

# CAMBRIDGE PUBLIC SCHOOLS

159 THORNDIKE STREET, CAMBRIDGE, MASSACHUSETTS 02141

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May 19, 2015

TO THE HONORABLE MEMBERS OF THE SCHOOL COMMITTEE:

Revisions to Bullying Prevention and Intervention Plan

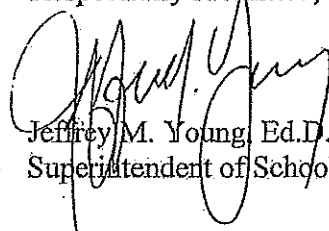
Recommendation: That the School Committee approve the revisions to the Bullying Prevention and Intervention Plan as detailed in the attached document.

This is a second reading of the proposed revisions to this policy.

Description: This recommendation details revisions to the school district's bullying prevention and intervention plan. These revisions are made in connection with the school district's periodic review of this plan and in order to ensure that plan is aligned to the school district's Anti-Bullying Policy and recent changes that were made in the state's anti-bullying law.

Supporting Data: Attached Cambridge Public Schools Bullying Prevention and Intervention Plan

Respectfully submitted,

  
Jeffrey M. Young, Ed.D.  
Superintendent of Schools

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## **CAMBRIDGE PUBLIC SCHOOLS BULLYING PREVENTION AND INTERVENTION PLAN**

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#### **I. Introduction and Definitions**

Bullying has become a nationally reported epidemic that threatens the safety and educational success of students, damages the school climate, exacerbates cultural patterns of violence, and increases health and enforcement costs for communities. Beyond enforcement, bullying can be prevented. Schools and communities have a civic and moral responsibility to reduce levels of bullying, and to help everyone (victim, perpetrator and bystander) play positive roles in their communities. In this spirit, and in collaboration with police and community partners, the Cambridge Public Schools have developed a comprehensive plan for prevention, intervention and enforcement.

The Cambridge Public Schools are committed to creating a safe learning environment for all students. The Cambridge Public Schools strictly enforces a prohibition against bullying, including without limitation, cyberbullying, of any of its students by anyone and also strictly enforces a prohibition against retaliation against any person who reports bullying, provides information during an investigation of bullying or witnesses or has reliable information about bullying. Acts of bullying, including cyberbullying, which occur 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, on the way to or from school or through the use of

technology or an electronic device owned, leased or used by the school or school district and 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 or school district, if the act creates a hostile environment at school for the target/victim or witnesses, infringes on their rights at school, or materially and substantially disrupts the education process or the orderly operation of the school are prohibited. The principal in each school is responsible for the implementation and oversight of the Plan with support from the central office and the district-wide Welcoming Schools/School Climate Coordinator.

The Cambridge Public Schools are committed to working with students, staff, families, law enforcement agencies, and the community to prevent violence of any kind. This *Bullying Prevention and Intervention Plan* is a comprehensive approach to addressing bullying and cyberbullying in the Cambridge Public Schools. This plan initially was developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians during a series of meetings held between June and October 2010. Additionally, this plan was presented to the School Committee for its first reading on December 7, 2010, after a notice and public comment period, which included a public hearing held on December 7, 2010, the School Committee had the second reading of this plan on December 21, 2010 and the plan was adopted by the School Committee on December 21, 2010. Theis amended plan also has been was reviewed at a community meeting held on November 12, 2013 and was presented to the School Committee for its first reading on September 17, 2013. The School Committee had the second reading of theis amended plan and adopted it this plan on December 17, 2013: The most recent amendments were reviewed at a community meeting held on October 30, 2014 and the revised plan was then presented to the School Committee for its first reading on May 5, 2015. The School Committee had its second reading of this amended plan and adopted this plan on \_\_\_\_\_, 2015.

### Definitions

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

- Causes physical or emotional harm to the victim or damage to the victim's property
- Places the victim in reasonable fear of harm to himself or herself or damage to his/her property
- Creates a hostile environment at school for the victim
- Infringes on the rights of the victim at school

- Materially and substantially disrupts the education process or the orderly operation of a school

For purposes of this policy, bullying shall include cyberbullying. Consistent with state law, the Cambridge Public Schools recognizes that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including: race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one (1) or more of these characteristics.

