

## **Dearborn Academy Bullying Prevention and Intervention Plan**

Dearborn Academy Staff created this Bullying Prevention and Intervention Plan as required under M.G.L. c. 71, § 370. The Plan's format parallels the draft *Behavioral Health and Public Schools Framework*, and is designed to meet all requirements of Massachusetts Anti-Bullying legislation. The Dearborn Academy Bullying Prevention Plan refers to students and members of the school staff, including, but not limited to educators, clinicians, administrators, school nurse, custodial and cafeteria staff, athletic coaches, advisors to an extracurricular club/activity and assistant teachers, interns and/or student teachers.

As required by state law and the requirements of the Department of Elementary and Secondary Education, at least once every four years beginning with 2015/16 school year, Dearborn Academy will administer a student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools. Additionally, the head of school or their designee will annually report bullying incident data to the Department of Elementary and Secondary Education.

### **PROHIBITION AGAINST BULLYING AND RETALIATION**

*In keeping with Massachusetts Anti-bullying law, M.G.L. c. 71, § 370(b), acts of bullying and 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.

In addition to student-to-student bullying, the Bullying Law was amended to include bullying by any member of the school staff. This provision is effective with the start of the 2013-2014 Academic Year.

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, § 370, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

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#### **LEADERSHIP**

*The Dearborn Academy administration is responsible for the development and implementation of this plan. In developing this plan, we have relied heavily on the many structures and programming already in place at Dearborn to promote a positive school culture. They include our restorative practices, which have been in use for many years to teach and encourage positive connections among our students, repair relationships after conflicts and to promote our values of dignity and respect for all individuals in our community; and our use of student groups like our Gender and Sexuality Alliance (GSA) and Student Council.*

- 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, administrators, students, parents, and guardians. In all cases, consultation included, at a minimum, notice and a public comment period before the Plan was adopted.
- B. Assessing needs and resources. The Plan is the Academy'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.

In assessing needs specific to this program, Dearborn staff and administration completed a thorough review of events and behavior data to help identify patterns of behavior and areas of concern with regard to bullying and cyber-bullying. Through the caregiver advisory council and written surveys available online and through the mail, the views of parents and guardians of our students were solicited. Input from these sources informed decision-making for prevention strategies including, but not limited to, adult supervision, professional development, age-appropriate curricula, and in-school support services. Under the leadership of Dearborn administration these assessments were completed and incorporated into the Plan.

- C. Planning and oversight. The head of school and principal/clinical director are the primary leaders responsible for the following tasks under the Plan: 1) receiving reports on bullying; 2) collecting and analyzing 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) planning for the ongoing professional development that is required by the law; 5) planning supports that respond to the needs of targets and aggressors; 6) choosing and implementing the curricula that the school or district will use; 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; 8) amending student and staff handbooks and codes of conduct; 9) leading the caregiver engagement efforts and drafting caregiver information materials; and 10) reviewing and updating the Plan each year, or more frequently. The head of school of Dearborn Academy will be informed and kept abreast about reports of bullying.

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#### **D. Priority statements.**

The school expects that all members of the school community will treat each other in a civil manner and with respect for differences. Some students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including race, color religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

The school is committed to providing all students with a safe learning environment that is free from bullying and cyberbullying. 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. Our use of restorative practices are the cornerstone to our approach of fostering community and preventing bullying and harassment.

#### **TRAINING AND PROFESSIONAL DEVELOPMENT**

- A. **Annual staff training on the Plan.** Annual training for all school staff on the Plan is scheduled along with other state mandated trainings during orientation and includes: staff duties under the Plan; an overview of the steps that administrators follow upon receipt of a report of bullying or retaliation; and an overview of the bullying prevention curricula, including the use of restorative practices, to be offered throughout the school. Staff members hired after the start of the school year are trained before becoming responsible for the sole supervision of students.
- 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, § 370, the content of school-wide professional development will be informed by research and will include information regarding:
  - (i) age-appropriate strategies to prevent bullying;
  - (ii) 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

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(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). A particular focus will be on the needs of students with autism or whose disability affects social skills development.

Additional areas identified by the school or district for professional development 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 restorative practices to build community and repair relationships after conflict;
- teaching students skills including positive communication;
- engaging students in school or classroom planning and decision-making;
- maintaining a safe and caring classroom for all students; and
- learning the definitions in this Plan, including what qualifies as bullying/cyberbullying and retaliation and their duties with regards to reporting

C. Written notice to staff. The school will provide all staff with an annual written notice of the Plan by publishing information about it and including sections related to staff duties and bullying of students by school staff in the orientation material and policies and procedures handbook.

