

**Foxborough Regional Charter School District Bullying Prevention and Intervention Plan**

# I. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

**A. Reporting Bullying or Retaliation:** Allegations of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be submitted orally or in writing. All oral reports of alleged bullying or retaliation made by or to a school or district staff member shall be recorded in writing using the FRCS Bullying Prevention and Intervention Incident Reporting Form. When a FRCS student or staff member is identified as the alleged aggressor, the staff member making or recording the report of alleged bullying or retaliation shall immediately communicate the concern orally and in writing to the Building Level Principal and Assistant Principal. When the Building Level Principal and Assistant Principal are identified as the alleged aggressor/s, the staff member making or recording the report of alleged bullying or retaliation is required to immediately communicate the concern orally and in writing to the Director of Teaching and Learning, Director of Human Resources and Executive Director/Superintendent. In cases, when the Executive Director/Superintendent is the alleged aggressor the staff member making or recording the report of alleged bullying or retaliation is required to immediately report information gathered to the Director of Human Resources who will communicate this information directly to the Chair of the Board of Trustees or designee. All reports of alleged bullying and retaliation should include ***all and any*** instances of harassment, bullying or retaliation the staff member witnesses or becomes aware. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. Anonymous reports of bullying can be submitted in one of the following ways:

**US Postal Mail:** Anonymous reporters can drop off or mail a letter of concern describing bullying or retaliation and/or a completed an official FRCS Bullying Prevention and Intervention Incident Reporting Form, without the reporters personal identifying information. The reporter should place the letter of concern or completed FRCS Bullying Prevention and Intervention Incident Reporting Form in a sealed envelope, attention Building Level Principal and Assistant Principal to 131 Central Street, Foxborough, MA 02035.

**Email:** Anonymous reporters can submit concerns about bullying or retaliation in writing via email by providing a narrative of official FRCS Bullying Prevention and Intervention Incident Reporting Form, without the reporters personal identifying information through email to info@foxboroughrcs.org. This information will be forwarded to the attention of the Building Level Principal and Assistant Principal.

**Voicemail:** Anonymous reporters can also leave a voice message for the Building Level Principal or Assistant

Principal.

**Incident Reporting Forms:** Use of the FRCS Bullying Prevention and Incident Reporting Form is **NOT** required as a condition of making a report. FRCS will: 1) Include a copy of the FRCS Bullying Prevention and Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) Make FRCS Bullying Prevention and Incident Reporting Form available in the District’s Main Office (located at Door A), all school Building Level Main Offices, School and/or Adjustment Counselor’s Offices, School Nurse's Office, and other locations as determined by the Building Level Principals and Director of School Culture and Climate and 3) Post FRCS Bullying Prevention and Incident Reporting Form on the school’s website. 4.) FRCS Bullying

Prevention and Incident Reporting Form will be made available in the most prevalent language(s) of origin of

students and parents or guardians and posted school website.

**Notice of Reporting Bullying and Retaliation Policies:** At the beginning of each school year, FRCS will provide the school community, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, 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

Building Level Principal and Assistant Principal, Director of Human Resources, Director of School Culture and Climate, Director of Teaching and Learning, Deputy Executive Director/Superintendent or designee will be incorporated in student and staff handbooks, posted on the school/ district website, and in information about the FRCS Bullying Prevention and Intervention Plan made available to parents or guardians.

# 1. Reporting by Staff

A FRCS staff member will report information regarding bullying and or retaliation immediately to the Building.

Principal and Assistant Principal, the Executive Director/Superintendent and the Director of Human Resources, (when involving a staff member). When the Building Principal or Assistant Principal, is identified as the alleged aggressor the staff member should report allegations of bullying and/or retaliation to the Director of Teaching and Learning and Director of Human Resources and the Executive Director/Superintendent. When a member of the Executive Leadership Team (Director of Human Resources, Director of Teaching and Learning, Director of Operations, Director of Finance, Director of School Culture and Climate or the Deputy Executive Director) is identified as the alleged aggressor the staff member should report allegations of bullying and/or retaliation to the Executive Director/Superintendent. When the Executive Director/Superintendent is identified as the alleged aggressor the staff member should report allegations of bullying and/or retaliation to the Director of Human Resources and the Chair of the Board of Trustees. 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 Executive Director/ Superintendent

FRCS expects 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 Level Principal and Assistant Principal. When the Building Level Principal or Assistant Principal is the alleged aggressor reports should go directly to the Director of Teaching and Learning, Human Resources and/or Executive Director/Superintendent or Designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely based on 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 or retaliation with a staff member, including the Building Level Principal or Assistant Principal. When the Building Level Principal, Assistant Principal, is the alleged aggressor reports should go directly to the Director of Teaching and Learning, Director of Human Resources, Executive Director/Superintendent and Director of School Culture and Climate if a student is involved.

**B**. **Responding to a Report of Bullying or Retaliation Allegations of Bullying by a Student**

# 1. Safety

Before fully investigating the allegations of bullying or retaliation, the Building Level Principal and Assistant Principal 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; 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 Principal or Assistant Principal will take additional steps to promote safety during and after the investigation, as necessary. This may include designation of other School Culture and Climate staff to coordinate any of the above tasks.