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**Cyberbullying** is defined as bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer or 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 the creation of a web page or blog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the above definition of bullying.

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 enumerated in the above definition of bullying.

**Aggressor or Perpetrator** is a student or a member of a school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, school volunteer or a vendor, contractor or other person working under a contract with the school district who engages in bullying, cyberbullying, or retaliation.

**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.

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

## **II. Leadership and Coordination**

District wide bullying prevention efforts are coordinated by the Welcoming Schools/School Climate Coordinator, the Program Leader for Health Education, the District Conflict Mediator, in collaboration with Principals/Heads of Upper Schools, Assistant Principals/Deans of Students, Assistant Superintendent for Student Services, school-based and bi-lingual family liaisons, school counselors and safety specialists. The following is a list of responsibilities:

### **Deputy Superintendent**

- Oversee all bullying prevention and intervention activities
- Including a summary of the anti-bullying policy in all student handbooks
- Coordinate and prioritize bullying prevention and intervention professional development for all staff, including teachers, paraprofessionals, clerks and other staff

### **Assistant Superintendent for Student Services**

- Implement supports that respond to the specific bullying prevention/intervention needs of students with disabilities
- Comply with state and federal regulations and guidelines
- Ensure that Student Services staff members receive appropriate training to enable them to develop IEPs that respond to concerns about students who are targeted or who may target others

### **Principals/Heads of Upper Schools**

The principal of each school and head of each upper school will take steps to raise awareness about the importance of a safe and welcoming school climate as an underlying component of student achievement, and of the harmful effects of bullying and retaliation. Examples of steps that may be taken include but are not limited to the following:

- Oversee the development and implementation of a coordinated system of supervision during break periods, recess, lunchtime (classrooms, hallways, cafeteria, playground)
- Receive and act on reports of bullying
- Conduct and document investigations for all bullying reports received
- Take appropriate disciplinary action if necessary

- Ensure that all Cambridge Public Schools policies and procedures are followed when handling reported incidents of bullying
- Ensure that all students receive age-appropriate information and skill development on bullying prevention in each grade as well as on the potential legal consequences for engaging in acts of bullying and that this instruction is incorporated into the school's curriculum/classroom meetings
- Develop and disseminate rules that prohibit bullying and retaliation
- Facilitate annual bullying prevention and intervention training for staff ~~opportunities for ongoing bullying prevention staff training~~
- Report bullying incidents to Cambridge Public Schools Safety and Security and to the School Resource Officer if criminal charges may be pursued against the aggressor
- Collect data regarding: 1) the number of reported allegations of bullying or retaliation; 2) the number and nature of substantiated incidents of bullying and retaliation; 3) the number of students disciplined for engaging in bullying or retaliation; 4) other information required by the department
- Collaborate with Welcoming Schools/School Climate Coordinator on data collection, student surveys and program evaluation
- Incorporate bullying prevention as an on-going responsibility of a school based team (i.e. School Site Council, Principal/Heads of Upper Schools's Leadership team, or other school body)

#### **Safety and Security**

- Receive incident reports on bullying when appropriate
- Collaborate with the Cambridge Police Department and School Resource Officers when appropriate

#### **Health Education Program Leader**

- Include bullying prevention in grants when appropriate ~~in Health/Safe and Drug-Free Schools Grants~~
- Collaborate with Welcoming Schools/School Climate Coordinator in development of the Bullying Prevention/Intervention Plan and associated training
- ~~Collaborate in development and administration of K-5 Bullying Survey~~
- Administer bi-annual teen health and middle grades surveys which include questions on bullying and school climate
- Ensure that bullying prevention information and skills are included in the health curriculum as appropriate

#### **Welcoming Schools/School Climate Coordinator**

- Plan and implement ongoing professional development for all school administrators and staff, in collaboration with appropriate school and district administrators
- Lead professional development efforts in collaboration with appropriate school and district administrators

