**RCS Learning Center**

**Bullying Prevention and Intervention Plan**



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**Bullying Disciplinary Policy**

***Person Responsible:  President, Executive Director and Program Director***

Due to the population that RCS Learning Center services, provisions to typical discipline codes are made for our students and are outlined in each student’s Individualized Education Plan (IEP) and Behavior Intervention Plan (BIP).  For this reason and because students are never without adult supervision, bullying should not occur.  In order to prevent bullying, the following procedures are implemented:

1. At the beginning of each school year or when a student begins at RCS, the Bullying Plan is given to the student and the student’s parents and/or guardians.
2. Students and/or students’ parents and/or guardians are required to return the “Bullying Acknowledgment” form confirming compliance with the law.  Each student must have a signed Bullying Acknowledgment in his/her student records.
3. If bullying occurs, the person(s) witnessing the bullying should immediately notify RCS administration.
4. Following notification, RCS administration immediately notifies by telephone, the placing school districts and the parents/guardians of the students involved in the bullying.  A written letter is sent within 24 hours.
5. A TEAM Meeting for the student(s) committing the bullying will be held with RCS, the parents/guardians, and the responsible school district to explore possible program modifications.
6. During this meeting, RCS and other TEAM members develop a Behavior Intervention Plan, identify appropriate alternative education settings, and conduct a manifestation determination.
7. If the TEAM determines the behavior is not a manifestation of the disability, RCS may suspend or terminate the student, following RCS’ suspension or termination policy.  Following M.G.L. c. 71 Section 37O, the authorities may also be contacted.
8. If the TEAM determines that the behavior is a manifestation of the disability, the responsible school district and RCS take steps in collaboration with other TEAM members to modify the IEP, the behavior intervention plan, and/or the placement.
9. For the student(s) who were victims of bullying, A TEAM Meeting is held with RCS, the parents/guardians, and the responsible school district.  A comprehensive plan for the student(s) is created with monthly follow-ups.
10. A bullying log is maintained at RCS Learning Center that includes the name of the student(s) involved in bullying incidents, the dates of the incidents, and the date and outcomes of the TEAM meetings.  These logs are reported to the Department of Elementary and Secondary Education at least on an annual basis.

**Bullying Prevention & Intervention Plan**

***Person Responsible:  President, Executive Director and Program Director***

In compliance with Massachusetts State Law and the Department of Elementary and Secondary Education, RCS Learning Center distributes a copy of the following Bullying Plan required under M.G.L. c. 71, 37O) and bullying disciplinary policy to every staff, student and the students’ parents and/or guardians enrolled in our program.  RCS Learning Center files, at least annually, a report with the Department of Elementary and Secondary Education certifying our compliance with the responsibility to inform parents and/or guardians, students, and staff of the provisions of M.G.L. c. 71, 37O; the adoption of our bullying disciplinary policy with regard to the participants of bullying; and the assurance that the bullying plan is included in our Program Manual.

Students and/or students’ parents and/or guardians are required to return the attached “Bullying Plan Acknowledgment” form confirming compliance with the law.

RCS Learning Center expects that all members of the school community will treat each other in a civil manner and with respect for differences.  We recognize 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, or by association with a person who has or is perceived to have one or more of these characteristics. RCS Learning Center is committed to providing all students with a safe learning environment that is free from bullying and cyberbullying, and has created the following Bullying Plan to identify specific steps we will take 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. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.  The Bullying Plan is a comprehensive approach to address bullying and cyberbullying, and RCS Learning Center is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence.  RCS Learning Center will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation. We will investigate promptly all reports and complaints of bullying, cyberbullying and retaliation, and take prompt action to restore a safe learning environment for students who are bullied and to prevent further bullying or harassment by students who are identified as perpetrators of bullying. We have established this plan for preventing, intervening, and responding to incidents of bullying.