The Building Level Principal and Assistant Principal 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

1. Notice to parents or guardians Upon determining that bullying or retaliation has occurred, the Principal or Assistant Principal will promptly notify the parents or guardians verbally and through written communication of the target and the alleged aggressor of the report of bullying and/or retaliation, and of the procedures for responding to it. Verbal communication will be documented in FRCS’s student information system School Brains and written notice will go out through email and/or hard copy through U.S. Postal Mail. There may be circumstances in which the Building Level Principal or Assistant Principal may contact parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
2. 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 Building Level Principal or Assistant Principal will first inform the other school and/or district of the incident by promptly notifying the Principal or Assistant Principal of the other school(s) by telephone of the incident so that each school may take appropriate action. The FRCS Principal or Assistant Principal should follow up with a written communication to Principal or Assistant Principal of the other school(s) by email or hard copy sent through U.S. Postal Mail. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.
3. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the Building Level Principal or Assistant Principal has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Building Level Principal 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 Building Level Principal or Assistant Principal shall contact the local law enforcement agency if the student has a reasonable basis to believe that criminal charges may be pursued against the student aggressor. In making this determination, the Building Level Principal or Assistant Principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer and Superintendent, and other individuals the Building Level Principal and Assistant Principal deems appropriate.
4. **Investigation:** Principal and Assistant Principal (s) 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 Principal, Assistant Principal and the rest of the School Culture/Student Intervention Team(s) will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The Building Level Principal, Assistant Principal and Team 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 prohibited and will result in disciplinary action.

Interviews may be conducted by the Principal, Assistant Principal and other staff members as determined by the

Building Level Principal and Assistant Principal, and in consultation with the School Counselor or School Adjustment Counselor as appropriate. To the extent practicable and given their obligation to investigate and address the matter, the Building Level Principal and Assistant Principal will maintain confidentiality during the investigative process. The Building Level Principal and Assistant Principal will maintain a written record of the investigation. If necessary, the Building Level Principal and Assistant Principal will consult with legal counsel about the investigation.

1. **Determination.** The Building Level Principal and Assistant Principal will decide based upon all the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the Principal and Assistant Principal will take steps calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The Assistant Principal 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 Principal and Assistant Principal or designee may choose to consult with the students’ teacher(s) and/or school counselor, and the target’s or student 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 Principal and Assistant 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 determined, 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 Principal and Assistant 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 to report violations.

The Principal and Assistant Principal or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education’s problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination. [DESE](https://www.doe.mass.edu/prs/) [Problem](https://www.doe.mass.edu/prs/) [Resolution](https://www.doe.mass.edu/prs/) [System](https://www.doe.mass.edu/prs/) [Office.](https://www.doe.mass.edu/prs/)

1. **Responses to Bullying:** Upon the Principal and Assistant Principal or designee determining that bullying or retaliation has occurred, the law requires that the school or district 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).

# 1. Teaching Appropriate Behavior Through Skills-building

▪ Offering individualized skill-building sessions using an Anti-Bullying

Curriculum; 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; Adopting behavioral plans to include a focus of developing specific social skills and making a referral for evaluation.

# 2. Taking Disciplinary Action

■ If the Building Level Principal and Assistant Principal decide that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Assistant 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 school’s or district’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 the Dean of Students 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 Level Principal and Assistant Principal 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 may be used 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 following the determination and the ordering of remedial and/or disciplinary action, the Assistant 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, Assistant Principal or designee will work with the appropriate school staff to implement them immediately.

# II. COLLABORATION WITH FAMILIES

A. Parent education and resources FRCS will offer educational sessions for parents and guardians focused on defining bullying behaviors, reporting concerns, supporting students in developing social emotional competencies to strengthening social skills. These sessions will be offered in collaboration with FRCS Family Engagement Office, Partners in Education (PIE) and similar organizations.

# III. PROHIBITION AGAINST BULLYING AND RETALIATION

*FRCS has included a statement prohibiting bullying, cyberbullying, and retaliation incorporated directly from M.G.L. c. 71, § 37O(b) in the FRCS Anti-Bullying Policy and the FRCS Student Code of Conduct*

*Policy.*

**IV. PROBLEM RESOLUTION SYSTEM:**

Any parent or guardian wishing to file a claim/concern or seeking assistance outside of the district 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/) [https://www.doe.mass.edu/prs](https://www.doe.mass.edu/prs/)/, emails can be sent to compliance@doe.mass.edu or individuals can call 781-338-3700. Hard copies of this information are also available at the district central office.

# V. DEFINITIONS

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

**Bullying:** as defined in M.G.L. c. 71, § 37O, 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/victim that: (i) causes physical or emotional harm to the target/victim or damage to the target/victim’s property; (ii) places the target/victim in reasonable fear of harm to himself or herself or damage to his/her property; (iii) creates a hostile environment at school for the target/victim; (iv) infringes on the rights of the target/victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For purposes of this policy, bullying shall include cyberbullying.

**Cyber bullying:** is bullying using 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, § 37O for the legal definition of cyberbullying.

**Hostile environment:** as defined in M.G.L. c. 71, § 37O, 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, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

**Target:** is a student or an adult whose bullying, cyberbullying, or retaliation has been perpetrated.

**School:** is defined to include the school, school grounds, travel to and from school and/or school sponsored events or functions, property immediately adjacent to school grounds, school sponsored or school related activities, functions, programs whether on or off school grounds (such as social events, trips, sports events, or similar school sponsored events and functions), at a school bus stop, on a school bus or other vehicle owned, leased or used by the school, on the way to and from school or through the use of technology or an electronic device owned, leased or used by the a school and 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, if the act creates a hostile environment at school for the target/victim or witnesses, infringes on the rights of the victim or witnesses at school or materially and substantially disrupts the education process or the orderly operation of a school.

# VI. RELATIONSHIP TO OTHER LAWS

■ Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, religion, ancestry, national origin, sex, socioeconomic status, 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 or district 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 district policies.

■ 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, M.G.L. c. 71, §§41 and 42, M.G.L.c 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.