- Lead professional development efforts in collaboration with appropriate school and district administrators
- Choose and implement the materials that the school or district will use with students, staff and parents, in collaboration with appropriate school and district administrators
- ~~Use a mapping process to identify resource gaps and significant areas of need to develop or revise current policies and protocols, in collaboration with appropriate school and district administrators~~
- Collaborate with school based and bilingual family liaisons to disseminate parent information materials
- Review and update the Plan each year, or more frequently if needed, in collaboration with appropriate school and district administrators and in accordance with the requirements of state law
- ~~Collaborate with appropriate staff to create a process for recording and tracking incident reports and for accessing information related to targets and aggressors~~
- Analyze district-wide data on bullying to assess the present problem and to measure improved outcomes
- Collaborate with community agencies and non public schools to promote a unified approach to bullying prevention and intervention
- Collaborate with Office of Student Services to provide bullying prevention/intervention materials for special education students whom research has shown are at increased risk of being targeted for bullying
- Collaborate with principals and classroom teachers to make schools more safe and welcoming for GLBT/gender non-conforming students and families whom research has shown are at increased risk of being targeted for bullying

#### **~~Assistant Superintendent for Student Services~~**

- ~~Implement supports that respond to the specific bullying prevention/intervention needs of students with disabilities~~
- ~~Coordinate with state and federal regulations and guidelines~~

#### **School Counselors/Social Workers**

- Plan supports that respond to the bullying prevention/intervention needs of students
- Ensure that IEPs respond to concerns about bullying

#### **School Nurses**

- Plan supports that respond to the bullying prevention/intervention needs of students

#### Teachers and Other Staff

- Teach students to identify and respond to bullying when it occurs
- Intervene appropriately when bullying is alleged
- Complete and file bullying reports when bullying is alleged

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#### Family Liaisons

- Collaborate with Welcoming Schools/School Climate Coordinator and school staff on outreach and education for families

#### District Conflict Mediator

- Implement a Peer Mediation Program at CRLS for student conflicts that do not involve bullying
- Mediate conflicts between staff and parents, or staff and staff
- Support prevention work in elementary schools that uses a conflict mediation approach
- Collaborate with School Climate Coordinator when bullying reports are received, to assess whether cases are appropriate for mediation

#### III. Data Collection

In addition to the collection of bullying data which will be reported annually, at least once every four years, beginning with school year 2015-2016, the school district will administer a Massachusetts Department of Elementary and Secondary Education developed student survey to assess school climate and the prevalence, nature and severity of bullying in the schools and will report the results in accordance with the requirements of the Massachusetts Department of Elementary and Secondary Education.

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#### IV. Prevention

The Cambridge Public Schools are working to implement a comprehensive, evidence-based approach to promoting positive behavior and school climate. ~~This Positive Behavior Intervention Supports (PBIS) framework is. This will be~~ based on a three-tiered approach that includes implementing school wide prevention activities; early intervention activities for students exhibiting problem behaviors; and intensive support for students in need. Work in the district to create positive school climates and develop students' social competencies has been based on the Olweus Bullying Prevention Program, and Responsive Classroom/Developmental Designs. Responsive Classroom (K-5) and Developmental Designs (6-9) promote social, emotional, and academic growth within a safe and welcoming school community. Key components to this approach are:

- Creating, teaching and modeling of school wide rules and positive behavior expectations, which include rules that prohibit bullying and retaliation
- Development and implementation of a coordinated system of supervision



during break periods, recess, lunchtime (classrooms, hallways, cafeteria, playground)

- Age-appropriate information and skill development on bullying prevention and bystander empowerment
- Regular classroom meetings or advisories where bullying can be discussed
- Regular review of data regarding behavior and assessment of programs

At the start of each school year, the student-related sections of this Plan will be reviewed with students, including without limitation, information on prevention of bullying, reporting of bullying and the potential legal consequences of engaging in bullying. Additionally, information regarding the student-related sections of this Plan will be incorporated into the comprehensive prevention approach that is detailed above.

In addition to all of the preceding steps, each school year, schools will take the following additional specific steps to support vulnerable students and to provide all students with the skills, knowledge and strategies needed to prevent or respond to bullying and harassment:

- Maintain a safe and caring classrooms for all students
- Promote and model the use of respectful language
- Foster an understanding of and respect for diversity and difference
- Build positive relationships and communicate with families
- Teach students skills including positive communication, anger management, and empathy for others
- Engage students in school and classroom planning and decision-making as is developmentally appropriate
- Promote and model the use of restorative discipline practices
- in classrooms and schools

