

## BERKLEY PUBLIC SCHOOLS

### ANTI-BULLYING

### Policy #6650

#### A. Purpose

Berkley Public Schools is committed to fostering and maintaining a safe and nurturing learning and work environment that encourages mutual respect, dignity and equality and is free from all forms of harassment, intimidation and bullying. The purpose of this policy is to prevent harassment, intimidation and bullying between or among any members of the school community and to offer persons who believe they have been subject to bullying an efficient and effective means by which to end it.

#### B. Definitions

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.

Bullying is the act of one or more individuals intimidating one or more persons through verbal, physical, metal or written interactions including via any electronic media (cyberbullying). This includes student to student, staff to staff, student to staff and staff to student.

Bullying is a major distraction from learning. Bullying of any type has no place in a school setting. The Berkley Public Schools will endeavor to maintain a learning and working environment free from bullying.

Bullying may include, but is not limited to:

- Intimidation, either physical or psychological,
- Threats of any kind, stated or implied,
- Assaults on persons, including verbal, physical, psychological, written and/or emotional,
- Attacks on personal property.

**C. Scope**

This policy applies to all members of the Berkley Public Schools community, staff, students and parents/guardians, while attending school and all extracurricular and school-sponsored activities and events, both on school property and at off-site locations, and during normal school hours.

Bullying in the school building, on school grounds, on the bus or school-sanctioned transportation, or at school-sponsored functions will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students and termination for employees.

**D. Prevention and Intervention Plan**

The Superintendent shall oversee the development of a prevention and intervention plan in consultation with school staff, administrators, parents, volunteers and local law enforcement agencies. The bullying prevention and intervention plan shall be reviewed and updated at least biennially. The Principal(s) are responsible for the implementation and oversight of the prevention and implementation of the plan within his/her school. (See attached)

**E. Training and Assessment**

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

**F. Violations of the Policy**

Any person who violates this policy will be subject to appropriate disciplinary action, including but not limited to warnings, reprimands, physical restraint/restrictions, discharge, suspension or expulsion. Any disciplinary action against employees of the school system will be taken in accordance with applicable collective bargaining agreements, state, and federal law. Student's disciplinary action will be in accordance with each school's discipline procedure.

**G. Reporting Bullying Incidents**

Any person who believes that he or she has been subjected to, or has witnessed acts of intimidation or bullying in the educational environment is encouraged to bring his/her complaint to the immediate attention of an adult or staff member for assistance in resolving the matter.

Complainants are not promised confidentiality; however, the district will enforce the anti-retaliation provisions of this policy to protect complainants and witnesses.

The school system will endeavor to involve as few people as possible, with the goal of protecting all parties involved and stopping the behavior.

Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor 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 principal or designee.

**H. Anti-Retaliation Provision**

Behavior that is interpreted as retaliatory in response to a bullying complaint being filed is in violation of this policy and subject to the same reporting and investigative procedures as the initial complaint. Filing of false reports is also in violation of this policy. Persons found to be filing false reports of bullying or harassment will be subject to disciplinary action.

**I. Resolving Complaints of Bullying**

All complaints will be investigated by the assistant principal, principal and/or superintendent. All appropriate steps will be taken to resolve the complaint. Disciplinary action will be in accordance with each school's discipline procedure.

Adopted: April 12, 2010

Amended: Nov. 17, 2010