#### **POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION**

*To support efforts to respond promptly and effectively to bullying and retaliation, Dearborn Academy has established procedures for receiving and responding to reports of bullying or retaliation. These policies and procedures ensure that members of the school community – students, caregivers, and staff – know what will happen when incidents of bullying occur.*

A. Reporting bullying or retaliation. Reports of bullying or retaliation may be made by staff, students, caregivers, or others, and may be verbal or written. Verbal reports made by or to a staff member shall be recorded in writing. A staff member is required to report immediately to the principal or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, caregivers, or other individuals who are not staff members, may be made anonymously. The school will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form, voicemail, and email.

Use of an Incident Reporting Form is not required as a condition of making a report. The school will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available at the reception desk, in

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clinicians' offices, and the school nurse's office; and 3) post it on the school's website. The 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, the school will provide the school community, including administrators, staff, students, bus drivers, 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 principal, will be incorporated in student and staff handbooks, on the school website, and in information about the Plan that is made available to caregivers.

#### **1. Reporting by Staff**

A staff member will report immediately to the principal or designee, or to the executive director or designee when the principal, head of school, or the director of curriculum and instruction is the alleged aggressor, or to the Board of Trustees or designee when the executive director is the alleged aggressor when they witness or become aware of conduct that may be bullying or retaliation. The requirement to report as provided does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

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

Dearborn Academy expects students, caregivers, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to an administrator. 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, caregivers, and others may request assistance from a staff member to complete a written report. Students may report and discuss an incident of bullying with any staff member, with their clinician, or with an administrator. 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, or executive director or designee when the principal or director of curriculum and instruction is the alleged aggressor. In all such cases the school's policy regarding confidentiality applies. Information which might affect the safety of others cannot be held in confidence.

#### **B. Responding to a report of bullying or retaliation.**

##### **1. Safety**

Before fully investigating the allegations of bullying or retaliation, administration 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;

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and identifying a staff member who will act as a "safe person" for the target. Administrators will take additional steps to promote safety during the course of and after the investigation, as necessary.

Administration will implement appropriate strategies for protecting a student from bullying or retaliation 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 caregivers.** Upon determining that bullying or retaliation has occurred, administration 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 an administrator contacts caregivers 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 administrator first informed of the incident will promptly notify by telephone an administrator 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 administration has a reasonable basis to believe that a law has been violated, the administrator will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and established agreements with the Newton police. Also, if an incident occurs on school grounds and involves a former student, the administrator shall contact the local law enforcement agency if they have a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, administration will, consistent with the Plan and with applicable school and procedures, consult with other individuals the administration deems appropriate.

- C. **Investigation.** Administration 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 administration will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee (or

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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 administration or other staff members. To the extent practicable, and given their obligation to investigate and address the matter, administration will maintain confidentiality during the investigative process. An administrator 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, administrators will consult with legal counsel about the investigation.

If the head of school is the alleged aggressor, the executive director of Schools for Children, Inc., Dearborn Academy's parent organization, must be immediately notified and will consult with legal counsel and conduct an investigation. The executive director has the right to suspend the head of school with or without pay during the investigation. The executive director will take responsibility for facilitating all aspects of the Plan or designating an on-site administrator to facilitate some of the aspects of the plan should the executive director determine that the on-site administrator is a neutral party able to act on behalf of the target without influence from the head of school.

D. **Determinations.** Administration will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, administration 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. Administrators will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, administration may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's caregivers, 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.

Administration will promptly notify the caregiver(s) 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 caregivers will comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, administrators cannot report specific information to the target's caregiver(s) 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.

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The head of school will inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. This information will be made available in both hard copy and electronic formats. Any parent wishing to file a claim/concern or seeking assistance outside of the school 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.

Administration will collect and report the following data to the Department: 1)the number of reported allegations of bullying or retaliation; 2)the number and nature of substantiated incidents of bullying and retaliation; 3)the number of students disciplined for engaging in bullying or retaliation, and 4)other information required by the Department.

#### **E. Responses to Bullying.**

##### **1. Teaching Appropriate Behavior Through Skill Building**

Upon a determination 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 may consider include:

- offering individualized skill-building sessions based on the school's anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic supports to help students understand prosocial ways to achieve their goals;
- meeting with caregivers to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home; and
- making a referral for evaluation.

##### **2. Taking Disciplinary Action**

If administrators decide that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts, 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's 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 administration determines that a student knowingly made a false allegation of bullying or

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retaliation, that student may be subject to disciplinary action.

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

Dearborn administration 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.

