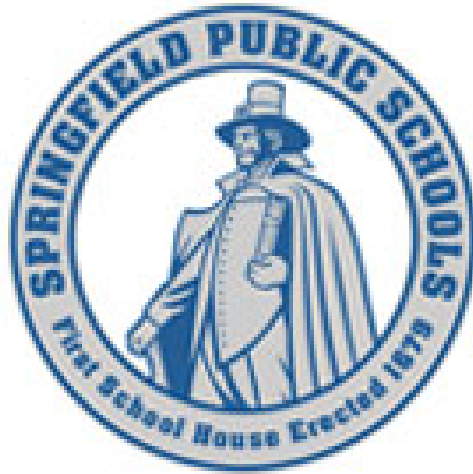


Springfield Public Schools



BULLYING POLICY

Approved by School Committee

May 13, 2010

Amended March 6, 2014

Amended December 5, 2014

SPRINGFIELD PUBLIC SCHOOLS
BULLYING PREVENTION POLICY

INTRODUCTION

Bullying is a major distraction from learning and both the target and the perpetrator suffer significant negative consequences when engaged in this type of anti-social behavior. The grades of the victim can suffer. Fear can lead to chronic absenteeism, truancy or even dropping out of school. Bystanders feel both guilty and helpless for not standing up to the bully. Bullying of any type has no place in a school setting. The Springfield Public Schools will endeavor to maintain a learning environment free of bullying. To this end, the Springfield Public Schools sets forth the following policy for the identification and reporting of bullying for the overall goal of the protection of students and their ability to learn in a safe environment.

A. Definitions

1. **“Bullying”** means the severe or repeated use by one or more perpetrators of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a victim that has the effect of:
 - a. causing physical or emotional harm to the victim or damage to the victim’s property; **or**
 - b. placing the victim in reasonable fear of harm to him/herself or of damage to his/her property; **or**
 - c. creating a hostile environment at school for the victim; **or**
 - d. infringing on the rights of the victim at school; **or**
 - e. materially and substantially disrupting the education process or the orderly operation of a school.

In some circumstances, bullying may be established based on a single incident, due to its severity, despite the fact that the conduct is not repetitive. **“Severe”** means the incident was significantly offensive based objectively from the perspective of a “reasonable person”.

Bullying shall include cyber-bullying.

Examples of bullying include but are not limited to:

- unwanted teasing;
- threatening;
- intimidating;
- stalking;
- cyberstalking;
- cyber-bullying;
- physical violence;

- theft;
 - sexual, religious, disability or racial harassment;
 - public humiliation;
 - destruction of school or personal property;
 - social exclusion; and,
 - rumor or spreading falsehoods.
2. **“Cyber-bullying”** means bullying through the use of technology or any electronic means or 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 (ii) 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 listed in clauses (a) to (e), 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 listed in clauses (a) to (e), inclusive, of the definition of bullying.
 3. **“Hostile environment”** means a situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of the student’s education.
 4. **“Perpetrator”** means a student or 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 extra curricular activity or paraprofessional who engages in bullying or retaliation.
 5. **“School grounds”** means property on which a school building or facility is located or property that is owned, leased or used by the Springfield Public Schools for any school sponsored activities, functions, programs, instruction or training.
 6. **“Victim”** means the student who has been bullied or retaliated against.

B. Expectations

Bullying is prohibited by the Springfield Public Schools. In addition, retaliation against a person for reporting bullying or who has cooperated in an investigation of a complaint under this policy is prohibited and will not be tolerated by the Springfield Public Schools.

1. Bullying is prohibited on school grounds, property immediately adjacent to school grounds, at school-sponsored or school-related activities, functions or programs

whether on or off school grounds, at school bus stops, on school buses or other vehicles owned, leased or used by Springfield Public Schools, or through the use of technology or an electronic device owned, leased or used by Springfield Public Schools.

2. Bullying is also prohibited at a location, activity, function or program that is not school related if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school.
3. Bullying is also prohibited through the use of technology or an electronic device that is not owned, leased or used by the district, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school.
4. **Retaliation** against a person who reports bullying, who provides information during an investigation of bullying, or who is a witness to or has reliable information about bullying is prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment in connection with filing a complaint or assisting with an investigation under this policy.

