

# **BULLYING PREVENTION AND INTERVENTION PLAN**

**Updated Spring 2021**

## **I. Introduction**

At NHCSB, we expect that all members of our school community will treat each other with civility and respect. It is the policy of the School to provide and maintain a learning environment that is free of bullying, cyberbullying, retaliation, and any other verbal or physical misconduct which disrupts the learning environment or makes it unsafe.

The NHCSB Bullying Prevention and Intervention Plan (the “Plan”), set forth below, is in accordance with the Massachusetts laws against bullying and is an integral part of our efforts to promote learning and to prevent behavior that can impede the learning process. The Plan spells out NHCSB’s comprehensive approach to addressing incidents of bullying, cyber-bullying, and retaliation. Pursuant to the Plan, the School will promptly investigate any report of bullying, cyber-bullying, or retaliation. Upon determining that bullying, cyberbullying, or retaliation has occurred, we will immediately take action to stop the behavior and address the safety concerns for any member of the community who has been impacted.

NHCSB recognizes that “certain scholars 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 1 or more of these characteristics.”

It is important that the Plan is reviewed by all members of the NHCSB community. The Executive Director, The Associate Principal of Student Affairs and the Deans of Student Affairs are responsible for the implementation and administration of the Plan and any questions or concerns related to the Plan may be referred to any of those individuals.

The School will provide written notice of the Plan to students and parents/guardians annually. The notification to students will be in age-appropriate terms. The Plan is included in the Student Handbooks and the All School Employee Handbook. The Plan is also posted on the NHCSB website. The Plan will be reviewed and updated biennially.

The School will provide annual training on the Plan to faculty and staff. The training at a minimum will include a review of the reporting obligations for all faculty and staff and the

procedures that the School will follow in response to a report of bullying, cyberbullying or retaliation.

## **II. Prohibition against Bullying, Cyber-Bullying, and Retaliation**

The School will not tolerate any form of bullying or cyberbullying. We will also not tolerate retaliation against any person who reports bullying or cyberbullying, or who in good faith provides information during an investigation. Bullying, cyberbullying, and retaliation are prohibited on school grounds and at school- sponsored events activities, functions, and programs, including athletic practices and games that occur at off-campus locations. Bullying, cyberbullying, and retaliation are also prohibited at school bus stops, on school buses and on other vehicles owned, leased, or used by the school. It is also prohibited through use of technology or electronic devices owned, leased, or used by the School.

In addition, bullying, cyberbullying and retaliation at a location, activity, function, or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased, or used by the school, are prohibited if that conduct creates a hostile school environment for a targeted student, infringes on the rights of a student at school, or materially and substantially disrupts the educational process.

## **III. Definitions of Bullying, Cyberbullying and Retaliation**

Massachusetts law, M.G.L. Chpt. 71 sec. 37O governs the prohibition of bullying and the adoption of bullying prevention and intervention plans. As governed by law and as used in the Plan the following definitions apply:

### **Bullying:**

Bullying means “the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that:

- (i) causes physical or emotional harm to the victim or damage to the victim's property;
- (ii) places the victim in reasonable fear of harm to himself or of damage to his property;
- (iii) creates a hostile environment at school for the victim;
- (iv) infringes on the rights of the victim at school; or

(v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include

cyber-bullying.”

**Cyber-bullying:**

Cyber-bullying is “bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying shall also include:

(i) the creation of a web page or blog in which the creator assumes the identity of another person or

(ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the above definition of bullying.

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.”

**Perpetrator:**

A Perpetrator includes “[a] student or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying or retaliation.”

**Hostile Environment:**

A 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 or work environment.

**Retaliation:**

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

### **Legal Definitions and School Policy:**

Stricter standards of behavior may apply under the School's policies to prevent inappropriate verbal and physical conduct that may not constitute bullying, cyberbullying, or retaliation as it is defined under the law. For example, although the Plan defines bullying as "repeated use" of certain expressions, acts, and/or gestures, the School reserves the right to apply disciplinary measures and other corrective/remedial action in a case of a single expression, act or gesture, if the School determines that it is of sufficient severity to warrant disciplinary measures or other corrective/remedial action.

### **III. Prevention of Bullying, Cyber-bullying, and Retaliation**

NHCSB's values, faculty professional development, parent programming and student support services focus on the development of a collaborative and safe community in which all members feel welcome and connected.

From the moment a scholar becomes a member of the NHCSB School community, they learn that they have a right to be treated with civility and respect. Our curriculum emphasizes respect for differences, and our scholars and faculty are aware of the clear expectations for scholarly behavior. As stated in our Vision Statement and our CORE Values the school community and its stakeholders are expected to reinforce the standards of the NHCSB community.

Our programs at NHCSB provide annual programming to educate our scholars in bullying prevention skills and strategies to either prevent or respond to bullying, cyberbullying, and retaliation:

- New Heights Charter School incorporates restorative practices including peer mediation, conflict resolution, offers an advisory program, peer counseling, speakers, and integration of these strategies into wellness initiatives such as an annual kindness campaign in the month of October.

### **IV. Reports of Bullying, Cyber-bullying, or Retaliation**

Any member of the School community can and should report any incident of bullying, cyber-bullying or retaliation. Faculty and staff are required to report.

**Students:**

Any scholar who is the target of bullying, cyber-bullying, or retaliation or has witnessed an incident of bullying, cyberbullying, or retaliation or otherwise has relevant information about bullying, cyber-bullying, or retaliation is strongly encouraged to promptly report the matter orally or in writing to a member of the NHCSB faculty, staff and/or administration.