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

## **ACCESS TO RESOURCES AND SERVICES**

- A. Identifying resources. Dearborn Academy is well prepared to provide therapeutic and educational interventions in response to any report of bullying in our community. Immediately available resources include access to administration for students and caregivers, individual counseling with students' Dearborn clinician, restorative chats, email and phone contact between school and home, a well-established relationship with the Newton Police, the support and resources of students' sending school districts, and contact with all outside agencies involved in a student's life. Special attention is given to the implementation of restorative practices for both preventative and responsive interventions regarding community building and responses to bullying. Students and caregivers are provided with information regarding who to contact at the school for support upon admission, and students are instructed and reminded who they can ask for additional support in the event that their clinician is not available at any given time, or if they want to talk to someone besides or in addition to their assigned clinician.
  
- B. Counseling and other services. At Dearborn each student is assigned a clinician. Students are scheduled to meet with their clinician one class period a week. In addition, clinicians make time to meet with their students on a regular and/or emergency basis upon request. If a student requires and/or requests clinical support when their assigned clinician is in a meeting, they can meet with another clinician or another member of the clinical team. Administrators, teachers, and support staff are also available to meet with students on an emergency basis. The development of trust and positive relationships with students is a key component of Dearborn policy and philosophy, and is emphasized in staff training. Community development is another key component of Dearborn programming. Staff model community-building behaviors throughout the day, in weekly community-building circles and during restorative chats. Dearborn Academy has a contract with Cariloop <https://plan.cariloop.com/employer/dearbornacademy>, a concierge online service free of charge to students and families that can assign a coach for the family to help them locate said resources that meet their specifications. Caregivers are informed of this service upon admission and reminded of the benefit during the student's enrollment if the family does not

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access the voluntary service right away and a need comes up that Cariloop might be able to fill.

- C. Students with special vulnerabilities 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 and/or the student may participate in or is vulnerable to bullying, harassment, or teasing because of their disability, the Team considers what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.
- D. Referral to outside services. Dearborn Academy students and their families are frequently referred to outside services before entering Dearborn or while the student is enrolled here. In developing the Plan, Dearborn staff and administration will review our protocols for referring students and families to outside services, including access to Cariloop.
- E. Notification of DESE's Problem Resolution System. Caregivers of targets will be informed of the Department's problem resolution system [Problem Resolution System Office](#), and as needed will provide them with an understanding of the process.

#### **ACADEMIC AND NON-ACADEMIC ACTIVITIES**

Relationships are at the heart of a positive school community. At Dearborn we value one another, ourselves, and our common goal of learning and thriving together. Our structures and programming are aimed to support this foundation -- in particular our use of restorative practices to build community and address conflicts as they arise.

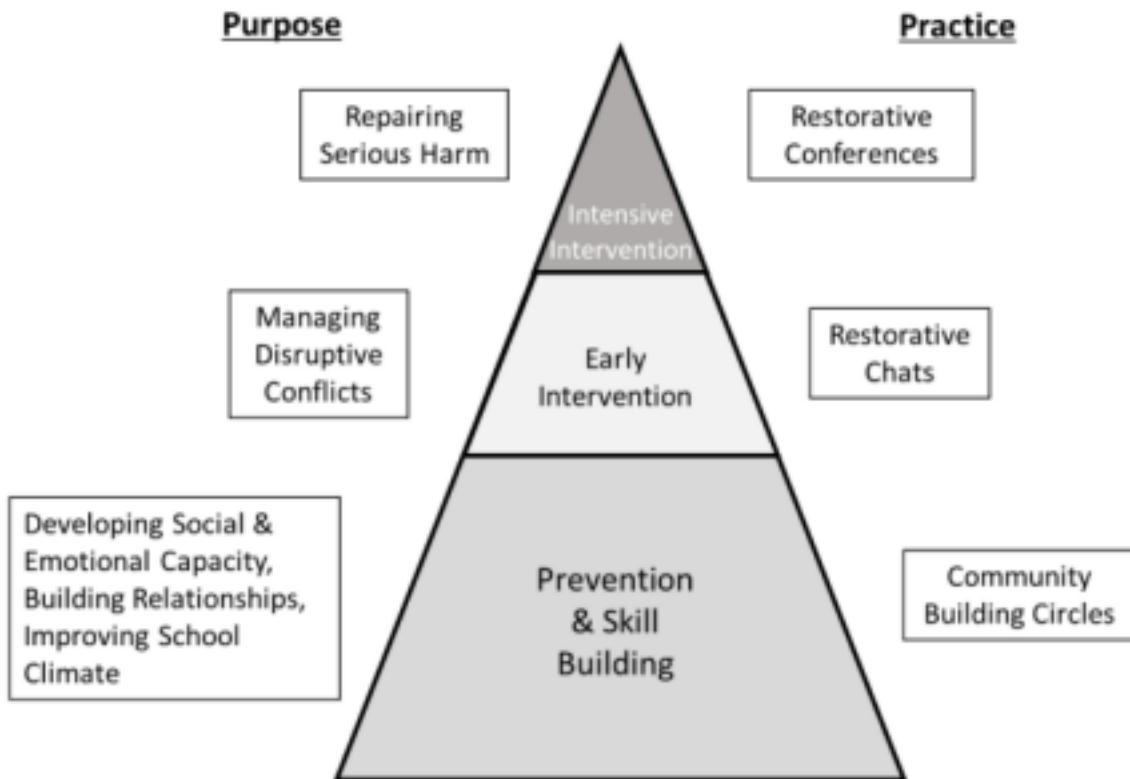
Restorative practices focus on how to mend the harm done to relationships when a person has broken an agreed upon norm. This is in contrast to traditional school discipline models which focus on assigning negative consequences within the context of "broken rules." Teaching students and staff to use the structures and skills provided in the restorative practices framework reduces the isolation of time out and suspension seen in school communities that don't use restorative models and helps all members of the Dearborn Academy school community take responsibility for the safety and success of one another.