C. Training and Education

1. The Springfield Public Schools will endeavor to provide age appropriate instruction on bullying prevention in each grade that is incorporated into the curriculum.
2. *Bullying prevention and intervention plan*
 - a. Springfield Public Schools will develop and update a *bullying prevention and intervention plan* in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, behavioral health specialists, local law enforcement agencies, students, parents and guardians. The consultation will include a public comment period. The *bullying prevention and intervention plan* will be updated biennially.
 - b. The *bullying prevention and intervention plan* will:
 - 1) include descriptions of and statements prohibiting bullying, cyber-bullying and retaliation;
 - 2) establish clear procedures for students, staff, parents, guardians, and others to report bullying or retaliation;

- 3) include a provision that reports of bullying or retaliation may be made anonymously, provided that no disciplinary action shall be taken against a student solely on the basis of an anonymous report;
- 4) establish clear procedures for promptly responding to and investigating reports of bullying or retaliation;
- 5) identify the range of disciplinary actions that may be taken against a perpetrator for bullying or retaliation provided, however, that disciplinary actions shall balance the need for accountability with the need to teach appropriate behavior;
- 6) establish clear procedures for restoring a sense of safety for a victim and assessing that student's needs for protection;
- 7) establish strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying;
- 8) establish procedures consistent with state and federal law for promptly notifying the parents or guardians of a victim and a perpetrator, provided that the parents or guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying; and provided further that said procedures must provide for immediate notification to the local law enforcement agency where criminal charges may be pursued against the perpetrator;
- 9) include a provision that a student who knowingly makes a false accusation of bullying shall be subject to disciplinary action; and
- 10) include a strategy for providing counseling or referral to appropriate services for perpetrators and victims and for appropriate family members of said students.

c. The *bullying prevention and intervention plan* will afford all students the same protection regardless of their status under the law.

d. *Professional Development*: The *bullying prevention and intervention plan* will include ongoing professional development to build the skills of all members of school staff, including but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities and paraprofessionals to prevent, identify and respond to bullying. The content of such professional development will include, but not be limited to:

- 1) developmentally appropriate strategies to prevent bullying incidents;
- 2) developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents;
- 3) information regarding the complex interaction and power differential that can take place between and among the perpetrator, the victim, and any witnesses to the bullying;
- 4) research findings on bullying;
- 5) information on the incidence and nature of cyber-bullying; and
- 6) internet safety issues as they relate to cyber-bullying.

- e. The *bullying prevention and intervention plan* will include provisions for educating parents and guardians about the bullying prevention curriculum of the Springfield Public Schools, how they can reinforce said curriculum at home, how they can support the Springfield Public Schools' prevention and intervention plan, the dynamics of bullying, and online safety and cyber-bullying.
3. All staff, in collaboration with parents, students and community members will incorporate system methods for student recognition through positive reinforcement for good conduct, self discipline, good citizenship, and academic success.

D. Notice

1. The Springfield Public Schools will provide to students and their parents or guardians, in age appropriate terms and in the most prevalent languages of the students, parents or guardians, annual written notice of the relevant sections of the *bullying prevention and intervention policy*.
2. The Springfield Public Schools will provide to all school staff annual written notice of the *bullying prevention and intervention policy*. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan.
3. Relevant sections of the *bullying prevention and intervention plan* shall be included in any Springfield Public Schools employee handbook.
4. The *bullying prevention and intervention plan* shall be posted on the Springfield Public Schools website.

E. Implementation

Each school principal will be responsible for the implementation and oversight of the *bullying prevention and intervention plan* at the principal's school.

F. Reporting

1. 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, will immediately, but no later than the end of the regular school day, report any instance of bullying or retaliation the staff member has witnessed or become aware of to the school principal or to the school official identified in the *bullying prevention and intervention plan* as responsible for receiving such reports or both. Failure to report may subject the staff member to disciplinary action.