#### **1. Training and Professional Development**

The Cambridge Public Schools will provide annual staff training regarding the Cambridge Public Schools Anti-Bullying Policy and the Bullying Prevention and Intervention Plan to all school staff, including but not limited to, educators, administrators, safety specialists, substitute teachers, school counselors, school nurses, cafeteria workers, custodians, bus drivers, school volunteers, athletic coaches, advisors to extracurricular activities and paraprofessionals. The training will include, but not be limited to:

- Developmentally appropriate strategies to prevent bullying incidents
- Developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents
- Information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying

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- 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 (including students who do not conform to stereotypical gender norms and students with special needs).
- Information on the incidence and nature of cyberbullying
- Cyber safety issues as they relate to cyberbullying

The Cambridge Public Schools will continue to support staff training in Responsive Classroom and Developmental Designs as a way to support classroom and school-wide practices that help students build academic and social-emotional competencies. In addition the district will continue to implement Positive Behavior Intervention Supports (PBIS), a comprehensive, evidence-based approach to promoting positive behavior and school climate. The PBIS framework is based on a three-tiered approach that includes implementing school wide prevention activities; early intervention activities for students exhibiting problem behaviors; and intensive support for students in need.

The Welcoming Schools/School Climate Coordinator will create and facilitate extended professional development opportunities to examine bullying issues in depth, including (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 a perpetrator, 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.

Staff members who work with students with disabilities will receive training in ways to prevent and respond to bullying or retaliation for students with disabilities with a special focus on factors 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.

The Cambridge Public Schools will provide all staff with an annual written notice of this Plan by publishing information about it, including sections related to staff duties in the school district's Guide to Policies for Staff, in the Cambridge Public Schools Rights and Responsibilities Handbook and on the school district website.

## **2. Collaboration with Families/Community**

The Welcoming Schools/School Climate Coordinator and Family Liaisons, in conjunction with the central office and principals/heads of upper schools, will provide opportunities for parents/guardians to learn how to recognize bullying

and understand its effects on targets, bystanders and on individuals who bully. Parents/guardians will also be informed about the bullying curriculum-prevention efforts of their child's school; the dynamics of bullying and online safety and cyberbullying; the impact of the law on bullying and the potential consequences that can occur if a student or member of the school staff engages in bullying and the process for reporting complaints of bullying and the confidentiality requirements of the Massachusetts student record regulations, 603 C.M.R. 23.00, and the Federal Family Educational Rights and Privacy Act regulations, 34 C.F.R. Part 99, as set forth in 603 C.M.R. 49.07 with respect to a principal/heads of upper schools' notification to a parent/guardian about an incident or report of bullying or retaliation. This will be done via the parent/guardian and student handbooks as well as via annual training, handouts, email, and the Cambridge Public Schools' website. This information will be available in the major languages recognized by the district.

### **3. Resources and Services**

The Cambridge Public Schools works to ensure that the underlying emotional needs of targets, aggressors, bystanders, families, and others are addressed.

- A. Identifying resources. ~~The Welcoming Schools/School Climate Coordinator~~ A Mental Health/Positive Behavior Taskforce will work with appropriate staff to identify the district's capacity to provide counseling and other services for targets, aggressors, and their families. This will include a review of current staffing and programs that support the creation of positive school environments by focusing on restorative approaches, early interventions and intensive services. Once this mapping of resources is complete, recommendations and action steps to fill resource and service gaps will be established.
- B. Counseling and other services. The Welcoming Schools/School Climate Coordinator will work with appropriate staff to identify the availability of culturally and linguistically appropriate resources within the schools and community. The Welcoming Schools/School Climate Coordinator, in consultation with appropriate school and district administrators, will identify staff and service providers who can assist in developing safety plans for students who have been targets of bullying or retaliation, providing social skills programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors.
- C. Students with disabilities. As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines that the student has a disability that affects social skills development or that the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and

respond to bullying, harassment, or teasing. Teams must discuss bullying concerns for all students with a diagnosis of Autism Spectrum Disorders. In addition the team shall discuss bullying for any student for whom concerns have been raised by the student, parent/guardian or staff. The team discussion must be documented in the student's IEP and/or *Notice of Proposed School District Action*.

- D. Referral to outside services. The ~~Welcoming Schools/School Climate~~ Coordinator-Mental Health/Positive Behavior Taskforce along with appropriate staff will review referral protocol for referring students and families to outside services to ensure that protocols comply with relevant laws and policies.

