law enforcement to promote a safe environment in the public school community.

As recent events have shown, any school is at risk for incidents of violence, threatened violence or attempted violence, as well as the use, abuse and distribution of alcohol and other drugs, all of which diminish the ability of the school community to focus upon the business of learning. In order to promote a safe and nurturing environment in our schools and in our community, it is in our common interest to share information. It is through the collaborative efforts of the Truro School District and the Truro Police Department that this can occur.

B. REPORTING PROCEDURES FOR EMERGENCY SITUATIONS

Definition: An emergency situation is any incident that poses a threat to human safety or which may result in serious property damage.

A teacher or other employee having knowledge of any emergency situation shall immediately notify or cause to be notified both the Truro Police Department (911) and the Superintendent/Principal or Designee. This requirement is in addition to any procedures outlined in the *student handbook*.

Where an emergency exists and there is an immediate need to avert or diffuse certain unusual conditions or disruptions in the school setting, the school will provide all necessary information to law enforcement personnel regarding the students at issue.(See section 99.31(a)(10) of the FERPA regulations.)

C. REPORTING PROCEDURES FOR NON-EMERGENCY SITUATIONS

Where a teacher or other school employee has reasonable grounds to believe that a student has committed an act categorized as a mandatory reportable act, and that student is on school grounds, he or she shall take or cause the student to be taken to the appropriate Designated School Liaison.

D. NECESSARY FOLLOW-UP

A teacher or other school employee with knowledge of facts pertinent to the reportable act shall:

- (1) prepare and submit a report(see the *student handbook*) on the incident to the appropriate Designated School Liaison;
- (2) notify the Designated School Liaison of the existence of any physical evidence; and
- (3) take reasonable steps to maintain any pertinent physical evidence in a secure place.

E. RESPONSIBILITY OF THE DESIGNATED SCHOOL LIAISON

Once a Designated School Liaison has been made aware of a mandatory reportable incident, it is her/his responsibility to:

- (1) notify the Police Department Designated School Liaison and, when appropriate, parents;
- (2) notify the Police Department Designated School Liaison of the existence of pertinent physical evidence and speak with him or her about whether and how to take reasonable steps to maintain it in a secure place; and
- (3) follow up by forwarding any related reports (see the *student handbook*) to the Truro Police Department.

VI. IMPLEMENTATION

A. TRAINING

The Truro Public Schools and the Truro Police Departments agree to provide agency-wide training to their respective staffs to inform them of their roles and responsibilities under this agreement and to consult the District Attorney's Office as appropriate regarding this agency-wide training. On an on-going basis, the same training will be provided to new staff members.

B. EFFECTIVE DATE AND DURATION OF THIS AGREEMENT

The provisions of this Memorandum of Understanding shall be effective as of the date of signing and will remain in full force and effect until amended or rescinded by the parties.

FOR THE TRURO SCHOOL DEPARTMENT:

Brian Davis, Superintendent

Date

FOR THE TRURO POLICE DEPARTMENT:

John Lundborn, Acting Chief of Police

Date

**Truro Central School
Bullying Intervention Plan
Referral Protocol for Potential Aggressors, Targets, and Family Members**

Massachusetts General Law c. 71 _ 370(b) states:

Acts of bullying, which include cyberbullying, are prohibited:

- (i) 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 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
- (ii) At a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school

This same law (M.G.L. c. 71, - 370(b)) requires that each school district develop and implement a **Bullying Prevention and Intervention plan** that includes a **strategy for providing counseling or referral to appropriate services** for potential aggressors, targets, and family members of students involved with reported bullying incidents.

As a result of a recent report and investigation related to a bullying incident, your child _____ or family has been identified as being in possible need of referral to an outside counseling agency. A list of counseling and information resources is listed below. **It is recommended that you seek services related to the recent bullying incident as needed.** Please contact the school social worker Nancy Winslow at 508-487-1558 x 208 or at winslown@truromass.org should you need more information or additional assistance in seeking counseling services.

- **Short term individual and group counseling is available through the school** delivered by the school social worker during the school day. This service provides an informal assessment of any potential trauma effects, and teaches coping skills and bullying prevention and intervention skills that are connected to the school's research validated curriculums (i.e.: Responsive Classroom, Second Step). If more intense, long term or specialized counseling is recommended after this short term counseling is delivered the family will be given the list of outside referrals on the attached page. This list will be updated and edited annually based on the availability of local resources

Please note: To ask about school based counseling services, please call or email the school social worker, Nancy Winslow at 508-487-1558 x 208 or winslown@truromass.org.

Truro Central School
Bullying Intervention Plan
Referral Protocol for Potential Aggressors, Targets, and Family Members

Outside Counseling and Information Resources for Students / Family Members

- **Gosnold – Thorne Clinics**, 30 Conwell St. Provincetown, MA 02657
508-487-2449
Offices and appointments available in Provincetown and Wellfleet, MA locations
Most insurance and MassHealth accepted.

- **David Agger, LICSW** – Gosnold Clinic – David is a counselor who has experience working with children, teens, and adults. He is available to provide outside counseling services to students and their parents at the Truro Central School on Thursdays during the school day. Call 508-487-2449 and ask for a school based appointment with David Agger, or check with Nancy Winslow regarding availability and contact information. **Most insurance and MassHealth accepted.**

- **Stefanie Adams, M PhD - Salt Marsh Center**
218 W Main St., Hyannis, MA 02601
508 – 771 – 4640
Counseling services for families and couples. Most insurance accepted.

- **Outer Cape Health Services** - 3130 State Highway Rte 6, Wellfleet, MA 02667
508-349-8190
All insurance and MassHealth accepted.
Outer Cape Health Services' Healthy Connections program provides outreach, enrollment, and post enrollment services to eligible members of our community to connect them to publically funded health coverage and other necessary social services. If you are in need of health care coverage call and make an appointment.

- **Massachusetts Aggression Reduction Center** – Bridgewater State University, Bridgewater, MA
<http://webhost.bridgew.edu/marc/>
Services include school programs, conferences, workshops, consultation, and research, in the area of bullying prevention, cyberbullying education and prevention, and violence prevention. Current, research and strategies for bullying dynamics, prevention and response available for download on website.

