

1 **LEXINGTON SCHOOL COMMITTEE POLICY**

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3 **BULLYING PREVENTION AND INTERVENTION PLAN POLICY**

**First Reading: November 30, 2010**

**Second Reading:**

**Date Approved by School Committee:**

**Signature of Chair: \_\_\_\_\_**

**Page 1 of 5**

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12 **Draft LPS Bullying Prevention and Intervention Plan Policy**

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14 The Lexington Public Schools (LPS), in partnership with parents, guardians, and the community,  
15 and in keeping with the LPS core value of respect for human differences, believes that a positive,  
16 safe, and civil environment in school is necessary for students to learn and achieve. Bullying is  
17 conduct that can disrupt a student’s ability to learn by preventing that student’s full engagement  
18 with his or her education. Moreover, bullying compromises a school’s ability to educate its  
19 students in a safe environment. The Lexington School Committee, therefore, prohibits acts of  
20 intimidation, bullying, or cyber-bullying throughout the Public Schools of Lexington.

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22 “Bullying” shall include, but is not limited to, the repeated use by one or more students of a  
23 written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof,  
24 directed at a target that:

- 25  
26 • causes physical or emotional harm to the target or damage to the target’s property;  
27 • places the target in reasonable fear of harm to him/herself, or of damage to his/her  
28 property;  
29 • creates a hostile learning and/or social environment at school for the target;  
30 • infringes on the rights of the target at school; or  
31 • materially and substantially disrupts the education process or the orderly operation of a  
32 school.

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34 “Cyber-bullying” means bullying through the use of technology or any electronic  
35 communication, which shall include, but shall not be limited to, any transfer of signs, signals,  
36 writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- 37  
38 • wire  
39 • radio  
40 • electromagnetic, photo-electronic or photo-optical system, including, but not limited to,  
41 electronic mail, internet communications, instant messages ,facsimile communications, cell  
42 phone or texting.

43  
44 Cyber-bullying shall also include the creation of a web page or blog in which the creator assumes  
45 the identity of another person or knowingly impersonates another person as author of posted  
46 content or messages, if the creation or impersonation creates any of the conditions enumerated in  
47 the definition of bullying.

1 Disciplinary actions for students who are found to have committed an act of bullying or  
2 retaliation shall be in accordance with LPS disciplinary policies.

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4 Assistance

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6 The LPS may provide appropriate counseling or referral to appropriate services, including, but  
7 not limited to, guidance, academic intervention, and protection to any affected students, as  
8 necessary.

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10 Documentation

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12 Each school shall document any incident of bullying that is reported per this policy, and the  
13 principal or a designee shall maintain a file of these reports.

14  
15 The superintendent or designee shall inform the School Committee periodically of any trends or  
16 implications of these reports in order to give the School Committee the opportunity to review  
17 and amend this policy.

18  
19 Confidentiality shall be maintained consistent with the school's obligations under law.

20  
21 Retaliation

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23 Reprisal or retaliation against any person associated with a report of bullying or the investigation  
24 thereof is prohibited. Disciplinary action for a person who is found to have engaged in reprisal  
25 or retaliation will reflect the extreme seriousness of such an act, considered equivalent to  
26 participation in the original act of bullying and therefore deserving of strong disciplinary action,  
27 including, but not limited to, suspension or expulsion.

28  
29 Training and Assessment

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31 The superintendent or designee shall provide training annually for school employees and  
32 volunteers who have significant contact with students so as to improve preventing, identifying,  
33 responding to, and reporting incidents of bullying. The faculty and staff at each school shall be  
34 trained annually on the bullying prevention and intervention plan applicable to the school.

35  
36 Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into  
37 the curriculum for all K to 12 students.

38  
39 Publication and Notice

40  
41 Annual written notice of the relevant sections of the bullying prevention and intervention plan  
42 shall be provided in each school handbook to students and their parents or guardians, in age-  
43 appropriate terms.

44  
45 The superintendent or designee shall provide written notice annually of the bullying prevention  
46 and intervention plan to all school staff.

47  
48 Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty  
49 and staff shall be included in faculty handbooks.

1 incidents to a member of the school staff, and may be subject to discipline for failing to report  
2 such incidents. However, the target shall not be subject to discipline for failing to report bullying.  
3

4 A member of a school staff shall immediately report to the school principal or designee any  
5 instance of suspected bullying the staff member has witnessed or become aware of, and may be  
6 subject to discipline  
7

8 Parents or guardians, or members of the community, are encouraged to report an incident of  
9 suspected bullying as soon as possible to a school principal.  
10

11 Each school shall have a means for anonymous reporting by students of incidents of suspected  
12 bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous  
13 report.  
14

15 Any student who is found to have knowingly made a false accusation/report of bullying may be  
16 subject to disciplinary action.  
17