**I. Leadership**

1. Public involvement in developing the Plan. As required by M.G.L. c. 71, § 37O, the Plan has been developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students,

parents, and guardians. Consultation includes notice and a public comment period before the Plan is adopted by the school committee or equivalent authority.

1. Assessing needs and resources. The Plan is in the school’s blueprint for enhancing capacity to prevent and respond to issues of bullying within the context of other healthy school climate initiatives. As part of the planning process, school leaders, with input from families and staff, assessed the adequacy of current programs; reviewed current policies and procedures; reviewed available data on bullying and behavioral incidents; and assessed available resources including curricula, training programs, and behavioral health services. This “mapping” process assists in identifying resource gaps and the most significant areas of need. Based on these findings, RCS will revise or develop policies and procedures; establish partnerships with community agencies, including law enforcement; and set priorities on an ongoing basis.

At least once every four years beginning with 2015/16 school year, RCS Learning Center will administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools. Additionally, RCS Learning Center will annually report bullying incident data to the Department.

Similar tools to the student survey may be used with faculty, staff, and parents/guardians to assist in determining school climate needs. 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.

C. Planning and oversight. The Plans identifies the school leaders responsible for the following tasks:

1) receiving reports on bullying. – Program Director

2) collecting and analyzing school-wide data on bullying to assess the present problem and to measure improved outcomes. - Program Director & President

3) creating a process for recording and tracking incident reports, and for accessing information related to targets and aggressors. – Program Director

4) planning for the ongoing professional development that is required by the law. – Program Director

5) planning supports that respond to the needs of targets and aggressors. – Program Director & Program Managers

6) choosing and implementing the curricula that the school will use. – Educational Administrator

7) 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. – Program Director

8) amending student and staff handbooks and codes of conduct to, among other things, make clear that bullying of students by school staff or other students will not be tolerated. – Program Director

9) leading the parent or family engagement efforts and drafting parent information materials – Program Director

10) reviewing and updating the Plan each year, or as needed. – Program Director

**II. Training and Professional Development**

1. Annual staff training on the Plan.

Annual training for all school staff on the Plan includes staff duties regarding the Plan, an overview of the steps that the Program Director 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 RCS Learning Center. Staff members hired after the start of the school year are required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

1. 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 builds the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of school wide and district wide professional development will continue to be informed by research and includes information on:

* developmentally (or age-) appropriate strategies to prevent bullying;
* developmentally (or age-) 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 an aggressor, target, and witnesses to the bullying;
* 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;
* information on the incidence and nature of cyberbullying; and
* internet safety issues as they relate to cyberbullying.

Professional development also addresses 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 includes a particular focus on the needs of students with autism or students whose disability affects social skills development.

Additional areas identified by RCS Learning Center 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;
* maintaining a safe and caring classroom for all students; and
* engaging staff and those responsible for the implementation and oversight of the Plan to distinguish between acceptable managerial behaviors designed to correct misconduct, instill accountability in the school setting, etc and bullying behaviors

C. Written notice to staff. RCS Learning Center provides all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties and bullying of students by school staff, in the employee handbook.

**III. ACCESS TO RESOURCES AND SERVICES**

1. Identifying resources. RCS Learning Center will identify resources for counseling and other services for targets, student aggressors, and their families when needed. RCS recognizes that this may include a review of current staffing and programs that support the creation of positive school environments by focusing on early interventions and intensive services. After review, recommendations and action steps to fill resource and service gaps may be made, including adopting new curricula, reorganizing staff, establishing safety planning teams, and identifying other agencies that can provide services. The Plan should outline the local processes for identifying existing and needed resources.
2. Counseling and other services. Culturally and linguistically appropriate resources will be made available as needed. RCS will identify linkages with community based organizations including Community Service Agencies (CSAs) for Medicaid eligible students, and identify staff and service providers who assist schools 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 as needed. Behavioral intervention plans, social skills groups, and individually focused curricula will also be utilized as needed.
3. 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 a student has a disability that affects social skills development 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.
4. Referral to outside services. RCS Learning Center will refer students and families to outside services in a timely manner. Referrals must comply with relevant laws and policies. Current local referral protocols will be evaluated to assess their relevance to the Plan, and revised as needed.