There are three main components of restorative practices, shown below in the diagram below, adapted from Brenda Morrison's book, *Restoring Safe School Communities: A Whole School Response to Bullying, Violence and Alienation*.

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### School Restorative Practices Triangle



Community Circles help build relationships, reinforce community values and goals and provide the foundation necessary to successfully rebuild relationships when there are disagreements or conflicts. At Dearborn students participate in circles weekly and circles provide one structure for students to learn about bullying prevention.

Restorative Chats are used when conflicts arise, and students are provided the opportunity to restore the relationships using the following guiding questions:

Questions for those who have been harmed	Questions for those who have harmed
1. What happened?	1. What happened?
2. What did you think when you realized what happened?	2. What were you thinking at the time?

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3. What was the impact of the incident on you? On others?	3. What have you thought about the situation since?
4. What has been the hardest thing for you?	4. Who has been affected by what you have done? In what way?
5. What do you think needs to happen to make things right?	5. What do you think you could do to make things right?

When more serious harms have been done, Restorative Conferences may be held. Many of the same questions used in chats are used in conferences, however conference planning is a more in-depth process and conferences are only held if the person who caused the harm is committed to taking responsibility and working to "make things right." Most conferences include adult caregivers and may include public school district representatives. Conferences are used, when indicated, to avoid suspension and/or termination from Dearborn.

In cases of bullying or harassment, there may be times when restorative practices are used instead of or in conjunction with more traditional methods of school discipline. Depending on the relationship between the student involved in a bullying or harassment incident, however, restorative practices may not be indicated. For example, if there is a power dynamic between the students, it may not be clinically appropriate for them to engage in the conversations that chats and conferences dictate, as they may further entrench the power dynamic and/or perpetuate the harm. In those instances, administrators may exclusively use more traditional and disciplinary methods such as suspension and/or planned or emergency termination.

A. Specific bullying prevention approaches. Bullying prevention curricula will be informed by current research and will emphasize the following approaches:

- community building (including but not exclusively via restorative practices);
- active staff bullying- prevention committee;
- using scripts and role plays with students 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 students' 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 welcoming of diversity and difference.

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Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan. Each year during Bullying Prevention Month, there is an added focus and teaching about bullying, cyberbullying, and how to prevent and respond to both and each year in the fall clinicians review the Plan with students 1:1 in clinical sessions.

B. General teaching approaches that support bullying prevention efforts. Staff at Dearborn Academy use the following approaches, among others, to 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 actual or perceived characteristics including race, color religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics
- using appropriate and positive supports, responses and reinforcement, even when students require discipline;
- developing positive relationships with students;
- modeling and teaching prosocial, healthy, and respectful behaviors;
- using positive approaches to behavioral health, including restorative practices;
- teaching students to use the Internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

#### **COLLABORATION WITH FAMILIES**

A. Parent education and resources. During the intake process and each September a student is enrolled at the School thereafter, clinicians will inform caregivers of the school's bullying prevention policy and curricula. During each annual IEP meeting, teams will consider a student's vulnerability to bullying and include specially designed instruction, accommodations and/or support beyond what is offered to the entire student body as necessary.

B. Notification requirements. Each year the clinicians 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's Internet safety policy. All notices and information will be available to parents or guardians in hard copy and electronic formats and in the language(s) most prevalent. The school will post the Plan and related information on its website.

**DEFINITIONS** as defined in M.G.L. c. 71, § 370

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

Bullying 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:

- 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 themself or of damage to their 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, § 370 for the legal definition of cyberbullying.

Hostile environment, 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, maintenance personnel, 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.

#### **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 Dearborn Academy or in obtaining the advantages, privileges and courses of study at the Academy on account of race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, 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 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 school district policies.

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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, §§41 and 42, M.G.Lc 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.