### 18 Investigation Procedures 19

20 A school principal or designee shall promptly investigate any report of bullying, using a  
21 Bullying/Cyber-bullying Report Form. It may include but is not limited to interviewing the  
22 alleged target, alleged aggressor, staff members, students and/or witnesses.  
23

24 A principal or designee, upon receipt of a bullying report, shall promptly contact the parents or  
25 guardians of the alleged target(s) and the alleged aggressor(s). Actions being taken to prevent  
26 further acts of bullying shall be discussed.  
27

28 The investigation shall be completed within a reasonable amount of time. The parents or  
29 guardians of both the aggressor(s) and the target(s) shall be updated periodically during the  
30 investigation, and, upon its completion, shall be informed of the results, including whether the  
31 allegations were found to be factual, whether a violation of this policy was found, whether  
32 disciplinary action has or shall be taken, and whether or what steps will be taken to prevent  
33 retaliation or further acts of bullying.  
34

35 A principal or designee shall assess an alleged target's needs for protection and create and  
36 implement a safety plan that shall restore a sense of safety for that student.  
37

38 Confidentiality shall be used to protect all parties, which includes but is not limited to a person  
39 who reports bullying, provides information during an investigation of bullying, or is witness to or  
40 has reliable information about an act of bullying.  
41

### 42 Disciplinary Actions 43

44 If a school principal or designee determines that bullying has occurred, he/she shall take  
45 appropriate disciplinary action, and if it is believed that criminal charges may be pursued against  
46 the aggressor, the principal shall consult with the superintendent or designee to determine if  
47 criminal charges are warranted. If it is determined that criminal charges are warranted, the local  
48 law enforcement agency shall be notified.  
49

1 Cyber-bullying shall also include the distribution by electronic means of a communication to  
2 more than one person or the posting of material on an electronic medium that may be accessed  
3 by one or more persons, if the distribution or posting creates any of the conditions enumerated in  
4 the definition of bullying.

5  
6 Bullying and cyber-bullying can occur in and out of school, during and after school hours, at  
7 home and in locations outside of a home. When bullying and cyber-bullying are alleged, the full  
8 cooperation and assistance of parents or guardians and their families are expected.

9  
10 For the purpose of this policy, whenever the term bullying is used, it is to denote either bullying,  
11 or cyber-bullying.

12  
13 Bullying is prohibited:

- 14 • on school grounds;
- 15 • on property immediately adjacent to school grounds;
- 16 • at school-sponsored or school-related activities, functions or programs, whether on or off  
17 school grounds;
- 18 • at school bus stops;
- 19 • on school buses or other vehicles owned, leased or used by the school district; or,
- 20 • through the use of technology or an electronic device owned, leased or used by the LPS;

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22  
23 Bullying and cyber-bullying are prohibited at a location, activity, function or program that is not  
24 school-related or through the use of technology or an electronic device that is not owned, leased  
25 or used by the LPS if the act or acts in question:

- 26 • create a hostile learning and/or social environment at school for the target;
- 27 • infringe on the rights of the target at school; and/or
- 28 • materially and substantially disrupt the education process or the orderly operation of a  
29 school.

### 30 31 32 Prevention and Intervention Plan

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34 The superintendent or designee shall oversee the development of a prevention and intervention  
35 plan, in consultation with all district stakeholders, which may include parents and guardians,  
36 teachers, school staff, professional support personnel, school volunteers, administrators,  
37 community representatives, local law enforcement agencies, and students, consistent with the  
38 requirements of this policy, as well as state and federal laws. The bullying prevention and  
39 intervention plan shall be reviewed and updated at least biennially.

40  
41 A principal or designee is responsible for the implementation and oversight of the bullying  
42 prevention and implementation plan within his or her school.

### 43 44 Reporting

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46 Students who believe that they are a target of bullying are encouraged and urged to report the  
47 matter to a member of the school staff. Students who observe an act of bullying, or who have  
48 reasonable grounds to believe that these behaviors are taking place, are obligated to report

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The bullying prevention and intervention plan and policy shall be posted on the LPS website.

REFERENCES: Massachusetts Department of Elementary and Secondary Education’s Model Bullying Prevention and Intervention Plan

LEGAL REFS. : Title VII, Section 703, Civil Rights Act of 1964 as amended  
Federal Regulation 74676 issued by EEO Commission  
Title IX of the Education Amendments of 1972  
603 CMR 26.00  
MGL 71:37O  
M.G.L. c. 71, 37H & 37H1/2  
MGL 265:43, 43A  
MGL 268:13B  
MGL 269:14A  
Discipline of Special Education Students Under IDEA 2004  
20 U.S.C. 1415(k) and 34 CFR 300.530-300.536

LEXINGTON PUBLIC SCHOOLS POLICIES: [PROHIBITING HARRASSMENT](#)  
(Approved: 2/15/03.)  
[DISCIPLINING SPECIAL NEEDS STUDENTS POLICY](#) (Approved: on file.)