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

1. Specific bullying prevention approaches. RCS Learning Center shall implement age and grade appropriate anti-bullying curricula in each grade. Bullying prevention curricula will continue to 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 or school staff 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. Students will receive this information in a manner appropriate with their learning styles and at least annually.

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**

1. 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. Staff members are required to report immediately to the Program Director or designee or to the President or designee when the Program Director or Assistant Director is the alleged aggressor, 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 or district staff members, may be made anonymously. RCS Learning Center has developed a detailed Bullying Incident Report that will be used during the reporting process.

A copy of the Bullying Incident Report is included in the Program Manual and distributed to all RCS students, parents, and/or guardians annually. A copy of the Bullying Incident Reports may also be made available upon request to the Program Director and posted on the RCS website. The Bullying Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each school year, RCS Learning Center will provide the school community, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, 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 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 Program Director when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to notify the Program Director shall not limit the authority of the staff member to respond to the behavioral or disciplinary incidents consistent with RCS’ policies and procedures for behavior management and discipline.

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

RCS Learning Center 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 Program Director. 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 Program Director.

1. Responding to a report of bullying or retaliation – Allegations of Bullying by a Student.
2. Safety

Before fully investigating the allegations of bullying or retaliation, the Program Director 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 Program Director will take additional steps to promote safety during the course of and after the investigation, as necessary.

The Program Director 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.

1. Obligations to Notify Others
   1. Notice to parents or guardians**.** Upon determining that bullying or retaliation has occurred, the Program Director will promptly notify the parents or guardians of the target and the student aggressor of this, and of the procedures for responding to it. There may be circumstances in which the Program Director contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

b. Notice to Another School or District. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the program director, principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

c. Notice to Law Enforcement.Due to the population that RCS Learning Center services, provisions to typical discipline codes are mode for our students and are outlined in each student’s Individualized Education Plan (IEP) and Behavior Intervention Plan (BIP). If after receiving a report of bullying, cyberbullying, or retaliation the Program Director deems that the incident has occurred, a TEAM meeting will be called with RCS, the sending school district, the parents and/or guardians and any other members of the TEAM. If at that meeting the incident is deemed not to be a manifestation of the student’s disability law enforcement will be notified.

1. Investigation. The Program Director will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the Program Director will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The Program Director (or whoever is conducting the investigation) will remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the Program Director, other staff members as determined by the Program Director as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the Program Director will maintain confidentiality during the investigative process. The Program Director will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with RCS Learning Center policies and procedures for investigations. If necessary, the Program Director will consult with legal counsel about the investigation.

1. Determinations. Within fifteen school days of the Program Director’s receipt of the complaint of bullying, cyberbullying, or retaliation, the Program Director will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the Program Director will assemble a TEAM meeting to determine if the incident was a manifestation of the students’ disability. The TEAM will determine appropriate disciplinary action in accordance with RCS policies and procedures. The TEAM’s findings and determinations shall be documented in writing on the Incident Reporting Form.

Depending upon the circumstances, the Program Director may additionally choose to consult with the students’ teacher(s) and/or school counselor, and the target’s or student aggressor’s 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 Program Director 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 in a manner in compliance with All notice to with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the Program Director will not report specific information to the target’s parent or guardian about the disciplinary action taken unless it involves a “stay away” order or other directive that the target must be aware of in order to report violations.