#### IV. Intervention

##### **1. Reporting Complaints of Bullying or Retaliation**

If a student, parent/guardian of a student, staff member or other community member believes that the student has been subjected to bullying, or to retaliation for reporting bullying, providing information during an investigation of bullying, or witnessing or having reliable information about bullying, he or she should bring the matter to the attention of a staff member at the school where the student attends. All school staff (including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities or paraprofessionals) are required to immediately report any instance of bullying or retaliation they witness or become aware of to the principal/head of upper school or designee of the school using the CPS Bullying Report form (available on the school district's website). The requirement to report to the principal/head of upper school or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school district policies and procedures for behavior management and discipline. When the complaint is received, the principal/head of upper school will immediately notify:

- Parents/guardians of the alleged target
- Parents/guardians of the alleged aggressor or the alleged aggressor if a member of the school staff
- Office of Safety and Security

The principal/head of upper school will promptly conduct an investigation of the complaint that has been received.

The principal/head of upper school may consult with the School Resource Officer but shall not share identifying information of the alleged target or aggressor.

In notifying the parents/guardians of the target and aggressor, the principal/head of upper school must comply with the confidentiality requirements of the

Massachusetts Student Record regulations, 603 C.M.R. 23.00, and the Federal Family Educational Rights and Privacy Act regulations, 34 C.F.R. Part 99, as set forth in 603 C.M.R. 49.07. More specifically, a principal/head of upper school may not disclose information from a student record of a target or aggressor to a parent/guardian unless the information is about the parent/guardian's own child. A principal/head of upper school may disclose a determination of bullying or retaliation to a local law enforcement agency under 603 C.M.R. 49.06 without consent of a student or his/her parent/guardian but the principal/head of upper school 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. Additionally, if aggressor is a member of the school staff, the principal may take appropriate disciplinary action, up to and including termination. Additionally, if the principal/head of upper school has determined that there is an immediate and significant threat to the health or safety of the student or other individuals, a principal/head of upper school 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 C.M.R. 23.07(4)(e) and 34 C.F.R. 99.13(a)(10) and 99.36. In this latter situation, the disclosure is limited to the period of the emergency and the principal/head of upper school must document the disclosure and the reasons that the principal/head of upper school determined that a health or safety emergency exists.

The principal/head of upper school will provide a copy of the *Cambridge Public Schools Non-Discrimination Policy and Prohibition Against Sexual Harassment* and the *Cambridge Public Schools Anti-Bullying Policy* to all parties including the person making the complaint, the alleged student target, the parents/guardians of the alleged student target, the alleged aggressor and the parents/guardians of the alleged aggressor, if the alleged aggressor is a student.

Reports of bullying and/or retaliation for reporting bullying may also be made anonymously to the principal of the school/head of upper school where the student attends. Please note however, that no disciplinary action can be taken against a student solely on the basis of an anonymous report having been received.

## 2. Complaint Investigation

When the Cambridge Public Schools receives a complaint of bullying or retaliation for reporting bullying, providing information during an investigation of bullying or witnessing or having reliable information about bullying, the Cambridge Public Schools will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and to protect from bullying or retaliation a person who reports bullying, provides

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information during an investigation of bullying or witnesses or has reliable information about an act of bullying.

The investigation may include an interview with the student, parent/guardian, staff member or community member filing the complaint, the student alleged to be a victim of bullying or retaliation, the student(s) or staff member(s) alleged to have committed the bullying or retaliation, witnesses to any alleged incidents or other individuals as determined by the school department. Upon determining that bullying or retaliation has occurred, the principal/head of upper school or designee will promptly notify the parents/guardians of the target and the aggressor and the parents/guardians of the aggressor, if the aggressor is a student, of this and of the procedures for responding to it. There may be circumstances in which the principal/head of upper school or designee contacts parents/guardians prior to any investigation. Notice will be consistent with state regulations at 603 C.M.R. 49.00. In notifying the parents/guardians of the target and aggressor, the principal/head of upper school must comply with the confidentiality requirements of the Massachusetts Student Record regulations, 603 C.M.R. 23.00, and the Federal Family Educational Rights and Privacy Act regulations, 34 C.F.R. Part 99, as set forth in 603 C.M.R. 49.07. More specifically, a principal/head of upper school may not disclose information from a student record of a target or aggressor to a parent/guardian unless the information is about the parent/guardian's own child. A principal/head of upper school may disclose a determination of bullying or retaliation to a local law enforcement agency under 603 C.M.R. 49.06 without consent of a student or his/her parent/guardian but the principal/head of upper school 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. Additionally, if the principal/head of upper school has determined that there is an immediate and significant threat to the health or safety of the student or other individuals, a principal/head of upper school 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 C.M.R. 23.07(4)(e) and 34 C.F.R. 99.13(a)(10) and 99.36. In this latter situation, the disclosure is limited to the period of the emergency and the principal/head of upper school must document the disclosure and the reasons that the principal/head of upper school determined that a health or safety emergency exists. Additionally, consistent with state law, the parents/guardians of the target(s) shall be notified of the results of the investigation and any actions that will be taken to prevent any further acts of bullying or retaliation if it is determined that such conduct has occurred.

