

POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

A. 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 will report immediately to the building **Principal** or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals, may be made anonymously. The BPS will make a variety of reporting resources available to the school community including, but not limited to, a Bullying Incident Report Form, a dedicated mailing address, and an email address.

Use of a Bullying Incident Report Form is not required as a condition of making a report. BPS will:

1. Include a copy of the Bullying Incident Report Form in the beginning of the year packets for students and parents or guardians;
2. Make it available in the main office of each school, the counseling office, and other locations determined by the building **Principals**; and
3. Post it on the BPS website. The Bullying Incident Report 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 **Superintendent** will provide the school community, including staff, 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, including the name and contact information of the BPS Program Administrator or designee, will be incorporated in student and staff handbooks, on the BPS website, and in information about the Plan that is made available to parents or guardians.

1. Reporting by Staff

A staff member will report as immediately as possible to the building **Principal** or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the building **Principal** or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school policies and procedures for behavior management and discipline.

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

The Belmont Public Schools expect 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 building **Principal** or designee. 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 building **Principal** or designee.

B. Responding to a report of bullying or retaliation

1. Safety

Before fully investigating the allegations of bullying or retaliation, the building **Principal** or designee 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 a transportation vehicle; 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 building **Principal** or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The building **Principal** or designee 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.

2. Obligations to Notify Others

a. Notice to parents or guardians

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

b. Notice to Another School or District

If a 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 building **Principal** or designee who was informed first 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

At any point after receiving a report of bullying or retaliation, including after an investigation, if the building **Principal** or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the building **Principal** or designee will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and the Memorandum of Understanding (MOU) with the Belmont Police Department. Also, if an incident occurs on school grounds and involves a former student under the age of 21, who is no longer enrolled in school, the building **Principal** or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the building **Principal** will, consistent with the Plan and with applicable BPS policies and procedures, consult with the school resource officer, and the **Superintendent** or designee.

C. Investigation

The building **Principal** or designee 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 the building **Principal** or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The Program Administrator or designee will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

The building **Principal** or designee, in consultation with a school counselor, as appropriate, will conduct interviews. To the extent practical, and given his/her obligation to investigate and address the matter, the building **Principal** or designee will maintain confidentiality during the investigative process. The building **Principal** or designee will maintain a written record of the investigation, including the preservation of all email and text communications.

Procedures for investigating reports of bullying and retaliation will be consistent with the Belmont Public

Schools policies and procedures. If necessary, the building **Principal** will, with the consent of the **Superintendent**, consult with legal counsel about the investigation.

A. Determinations

The building **Principal** or designee will make a determination based upon all of the facts and circumstances. If, after an investigation, bullying or retaliation is substantiated, the building **Principal** or designee 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. The building **Principal** or designee 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, the building **Principal** or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or 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 building **Principal** or designee 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. All notice to parents must comply with applicable state and Federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the building **Principal** or designee cannot 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.

E. Responses to Bullying

1. Teaching Appropriate Behavior Through Skills Building

Upon the building **Principal** or designee determining that bullying or retaliation has occurred, he/she will 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 building **Principal** or designee 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 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

If the building **Principal** or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the building **Principal** or designee, 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 code of conduct for the school. Discipline procedures for students with disabilities are governed by the Federal Individuals with Disabilities Education Improvement Act, which will be considered in conjunction with state laws regarding student discipline.

If the building **Principal** or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

3. Promoting Safety for the Target and Others

The building **Principal** or designee 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. One strategy that the building **Principal** or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

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