



# Roxbury Prep Network Bullying Prevention and Intervention Plan

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## **I. LEADERSHIP**

*Leadership from the Board and the Regional Superintendent for Operations (RSO) to School Leaders will play a critical role in developing and implementing the Bullying Prevention and Intervention Plan (“the Plan”) in the context of other school wide efforts to promote positive school climate. Leaders have a primary role in teaching students to be civil to one another and promoting understanding of and respect for diversity and difference. Leadership is responsible for setting priorities and for staying up-to-date with current research on ways to prevent and effectively respond to bullying. It is also the responsibility of leaders to involve representatives from the greater school and local community in updating and implementing the Plan.*

- A. Public involvement in developing the Plan. As required by M.G.L. c. 71, § 370, the Plan was developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians. Consultation consisted of notifying the aforementioned constituencies before the Plan was adopted by the Board of Trustees. Any member could then make comments which were considered by the Plan Development Team. Notification of all constituents took place via the school website ([www.roxburyprep.org](http://www.roxburyprep.org)) which is viewed by a wide audience. In addition, staff were notified of the draft plan during a staff meeting and parents were notified of the draft plan during parent meetings with teachers.
- B. Assessing needs and resources.

Roxbury Prep has a wide range of community building and disciplinary initiatives which were in place before the enactment of the law on bullying and cyber-bullying. The community will need to evaluate the effectiveness of these initiatives in implementing the Plan. In order to make sure that all of Roxbury Prep’s initiatives in this regard are robust, staff, parent and student surveys will include questions on the Plan. At least once every four years beginning with the 2015-2016 school year, the district will administer a Department of Elementary and Secondary Education (DESE)-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools. Additionally, the school or district will annually report bullying incident data to the Department. The results of those surveys will drive professional development for the ensuing school year and curriculum development on the Plan.

At Roxbury Prep our goal is to provide a safe, rigorous, joyful, and culturally responsive learning environment where all students can thrive. Roxbury Prep believes in the importance of setting forth clear behavioral expectations to ensure a safe, equitable, respectful, and supportive environment for every student. These expectations are outlined in the Code of Conduct and it is the collective responsibility of students, staff, and families to uphold these expectations. The School has put in place systems to reinforce positive behavior and academic success. When student behaviors negatively impact the school environment, behavior interventions and supports will be used to remediate problem behaviors, enabling students to learn from their mistakes and be accountable for their misconduct. In addition, the school week includes advisory

sessions with grade level cohorts which develop students' social skills more broadly, as well as the opportunity to survey students. The school has individual needs teachers who provide assistance to students with IEPs and other special needs. The school has counselors available at each campus who provide individual and group counseling for students. Finally, teachers meet as grade-level teams on a weekly basis, allowing for the sharing of information and action planning in response to all student needs. The purpose of all of these initiatives is to create a safe school environment for students and while they were developed with overall school culture in mind, they will effectively serve as the basis for the implementation of the Plan.

Periodic needs assessments may include: 1) surveying students, staff, parents, and guardians on school climate and school safety issues; and 2) collecting and analyzing building-specific data on the prevalence and characteristics of bullying (e.g., focusing on identifying vulnerable populations and "hot spots" in school buildings, on school grounds, or on school buses). This information will help to identify patterns of behaviors and areas of concern, and will inform decision-making for prevention strategies including, but not limited to, adult supervision, professional development, age-appropriate curricula, and in-school support services.

Broad assessments will be done annually. Specific assessments will take place on an on-going basis in the context of school discipline. School leaders meet weekly to discuss student culture. These meetings allow for the discussion of early intervention to prevent bullying from occurring.

C. Planning and oversight.

The Director of Operations at each campus will be responsible for: 1) receiving reports on bullying; 2) collecting and analyzing building- and/or school-wide data on bullying to assess the present problem and to measure improved outcomes; 3) creating a process for recording and tracking incident reports, and for accessing information related to targets and aggressors; 4) developing new or revising current policies and protocols under the Plan, including an Internet safety policy, and designating key staff to be in charge of implementation of them; 5) amending student and staff handbooks and codes of conduct; and 6) reviewing and updating the Plan each year, or more frequently.

The Principal will be responsible for: 1) planning for the ongoing professional development that is required by the law; 2) planning supports that respond to the needs of targets and aggressors; 3) choosing and implementing the curricula that the school will use; and 4) leading the parent or family engagement efforts and drafting parent information materials.

D. Priority statement.

The school expects that all members of the school community will treat each other in a civil manner and with respect for differences.

The school is committed to providing all students with a safe learning environment

that is free from **bullying, cyberbullying and retaliation**. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying **and retaliation**, and other harmful and disruptive behavior that can impede the learning process.

The school recognizes that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, or sensory, disability, 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 or more of these characteristics. The school will use staff professional development, anti-bullying curriculum, and targeted supports for individual students based on identified vulnerability level to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

The school may establish separate discrimination or harassment policies that include these or other categories of students. Nothing in this section shall alter the obligations of the school to remediate any discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law.