2. Any student who believes that he or she has been subjected to bullying or retaliation, or who has witnessed or learned about the bullying or retaliation of a student, has the right to file a complaint with the Springfield Public Schools. This may be done in writing or orally by informing the building principal as soon as possible. If the individual does not wish to discuss the issue with the building principal, or if the principal does not address the problem in an effective manner, the individual should inform the Superintendent or Superintendent's designee.
3. The Springfield Public Schools urges all individuals in the school community to bring any concerns of bullying or retaliation to the attention of school personnel so that they can resolve the issue.
4. Reports of bullying or retaliation may be made anonymously; provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report.
5. All reasonable efforts will be made to maintain confidentiality and protect privacy of all parties, but proper enforcement of this policy may require disclosure of any or all information received.
6. Bullying should be added to each school's Disciplinary/Referral Form as one of the reasons for referral to the assistant principal/principal.

G. Investigation

1. Upon receipt of such a report there shall be a prompt investigation by the school principal or the principal's designee or, if reported to the superintendent, the superintendent or superintendent's designee.
2. In general, the complaint should be investigated as soon as practicable. Complaints involving violence should be investigated immediately. The nature and duration of the investigation will depend on the circumstances of the complaint, including the type, severity and frequency of the alleged bullying and whether the perpetrator is a student or an adult. If the alleged perpetrator is a district employee, the principal may request assistance in the investigation from the district's human resources department.
3. The complaint should be investigated in a fair and expeditious manner, in a way that maintains confidentiality to the extent practicable.
4. The investigation should generally include interviews of the victim, the alleged perpetrator, witnesses, individuals whom any of the foregoing identify as having knowledge of potential relevance to the allegations, and anyone else whom the investigator believes may have such knowledge. To the extent practicable, the investigator may take notes during interviews, or soon thereafter, for the purpose of maintaining accurate records.

5. The investigation may also include a review of any documents, including in electronic format or otherwise, photographs, voice mails, e-mails, telephone records, or other items that may be relevant to the allegations of bullying or retaliation and to which the investigator has access.
6. To the extent practicable, the investigator may create and maintain a confidential investigative file. The file may include any materials relevant to the investigation, including but not limited to interview notes, relevant documents, photographs, voice mails, e-mails, telephone records, or other items pertaining to the allegations or the investigation into them.

H. Resolution

1. If the school principal or designee determines that bullying or retaliation has occurred, the principal or designee will:
 - a. immediately notify the local law enforcement agency if s/he believes that criminal charges may be pursued against the perpetrator;
 - b. take appropriate disciplinary action consistent with district policy and the Code of Conduct; and take whatever other appropriate action to end the bullying;
 - c. notify the parents or guardians of the perpetrator and the perpetrator; and
 - d. notify the victim and the parents or guardians of the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation (the victim, parent or guardian is not precluded from seeking redress under any other available law, either civil or criminal); and
 - e. if suitable, provide information concerning counseling or referral to appropriate services for perpetrators and victims and for appropriate family members of said students.
2. If an incident of bullying or retaliation involves students from more than one school district, if Springfield Public Schools is first informed of the bullying or retaliation, Springfield Public Schools will notify the appropriate administrator of the other district or school so that appropriate action may be taken.
3. A student who knowingly makes a false accusation of bullying shall be subject to disciplinary action consistent with the Code of Conduct.
4. This policy should not be interpreted as to prevent a victim or accused from seeking redress under any other available law, either civil or criminal.



Springfield Public Schools Bullying Incident Reporting Process

REPORT from
Target/Other Student, Bystander/Witness, Staff,
Parent/Guardian, Community Member/Agency, Anonymous*

Administrator

Is student injured, requiring immediate medical attention?

YES

Medical Treatment

Notify
Parents/Guardian

Documentation

NO

CONDUCT INVESTIGATION

Interview student
Interview witnesses
Interview accused
Review video (if applicable)
Review documents

Is there bullying?
Severe [1] or repeated behavior that has the effect of:

- Harm/reasonable fear of harm or damage to property? **or**
- Hostile environment at school for victim? **or**
- Infringement on student's rights at school? **or**
- Material/substantial disruption of education/operation of the school?

YES

Notify parents/guardians of
victim/perpetrator

Counseling/Referral (if suitable)

NO

Determination of incident as
other than bullying.

YES

Refer to Code of
Conduct

NO

YES

Is the behavior criminal?

YES

Notify authorities (Springfield Police Department)

Follow up with all involved students

1 = Is the incident significantly offensive from a reasonable person standard?

*Reports do not lead to Code of Conduct based solely on anonymous report; documentation only after investigation if anonymous only complaint