



## **Bullying Prevention and Intervention Policy**

### **Statement of Intent**

Oxbow Schoolhouse is committed to providing a caring, friendly and safe environment for all our students so they can learn in a comfortable and secure atmosphere. Bullying or retaliation of any kind, including harassment or intimidation, is unacceptable at our school. We are a vigilant, informed school and community. This means that anyone who knows that bullying or retaliation is happening is expected to report it. Incidents will be dealt with promptly and effectively.

This policy is designed to be in compliance with Massachusetts law. This policy will be reviewed annually.

### **Basic Principles**

We strive to create an environment where our students grow naturally, feel secure, and approach each other confidently and without fear. In order to create a bullying-free school environment, both the bullied and those who bully need help to transcend the damaging and unproductive dynamics of abusive, bullying, or retaliatory behavior. Consistent with our disciplinary policies, we work consciously to create an environment where bullying behavior is simply not an aspect of our school culture.

### **Objectives of this Policy**

In accordance with this policy teachers will bring to students, in an age-appropriate way, an understanding and awareness of various types of bullying and retaliation, how to prevent them, and how to inform their teachers of situations that may occur.

Further objectives of this policy are to provide a statement to all teaching and nonteaching staff, parents and guardians so that they:

- Have a clear understanding of what bullying and retaliation are
- Know what the school policy is on bullying and retaliation
- Report bullying and retaliation according to the procedures described in this document

As a school we take bullying seriously. Students, parents and guardians should be assured that they will be supported when bullying is reported. Bullying will not be tolerated.

### **Definition: What Is Bullying?**

Bullying is defined as persistent, intentionally hurtful behavior towards another person. Further, Massachusetts law defines bullying as the repeated use by a person or group of people of a written, verbal, or electronic expression or a physical act or gesture directed at an individual that:

- Emotionally or physically harms a student or damages the student's property
- Causes a student to be in reasonable fear that he or she will be harmed
- Creates a hostile environment for the student at the school
- Infringes on the rights of a student at the school

- Has the effect of substantially disrupting the orderly operation of the school

### **Types of Bullying:**

Types of bullying include the following behaviors when repeated or persistent:

**Emotional bullying:** excluding or persistently ignoring, tormenting, threatening through gesture, ridiculing or humiliating the other, inciting others to bully

**Physical bullying:** pushing, kicking, pinching, hitting, scratching, punching, biting, pulling; interfering with someone else's property or possessions

**Racist bullying:** racial taunts, jokes and gestures, graffiti and racist insignia/badges, circulating racist literature, or 'picking-on' behavior of all kinds

**Sexual bullying:** unwanted physical contact, sexually abusive comments, stalking, homophobic victimization

**Verbal bullying:** persistent name-calling, systematic unwanted teasing or taunting, intimidation or threatening behavior

**Cyber bullying:** All areas of internet, including but not limited to, email, internet chat room misuse, mobile threats by phone calls and text messaging, misuse of associated technology, i.e. camera, web cams, and video facilities

**Indirect bullying:** spreading nasty stories or malicious rumors about someone, excluding someone from social groups, sending malicious emails or text messages on mobile phones

### **Why is it Important to Respond to Bullying?**

Bullying hurts. No one deserves to be a victim of bullying. Everybody has the right to be treated with respect. Students who are bullying need to learn different ways of behaving. Students who are being bullied also need support to learn appropriate responses and receive assistance in handling the situation. Schools have a responsibility to respond promptly and effectively to issues of bullying and restore a sense of safety.

### **What Bullying is Not:**

There are normal instances of child behavior, such as harmful words or actions, that are not considered bullying unless these incidents are repetitive, intentional, and directed at an individual.