We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, **or retaliation**, in our school buildings, on school grounds, or in school-related activities. We will promptly investigate all reports and complaints of bullying, cyberbullying, **and retaliation**, and take prompt action to end that behavior and restore the target 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 or guardian involvement.

This Bullying Prevention plan affords all students the same protection regardless of their legal status under the law.

## II. TRAINING AND PROFESSIONAL DEVELOPMENT

- A. Annual staff training on the Plan. Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the School Leaders or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school. Staff members hired after the start of the school year are required to participate in school-based training during the school year (typically during the school's August curriculum planning session) in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.
- 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. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of professional development will be informed by research and will include information on:
- (i) developmentally (or age-) appropriate strategies to prevent bullying;
  - (ii) developmentally (or age-) 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.

Professional development will also 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 the school for professional development may include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- 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 will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties, in the Personnel Policies Manual.

### III. ACCESS TO RESOURCES AND SERVICES

*A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, aggressors, families, and others are addressed.*

- A. Identifying resources. The school will evaluate its responses to bullying incidents on an ongoing basis. This review will seek to identify if further resources are needed to address an individual case. The school will maintain a current list of agencies which can provide additional services as needed. If the school determines that school resources are consistently insufficient to deal with bullying incidents then a larger review of staffing will be undertaken. The school is committed to providing appropriate and timely resources to early intervention and intensive services. The Individual Needs team and the Counseling Team, in close contact with teachers and School Leaders, provide these services.
- B. Counseling and other services. School Counselors provide counseling to students who are targets of bullying or retaliation; provide social skills counseling to prevent bullying; and offer intervention services for students exhibiting bullying behaviors. The Counselors develop safety plans in conjunction with the School Leaders and Staff. The safety plan is then communicated to all Staff and may include ways that the target of the bullying can safely and discreetly notify any staff member that bullying is taking place. The school also provides referral services for targets of bullying or retaliation.

In addition, the school provides counseling internally or referral services for aggressors and for appropriate family members from both parties.

- 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 the student has a disability that affects social skills development or 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 skills and proficiencies to avoid and respond to bullying, harassment, or teasing.
- D. Referral to outside services. The school will utilize its current protocols for Grade Level Teams, IEP Team, the school's Individual Needs Team, and school social work counselors to utilize a response to intervention methodology in assessing and servicing student needs, including outside referral. A list of outside referral resources will be maintained by the school social work counselors.

#### **IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES**

*Roxbury Prep will provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the school curricula. Curricula will be evidence-based. Effective instruction will include classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development; this curriculum will be most commonly delivered through the school-wide Advisory curriculum. The school will follow state guidelines for implementing social and emotional learning curricula. Other resources are currently available on the Department website at <http://www.doe.mass.edu/ssce/bullying/>.*

A. Specific bullying prevention approaches. Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:

- using scripts and role plays to develop skills;
- empowering students to take action by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance;
- emphasizing cybersafety, including safe and appropriate use of electronic communication technologies;
- enhancing students' skills for engaging in healthy relationships and respectful communications; and
- engaging students in a safe, supportive school environment that is respectful of diversity and difference.

Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan. The Plan will be reviewed with students at the beginning of each year during the initial advisory sessions.

B. General teaching approaches that support bullying prevention efforts. 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.

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

- A. **Reporting bullying or retaliation.** Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school staff member is required to report immediately to the School Leaders or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school staff members, may be made anonymously. Reports can be made with or without an Incident Reporting Form to any of the following:

**Roxbury Prep Mission Hill Campus**

Attn: Director of Operations  
Re: Bullying  
120 Fisher Avenue  
Roxbury, MA 02120  
Phone: 617-566-2361  
Email: [info@roxburyprep.org](mailto:info@roxburyprep.org)

**Roxbury Prep Dorchester Campus**

Attn: Director of Operations  
Re: Bullying  
206 Magnolia Street  
Dorchester, MA 02121  
Phone: 617-858-2300  
Email: [info@roxburyprep.org](mailto:info@roxburyprep.org)

**Roxbury Prep High School – Lower Campus**

Attn: Director of Operations  
Re: Bullying  
1286 Hyde Park Ave  
Hyde Park, MA, 02136  
Phone: 617-858-2288  
Email: [info@roxburyprep.org](mailto:info@roxburyprep.org)

**Roxbury Prep High School – Upper Campus**

Attn: Director of Operations  
Re: Bullying  
2179 Washington Street  
Roxbury, MA, 02119  
Phone: 617-858-2288  
Email: [info@roxburyprep.org](mailto:info@roxburyprep.org)



Incident Reporting Forms are available from the Office Manager, School Leaders, in the student handbook and on the website at [www.roxburyprep.org](http://www.roxburyprep.org). The form is available in English, Spanish, and Haitian Creole.

At the beginning of each school year, the school will provide the school community, including administrators, staff, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the School Leaders or designee, will be incorporated in student and staff handbooks, on the school website, and in information about the Plan that is made available to parents or guardians.