The Program Director shall also inform the parent or guardian of the target about the Department of Elementary and Secondary Education’s problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

E. Responses to Bullying*.*

1. Teaching Appropriate Behavior Through Skills-Building

Upon the Program Director determining that bullying or retaliation has occurred, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O (d) (v). Skill-building approaches that the Program Director may consider include, but are not limited to:

* offering individualized skill-building sessions based on the school’s/district’s 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 pro-social 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

Due to the nature of the disabilities of the students served at RCS Learning Center, disciplinary action will be assessed at the TEAM meeting to find if this is a manifestation of the student’s disability.

3. Promoting Safety for the Target and Others

The Program Director will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. Any such adjustments or interventions to be provided for the target shall be documented in writing in an Individualized Behavior Intervention Plan (BIP).

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

F. Responding to a Report of Bullying by School Staff

Bullying of students by any school staff is not permissible at RCS Learning Center. RCS Learning Center will take the following steps to respond to and resolve a report of bullying of a student by school staff.

1. Safety

Before fully investigating the allegations of bullying or retaliation, the Program Director 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; removing the staff from the student’s immediate environment or classroom; 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 Program Director will take additional steps to promote safety during the course of and after the investigation, as necessary.

The Program Director 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.

Additionally, retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited, and will result in disciplinary action up to and including termination of employment.

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1. Notification

Upon determining that bullying or retaliation has occurred, the Program Director will promptly notify the parents or guardians of the target of this, and of the procedures for responding to it. There may be circumstances in which the Program Director contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00

1. Investigation

The Program Director will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the age of the student involved.

During the investigation the Program Director will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The Program Director (or whoever is conducting the investigation) will remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the Program Director or other staff members as determined by the Program Director as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the Program Director will maintain confidentiality during the investigative process. The Program Director will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with RCS Learning Center policies and procedures for investigations. If necessary, the Program Director will consult with legal counsel about the investigation.

1. Response

Within fifteen school days of the Program Director’s receipt of the complaint of bullying, cyberbullying, or retaliation, the Program Director will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the Program Director will assemble a meeting consisting of appropriate RCS administrators to determine disciplinary action in accordance with RCS policies and procedures. Disciplinary action of any staff member who has received a substantiated claim of bullying a student is taken very seriously, and will include up to and including termination of employment.

The Program Director will continue to promote the safety of the target and others involved in the investigation after the determination is made. The Program Director will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. Any such adjustments or interventions to be provided for the target shall be documented in writing in an Individualized Behavior Intervention Plan (BIP).

**VI. COLLABORATION WITH FAMILIES**

1. Parent education and resources. The school or district 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 PTO, PTA, School Councils, Special Education Parent Advisory Council, or similar organizations.
2. Notification requirements. Each year the school or district will inform parents or guardians of enrolled students about the anti-bullying curricula that are being used. RCS will send parents written notice each year about the student-related sections of the plan. This notice will include information for parents on how to reinforce the school’s bullying prevention curricula in the home, the dynamics of bullying, and online safety and cyberbullying. 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. RCS Learning Center will additionally post the Plan and related information on its website.

**VII. PROHIBITION AGAINST BULLYING AND RETALIATION**

Acts of bullying, which include cyberbullying, are prohibited:

(i) on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-­related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and

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

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

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

1. **Problem Resolution System:**

Any parent wishing to file a claim/concern or seeking assistance outside of the school/ district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pqa>, 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**

Aggressor is a student or a member of a school staff who engages in bullying, cyberbullying, or retaliation towards a student.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or a member of a school staff of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

* + 1. causes physical or emotional harm to the target or damage to the target’s property;
    2. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
    3. creates a hostile environment at school for the target;
    4. infringes on the rights of the target at school; or
    5. materially and substantially disrupts the education process or the orderly operation of a school.

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

Hostile environment, as defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student’s education.

Retaliation is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

School Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

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

1. **RELATIONSHIP TO OTHER LAWS**

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or 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. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person’s membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, M.G.L. c. 71, §§41 and 42, M.G.L.c 76 § 5, or other applicable laws, or local school or district policies, or collective bargaining agreements, in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.