Additionally, consistent with state law and the terms of the Memorandum of Understanding between the Cambridge Public Schools and Cambridge Police

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Department, if it is determined that bullying or retaliation has occurred, the principal, in conjunction with the Director of Safety and Security, shall:

- Notify School Resource Officer if the principal/head of upper school has a reasonable basis to believe that criminal charges may be pursued against the aggressor or has determined that there is an immediate and significant threat to the health or safety of the student or other individuals
- Take appropriate disciplinary action consistent with the Cambridge Public Schools Rights and Responsibilities Handbook
- Notify the parents/guardians of the aggressor(s) if the aggressor is a student or notify the aggressor if a staff member
- Notify the parents/guardians of the target(s), and to the extent consistent with state and federal law and regulations, notify them of the action taken to prevent any further acts of bullying or retaliation.

Moreover, if an incident of bullying or retaliation involves students from more than one school district, charter school, non-public school, approved private day or residential school or collaborative school, the school district or school first informed of the bullying or retaliation shall, consistent with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action.

At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal/head of upper school or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal/head of upper school, in conjunction with the Director of Safety and Security, will notify local law enforcement. Notice will be consistent with the requirements of 603 C.M.R. 49.00 and the terms of the Memorandum of Understanding between the Cambridge Public Schools and Cambridge Police Department. Additionally, 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 a local school district, charter school, non-public school, approved private day or residential school or collaborative school, the school district or school informed of the bullying or retaliation shall contact law enforcement in a manner consistent with state and federal law and regulations. In making this determination the principal/head of upper school will, consistent with the Plan, applicable school district policies and procedures and the terms of the Memorandum of Understanding between the Cambridge Public Schools and Cambridge Police Department, consult with the school resource officer and other individuals the principal/head of upper school or designee deems appropriate.

### 3. Disciplinary Action/Responses to Bullying

The goal of the Cambridge Public Schools with regard to discipline is to create an atmosphere in which students learn how to repair the damage caused to the entire community when individual members harm each other. If it is determined

that bullying or other inappropriate conduct has been committed, the Cambridge Public Schools will take action that is appropriate under the circumstances. The disciplinary action taken will balance the need for accountability with the need to repair the harm done to the school community, while also teaching appropriate behavior. Using a restorative framework as appropriate. The principal/head of upper school or designee 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.

Before fully investigating the allegations of bullying or retaliation, the principal/head of upper school or designee 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; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the target; and altering the aggressor's schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

There are a range of options for teaching appropriate behavior including: offering individualized skill-building sessions; modeling and using restorative practices; providing relevant educational activities for individual students or groups of students, in consultation with school counselors and 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 and guardians to engage parental support and to reinforce bullying prevention and social skills building activities at home; adopting behavioral plans to include a focus on developing specific social skills.

Action for students who are found to have engaged in bullying may further include requiring the aggressor to work with school personnel to improve behavior; a recommendation of counseling, support services or other therapeutic interventions for the student and appropriate family members of the student; disciplinary consequences for the student up to and including court involvement; or school-related discipline consistent with the Cambridge Public Schools Rights and Responsibilities Handbook up to and including expulsion. Action for staff who are found to have engaged in bullying may include disciplinary action up to and including termination and/or court involvement.

All students and staff members who are found to have engaged in bullying will be informed about the prohibition against retaliation and that any acts of retaliation will result in disciplinary action.