Scholars who knowingly make a false report of bullying, cyber-bullying or retaliation will be subject to disciplinary action.

**Parents and Families:**

A parent or family member of a scholar who is the target of bullying, cyber-bullying, or retaliation, or of a scholar who has witnessed or otherwise has relevant information about bullying, cyber-bullying, or retaliation is strongly urged to promptly notify the applicable Dean of Student Affairs. Furthermore, any parent or family member who has witnessed bullying, cyber-bullying, or retaliation or has relevant information concerning such an incident is strongly urged to contact a Dean of Student Affairs.

**Faculty and Staff:**

Any member of the faculty or staff of NHCSB who witnesses or otherwise becomes aware of bullying, cyber-bullying or retaliation is required to report it immediately to the applicable Dean of Student Affairs. There are no exceptions. In addition, faculty and staff may not make anonymous reports concerning a student. Finally, a member of the faculty or staff may not make promises of confidentiality to a scholar, parent, or co-worker who informs him/her of an allegation of bullying cyber-bullying, or retaliation and is required to report the allegation to the applicable Dean of Student Affairs.

**Anonymous Reports:**

The School will investigate such reports to the extent that sufficient information is provided to do so. However, as noted above faculty and staff may not make reports anonymously concerning a student. Formal disciplinary action may not be based solely on the basis of an anonymous report.

**V. Investigation and Response to a Report of Bullying, Cyber-bullying, or Retaliation****A. Preliminary Considerations:**

When a complaint or report of bullying, cyber-bullying, or retaliation is brought to the attention of a Dean of Student Affairs, an assessment is made as to whether any initial steps need to be taken to protect the well-being of students and to prevent disruption of the learning environment while the investigation is being conducted. As appropriate, strategies such as increased supervision or a safety plan during an investigation may be implemented.

**B. Written statement of complaint:** The investigator will seek to determine the basis of the complaint, gathering information from the target, including such matters as:

- what specifically happened,
- who committed the alleged acts,
- who was present or may have information about the events, • when the events occurred (date, time of day), and
- where the events occurred.

The complaint/report does not have to be written by the person reporting, but the investigator should make a written copy of the verbal complaint/report received.

**C. Investigation:**

Once a complaint/report has been made, the applicable Dean of Student Affairs or his/her designee has a duty to conduct an investigation with consideration of all circumstances, including the nature of allegations, ages of the students involved, and whether any behaviors are related to a student's disability.

The investigation may include, but is not limited to, documented individual interviews with:

- (i) the person who made the report or complaint;
- (ii) the scholar who was the target of the alleged bullying, cyberbullying or retaliation;
- (iii) the person or persons against whom the complaint was made, and;
- (iv) any scholars, faculty, staff or other persons who witnessed or who may otherwise have relevant information about the complaint.

The School is aware and understands that reporting bullying, cyber-bullying, or retaliation can be emotional and complex. Therefore, the School is committed to

protecting the confidentiality of all parties involved in an investigation, to the extent possible, and will provide information on a legitimate, need-to-know basis.

### **C. Parent Notification:**

The School will notify the parents of any scholar who is an alleged target of bullying, cyber-bullying, or retaliation and the parents of any scholar who may have been accused of engaging in such behavior after a complaint has been made, during the course of the investigation.

### **D. Determination, Resolution, Notification, and Follow-up:**

Following interviews and any other investigation undertaken, as the School deems appropriate, A Dean of Student Affairs will determine whether and to what extent the allegation of bullying, cyber-bullying or retaliation has been substantiated. If it is determined that the allegation is substantiated as bullying, cyber-bullying, or retaliation, the Dean of Student Affairs for the grade will determine what disciplinary action and/or other remedial action is appropriate and how it will be implemented. In any circumstances where dismissal is considered as a disciplinary action, the Executive Director will be consulted and will make the final determination.

The goal of an investigation, and any resulting disciplinary or other remedial action that is imposed following that investigation, is to correct the situation to the extent it is reasonably possible and to take such steps as can be taken to prevent there being a repetition of the incident and to prevent the student or students targeted and others who participated in the investigation from being subject to retaliation.

If appropriate, such as when a crime may have been committed or a child may have been subject to abuse or neglect of the type that is reportable under Section 51A of the Massachusetts laws, law enforcement or any appropriate government agency will be notified.

Upon completion of the investigation, the Executive Director, the Associate Principal of Student Affairs or designee who conducted the investigation will meet individually with the student or students who were the target of the alleged incident and the person or persons against whom the complaint was made. Parents will be informed of the results of the investigation and, where disciplinary or other corrective/remedial action is determined to be appropriate, the steps that will be taken to correct the situation.

A Dean of Student Affairs or designee will comply with applicable laws regarding disclosure of confidential information when informing students and parents.

A Dean of Student Affairs or designee who conducted the investigation, in consultation with the school counselor, may refer perpetrators, victims, and family members of such students for counseling or other services as appropriate.

A Dean of Student Affairs or designee will insure that there are check-ins made with any student found to have been targeted in violation of this policy and his/her parents to inquire as to whether there have been any further incidents.

The appropriate Dean of Student Affairs (identified by grade level) will keep a file on all reports of bullying, cyber-bullying or retaliation, the investigation, and any actions taken in response to a finding of bullying, cyber-bullying or retaliation.

NHCSB will annually report bullying incident data to the Department of Elementary and Secondary Education.

## **VI. Conclusion**

NHCSB is committed to the prevention of bullying, cyberbullying, and retaliation. This Plan is consistent with NHCSB Core Values that strive to create a safe and welcoming environment for all of our community members.