The following are a few examples of what would not be considered bullying:

- Hurtful behavior that is not repeated.
- Teasing that isn't intended to hurt the other person or is innocent in motive
- Poking fun in a light-hearted manner
- Impulsive behaviors exhibited by young children
- Flirting that is meant to be complimentary and maintains the basic dignity of both persons

### **Signs and Symptoms**

A child may indicate by signs or behavior that he or she is being bullied. Adults should be aware of these possible signs and should investigate if a child:

- Changes their usual routine
- Is unwilling to go to school (school phobic)
- Begins to be truant
- Becomes withdrawn, anxious, or lacking in confidence

- Attempts or threatens suicide or runs away
- Cries themselves to sleep at night or has nightmares
- Feels ill in the morning
- Begins to do poorly in school work
- Comes home with clothes torn or books damaged
- Has possessions which are damaged or "go missing"
- Asks for money or starts stealing money (to pay bully)
- Has lunch or other monies continually "lost"
- Has unexplained cuts or bruises
- Comes home starving (lunch has been stolen)
- Becomes aggressive, disruptive, or unreasonable
- Is bullying other children or siblings
- Stops eating
- Is frightened to say what's wrong
- Gives improbable excuses for any of the above
- Is afraid to use the internet or mobile phone
- Is nervous and jumpy when a cyber message is received

These signs and behaviors could indicate other problems, but bullying should be considered a possibility and should be investigated.

## **Procedures**

Reporting of alleged incidences of bullying:

- Students should report incidents of alleged bullying or retaliation to their primary teacher who will report in writing within 24 hours to the Faculty
- Students may report incidents of alleged bullying or retaliation to any staff member
- Any staff member approached by a student with a report of alleged bullying or retaliation shall offer the student the opportunity to speak in private
- Staff members will report suspected incidents of bullying or retaliation in writing within 24 hours to the Faculty
- Staff members who witness instances of possible bullying or retaliation shall make a written report of the incident within 24 hours to the Faculty. The requirement to report to the Faculty 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. However, the reverse is true as well; a disciplinary response to an instance of bullying or retaliation does not negate the necessity of making a formal report of the incident.
- Parents, guardians and others are asked to report observed or suspected instances of bullying or retaliation within 24 hours to the Director, who shall convey the report to the Faculty and the teacher or teachers of the children involved. Any reporter may request that their report be held in confidence.
- Reports may be made anonymously by parents, guardians, and other non-staff members, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. However, the recipient of an anonymous report shall convey the report in writing to both the Director and the teacher or teachers of the students involved, noting the anonymity of the report.

- Students, parents or guardians, and others may request assistance from a staff member to complete a written report.

## **Responding to a Report of Bullying or Retaliation**

This section addresses appropriate strategies for protecting a student who has:

- Made a report of bullying or retaliation
- Has witnessed bullying or retaliation
- Provided information during an investigation
- Reliable information about a reported act of bullying or retaliation

**Safety** – Before fully investigating the allegations of bullying or retaliation, the student’s primary teacher, in consultation with the 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 for transport on field trips
- Identifying a staff member who will act as a “safe person” for the target
- Limiting the aggressor’s access to the target and monitoring behavior.

The Director and staff will take additional steps to promote safety during the course of and after the investigation, as necessary.

The Faculty shall maintain a referral list of social workers, therapists and child psychologists for parent use.

**Early Notification** -Upon receiving a report of bullying or retaliation, the Director or Faculty will communicate to the parents of the alleged perpetrator(s) and victim(s) that the report has been received and the school is looking into the situation.

**Investigation** - The Faculty 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 Faculty will, among other evaluative processing, interview students, staff, witnesses, parents or guardians, and others as necessary. The Faculty will tell the Class Teacher to remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the Faculty or other staff members as determined by the Faculty, as appropriate. Balanced by the obligation to fully investigate and address a report, the investigators will strive to maintain confidentiality during the investigative process. The Faculty 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, Faculty will consult with legal counsel about the

investigation. If an accusation of bullying is made against a faculty member, that person will recuse him/herself from all Faculty discussions about the charges for the duration of the investigation, except as appropriate for a potential perpetrator.