1. Reporting by Staff

A staff member will report immediately to the School Leaders or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the School Leaders or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school policies and procedures for behavior management and discipline.

2. Reporting by Students, Parents or Guardians, and Others

The school expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the School Leaders or designee. Reports may be made anonymously, but no disciplinary action will be taken against a student solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the School Leaders or designee.

- B. Responding to a report of bullying or retaliation.

1. Safety

Before fully investigating the allegations of bullying or retaliation, the School Leaders 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 schedule and access to the target. The School Leaders or designee will take additional steps to promote safety during the course of and after the investigation, as necessary. School Leaders will also make additional resources available to families of alleged targets to ensure safety (see III. D.).

The School Leaders 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.

2. Obligations to Notify Others

- a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the School Leaders or designee 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 School Leaders or designee 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. 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 School Leaders or designee first informed of the incident will promptly notify by telephone the School Leaders 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 School Leaders or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the School Leaders 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 School Leaders 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 School Leaders will, consistent with the Plan and with applicable school policies and procedures, consult with the school resource officer, if any, and other individuals the School Leaders or designee deems appropriate.

C. Investigation. The School Leaders or designee will promptly investigate 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 School Leaders or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The School Leaders or designee (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 School Leaders or designee, other staff members as determined by the School Leaders or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the School Leaders or designee will maintain confidentiality during the investigative process. The School Leaders or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school policies and procedures for investigations. If necessary, the School Leaders or designee will consult with legal counsel about the investigation. (Align this with school procedures.)

D. Determinations. The School Leaders or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the School Leaders or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The School Leaders or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary, pursuant to the school's Code of Conduct and the Plan.

Depending upon the circumstances, the School Leaders or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target or aggressor parents or guardians, to identify any 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 School Leaders or designee 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 School Leaders or designee cannot report specific information to the target 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.

E. Responses to Bullying.

1. Teaching Appropriate Behavior Through Skills-building

Upon the School Leaders or designee determining that bullying or retaliation has occurred, the law requires that the school 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). Skill-building approaches that the School Leaders or designee may consider include:

- offering individualized skill-building sessions based on the school anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand socially acceptable ways to achieve their goals;
- meeting with parents and guardians to engage parental support and to reinforce the anti-bullying 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 School Leaders or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the School Leaders or designee, 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 the school Code of Conduct.

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.

If the School Leaders or designee 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 School Leaders or designee will consider what adjustments, if any, are needed in the school environment to enhance the target sense of safety and that of others as well. One strategy that the School Leaders or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the School Leaders 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 School Leaders or designee will work with appropriate school staff to implement them immediately.

## **VI. COLLABORATION WITH FAMILIES**

- A. Parent education and resources. The school will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the district or school. The programs will be offered in collaboration with the Family Involvement Committee.
- B. Notification requirements. Each year the school will inform parents or guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. The school will send parents written notice each year about the student-related sections of the Plan and the school 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. The school will post the Plan and related information at [www.roxburyprep.org](http://www.roxburyprep.org).

## **VII. PROHIBITION AGAINST BULLYING AND RETALIATION**

Acts of bullying, which include cyberbullying and retaliation, 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.

Retaliatory acts are a type of bullying that happens in retaliation for whistleblowing or filing a claim for bullying or discrimination. For example, retaliation includes any action taken to target and intimidate a person because they reported inappropriate behavior.

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

As stated in M.G.L. c. 71, § 370, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

## **VIII. Problem Resolution System:**

Any parent wishing to file a claim/concern or seeking assistance outside of the district may

do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <https://www.doe.mass.edu/prs/>, emails can be sent to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or individuals can call 781-338-3700. Hard copies of this information is also available at the Superintendent's office.

## IX. DEFINITIONS

**"Approved private day or residential school"**, a school that accepts, through agreement with a school committee, a child requiring special education pursuant to section 10 of chapter 71B.

**"Bullying"**, the repeated use by one or more students or by 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: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

**"Charter school"**, commonwealth charter schools and Horace Mann charter schools established pursuant to section 89 of chapter 71.

**"Cyber-bullying"**, bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. 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 clauses (i) to (v), inclusive, of the definition of bullying.

**"Collaborative school"**, a school operated by an educational collaborative established pursuant to section 4E of chapter 40.

**"Department"**, the department of elementary and secondary education.

**"Hostile environment"**, 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.

**"Plan"**, a bullying prevention and intervention plan established pursuant to subsection (d).

**"Perpetrator"**, 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 who engages in bullying or retaliation.

**"School district"**, the school department of a city or town, a regional school district or a county agricultural school.

**"School grounds"**, property on which a school building or facility is located or property that is owned, leased or used by a school district, charter school, non-public school, approved private day or residential school, or collaborative school for a school-sponsored activity, function, program, instruction or training.

**"Victim"**, a student against whom bullying or retaliation has been perpetrated.

## **X. RELATIONSHIP TO OTHER LAWS**

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

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