#### 4. Promoting Safety for the Target and Others

In order to restore a sense of safety for the student target of bullying and assess the target's needs for protection, a meeting shall be held with the student, his/her parents/guardians, and appropriate school personnel (i.e. school principal/head of upper school, assistant principal, dean of students, safety specialist and/or School Resource Officer). The purpose of this meeting will be to discuss the development and implementation of a safety plan for the student, including staff to whom the student may report if any concerns arise. The Cambridge Public Schools also may, as appropriate, recommend counseling, support services or other therapeutic interventions for the student and appropriate family members of the student.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal/head of upper school or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal/head of upper school or designee will work with appropriate school staff to implement them immediately.

If a restraining order is in place, one purpose of the meeting will be to review the implications of the restraining order and procedures for reporting if any violation of the restraining order occurs. If the restraining order is against another student or an employee, a separate meeting should be held with that individual to review the restraining order and its implications, expectations and the consequences for violation of the order.

#### 5. False Accusations/Retaliation

If it is determined that a student has knowingly made a false accusation of bullying or retaliation, he/she shall be subject to discipline consistent with the provisions of the *Cambridge Public Schools Rights & Responsibilities Handbook*.

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

#### 6. Review of School-based Actions

If the person making a complaint about bullying, the alleged target of bullying and/or the parents/guardians of an alleged target of bullying are unable to resolve their concerns after a good faith attempt to use the informal means detailed above in cooperation with the Principal/Head of Upper School, a written complaint may be filed with the Superintendent or Chief Operating Officer. The written complaint shall state the concerns and include a brief statement of the facts and the specific relief being requested.

Within seven (7) days of receipt of the written complaint, the Superintendent or designee shall mail a notice establishing a date and time for a meeting to discuss the concerns. After the meeting, the Superintendent or designee shall determine if bullying or other inappropriate conduct has occurred, what appropriate relief has been taken, to date, to assure that the bullying or other inappropriate conduct ceases to occur and whether additional supportive measures are needed. A letter addressing these matters and any additional actions that the school district will be taking to address the concerns that were raised will be issued within five (5) days of the meeting.

If the person making a complaint about bullying, the alleged target of bullying and/or the parents/guardians of an alleged target of bullying still is unable to resolve their issues and concerns after the meeting with the Superintendent or designee has occurred, a request for review may be submitted to the School Committee. The School Committee in its discretion may hear witnesses, receive additional evidence, and review the findings and recommendations at the school level as well as the findings and recommendation of the Superintendent or designee's review meeting. Within five (5) days of conducting its review, the School Committee shall issue a written decision which shall affirm, overrule or otherwise modify the findings and recommendations of the Superintendent, including addressing what, if any, additional actions that the school district will take to address the concerns that have been raised.

#### **7. Other Complaint Processes Also Available**

It should also be noted that the provisions of these procedures detailed in this plan do not preclude a student from using the complaint process set forth in the Cambridge Public Schools "Non-Discrimination Policy and Prohibition Against Sexual Harassment Policy" to seek resolution of any complaints of discrimination or harassment that is based on a characteristic protected by law such as sex, race, color, ancestry, national origin, ethnicity, religion, age, disability, marital status, genetic information, gender identity or sexual orientation. It also should be noted that the provisions of this section do not preclude a student from using the complaint process set forth in Section 23.0 of the *Cambridge Public Schools Rights and Responsibilities Handbook* to seek resolution of any complaints regarding a student's deprivation of rights set forth in the *Cambridge Public Schools Rights and Responsibilities Handbook*.

#### **8. Relationship To Other Laws**

Consistent with federal and state laws and regulations and the policies of the school district, no person shall be discriminated against in admission to a public school of any city or town or in obtaining the advantages, privilege and courses of study of such public school on account of sex, race, color, ancestry, sex, religion, national origin, ethnicity, religion, marital status, genetic information, disability, gender identity or sexual orientation. Nothing in this Plan prevents a

school or the school 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 district policies. In addition, nothing in this Plan is designed or intended to limit the authority of a school or the school district to take disciplinary action under M.G.L.c. 71, sections 37H and 37H 1/2, other applicable laws, or local school or school district policies in response to violent, harmful or disruptive behavior, regardless of whether this Plan covers the behavior.

*Dated:*