**Determinations** - The Faculty will make a determination based upon all of the facts and circumstances. If, following the investigation, bullying or retaliation is substantiated, the Faculty will:

- Take steps reasonably calculated to prevent recurrence, up to and including the possibility of expulsion of the perpetrator from the school.
- Ensure that the target is not restricted in participating in school or in benefiting from school activities.
- Determine what immediate responsive actions are necessary.

Further responses, remedial actions, and ongoing monitoring will be the purview of the Care Group. The Care Group's plan may include, but is not limited to:

- Identifying any underlying social or emotional issue(s) that may have contributed to the bullying behavior
- Assessing the level of need for additional social skills development
- Within a reasonable period of time, following the determination, ordering remedial and/or disciplinary action
- Instruct the Class Teacher of the target to be in close communication with the target to determine whether there has been a recurrence of the prohibited conduct
- Provide any additional supportive measures as needed, including working with appropriate school staff to establish and implement a remedial plan

If the remedial plan put into effect by the Care Group does not successfully solve the situation, the matter will return to the Faculty for further deliberation and decision; including possible suspension and expulsion.

Per Massachusetts law, which requires that the school use a range of responses that balance the need for accountability with the need to teach appropriate behavior, the Care Group's plan may also include, but is not limited to the following:

- 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
- Where needed, making a referral for further evaluation
- Make every effort to engage parents in the remedial solution. This may include, but is not limited to information about how parents or guardians can reinforce appropriate behavior at home; the dynamics of bullying; and online safety and cyber-bullying.

**Obligations to Notify Others** - The 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. 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 Director 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.

- a. Notice to parents or guardians Upon determining that bullying or retaliation has occurred, the Director or designee 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 the Director or designee 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 Director 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, federal privacy laws, and Massachusetts state regulations.
- c. Notice to Law Enforcement At any point after receiving a report of bullying or retaliation, including after an investigation, if the Director has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Director will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. 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 Director 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.

## **False Allegations**

If, after investigation, bullying or retaliation is not substantiated the Primary Teacher(s) of the children involved, in consultation with the Care Group, shall create a plan for ameliorating the situation. This plan may include, but is not limited to, identifying any underlying social or emotional issue(s) that may have contributed to the situation and assessing the level of need for additional social skills development.

In addition, if it is determined by the Care Group or Faculty that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to further disciplinary action.

## **Students with Disabilities**

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.

## **Prevention**

At OS we feel that the best way to deal with bullying is through an effective prevention program. The main elements of this program should include ongoing education of the faculty, students and parents.

Faculty Responsibilities may include but are not limited to:

- Some form of study about bullying during faculty meetings – either through book study, group discussions, or review of incidents that do occur at OS.
- Guest speakers/professional training provided by “experts” on bullying for faculty on professional days
- During their August work week, the faculty shall undertake a review of the Bullying Prevention and Intervention Policy (BPIP) and make plans for student and parent education during the school year.
- During the June work week faculty shall review the effectiveness of the work done in relation to the BPIP during the school year.
- Faculty members shall monitor individual class and whole school culture in relation to bullying
- Should a bullying incident occur, faculty are responsible for restoring a sense of safety within the classroom
- After a bullying or retaliation incident, faculty will work with the student(s) on ways of remediation and restitution that promote healing to occur
- Faculty members are responsible for providing education about bullying to the students in an age appropriate manner. The following are some suggestions for ways this can be accomplished on a class by class basis as deemed appropriate by the teachers:
  - Pedagogical stories
  - Introducing the “Golden Rule” to children
  - Faculty skits presented during Monday All School or Upper/Lower Grades assemblies
  - Skits presented by older students for younger students
  - Assigned reading of books
  - Student written code of conduct
  - Signing of behavior contracts
  - Posting Code of Conduct in the class room
  - Correct speech
  - Role modeling by older students for younger students
  - Rules about play – for example: keeping play inclusive, no whispering
  - Biographical stories

## **Parent Education**

During their faculty work week, the faculty will undertake a review of the bullying and intervention policy and make plans for student and parent education during the school year. In their planning, faculty will consider the following:

- Parent education evenings/mornings using faculty or guest speakers
- Class meetings with the specific topic of bullying included
- A parent organization sponsored discussion on bullying
- School library resources

Parent education sessions may include the following topics:

- How to recognize bullying if they witness it
- How to intervene effectively

- What bullying is
- What forms bullying can take
- A brief review of Massachusetts' laws about bullying and Oxbow's BPIP
- How to talk to their own children about bullying should their child be involved in an incident either as a bully, the bullied or a bystander
- How parents can unintentionally condone or even encourage bullying by their own behavior

Parents driving carpools, chaperoning field trips, and attending events off school grounds are asked to maintain their awareness about bullying and take responsibility for dealing with issues that may occur when children are in their care. If parents are uncomfortable handling these situations, they should report incidents to faculty or administration as soon as possible.

Parents need to understand their responsibilities as role models.

### **Bullying Off the School Premises**

The school is not directly responsible for bullying occurring off their premises. However, a good deal of bullying is known to occur on the way to and from school, especially in social situations and social networking. The school's general policy is that children should never, under any circumstances, feel that they have to 'suffer in silence', and this applies equally to bullying outside of school premises or school time. We encourage parents to pay close attention and work with the school should they have concerns.

### **Resources**

- Center for Problem-Oriented Policing, <http://popcenter.org/Problems/problembullying.htm>
- Cooperative Educational Service Agencies (CESA)
- National Education Association, [www.nea.org/schoolsafety/bullying.html](http://www.nea.org/schoolsafety/bullying.html)
- National Resource Center for Safe Schools, [www.safetyzone.org](http://www.safetyzone.org)
- Olweus, D. (1993). *Bullying at school: What we know and what we can do*. Malden, MA: Blackwell.
- School-wide Prevention of Bullying, Northwest Regional Educational Laboratory, [www.nwrel.org](http://www.nwrel.org)
- Stop Bullying Now, Health Resources and Services Administration, [www.stopbullyingnow.hrsa.gov](http://www.stopbullyingnow.hrsa.gov)
- U.S. Department of Education, Office of Safe and Drug Free Schools, [www.ed.gov](http://www.ed.gov)
- U.S. Department of Justice, Office of Community Oriented Policing Services, [www.cops.usdoj.gov](http://www.cops.usdoj.gov)

**BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM**

**Name of Reporter/Person Filing the Report:** \_\_\_\_\_

(Note: Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.)

**Check whether you are the:**

\_\_\_ **Target of the behavior**      \_\_\_ **Reporter (not the target)**

**Check whether you are a:**

\_\_\_ **Student**      \_\_\_ **Parent**      \_\_\_ **Director**

\_\_\_ **Staff member (specify role)** \_\_\_\_\_

\_\_\_ **Other (specify):** \_\_\_\_\_

**Contact info/telephone:** \_\_\_\_\_

**If student, state your age and grade you are in:** \_\_\_\_\_

**Information about the Incident:**

**Name of Target (of behavior):** \_\_\_\_\_

**Name of Aggressor (Person who engaged in the behavior):** \_\_\_\_\_

**Date(s) of Incident(s):** \_\_\_\_\_

**Time When Incident(s) Occurred:** \_\_\_\_\_

**Location of Incident(s) (Be as specific as possible):** \_\_\_\_\_

**Witnesses (List people who saw the incident or have information about it):**

**Name:** \_\_\_\_\_  Student  Staff  Other \_\_\_\_\_

**Name:** \_\_\_\_\_  Student  Staff  Other \_\_\_\_\_

**Name:** \_\_\_\_\_  Student  Staff  Other \_\_\_\_\_

**Describe the details of the incident (including names of people involved, what occurred, and what each person did and said, including specific words used). Please use additional space on back if necessary.**

**Signature of Person Filing this Report:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(Note: Reports may be filed anonymously.)

FOR ADMINISTRATIVE USE ONLY

**Form Received by:** \_\_\_\_\_ **Date Received:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

