

BULLYING POLICY: Malden Public Schools

Bullying (including cyber-bullying and harassment) are major distractions from learning. The grades of the victims can suffer. Fear can lead to chronic absenteeism, truancy, or even dropping out of school. Bystanders feel both guilty and helpless for not standing up to the bully.

Bullying behavior often starts in elementary school and peaks in the middle school years. However, it can attract more attention from adults when it appears in high school. The students are older and physically larger and the behavior is recognized as being less tolerable and more inappropriate.

Most bullying by students starts out verbally – teasing and put-downs – and may become progressively worse and assume physical dimensions. Bullying of any type, including cyber-bullying, is unacceptable in our schools and our community. The Malden Public Schools, in partnership with our students and families, will endeavor to maintain a learning and working environment free of bullying.

Definition: Bullying, including cyber-bullying, as defined by Chapter 92 of the Massachusetts Acts of 2010, is the repeated use by one or more students of a written, verbal or electronic expression, or a physical act or gesture, or any combination thereof, directed at a victim that:

- causes physical or emotional harm to the victim or damage to the victim's property
- places the victim in reasonable fear of harm to himself or of damage to his property
- creates a hostile environment at school for the victim
- infringes on the rights of the victim at school, or
- materially and substantially disrupts the education process or the orderly operation of a school.

Cyber-bullying, as defined by Chapter 92 of the Massachusetts Acts of 2010, 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 also includes:

- the creation of a web page or blog in which the creator assumes the identity of another person or
- the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions included in the definition of bullying above

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 included in the definition of bullying above.

Jurisdiction: Bullying is prohibited:

- on school grounds and property immediately adjacent to school grounds
- at a school-sponsored or school-related activity, function or program whether on or off school grounds
- at a school bus stop, on a school bus or other vehicle owned, leased or used by the school district
- through the use of technology or an electronic device owned, leased or used by a school district or 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 a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school.

Note: Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

In addition:

- Retaliation against a person who reports bullying, provides information during an investigation of bullying, witnesses bullying, or has reliable information about bullying shall be prohibited.

District Responsibilities: Each year, the district shall...

- Provide all staff members with written notice of the bullying policy.
- Provide students and parents/guardians with written notice of the relevant, student-related sections of the bullying policy in age-appropriate terms and in the languages which are most prevalent in the district.
- Provide age-appropriate instruction on bullying prevention in each grade through an evidence-based curriculum.
- Provide professional development to build the skills of all staff members to prevent, identify and respond to bullying. The content of such professional development shall include, but not be limited to:
 - developmentally appropriate strategies to prevent bullying incidents
 - developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents
 - information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying
 - research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment
 - information on the incidence and nature of cyber-bullying, and
 - internet safety issues as they relate to cyber-bullying.
- Inform parents and guardians about:
 - the bullying prevention curriculum of the school district
 - how parents and guardians can reinforce the curriculum at home and support the school district
 - the dynamics of bullying, and
 - online safety and cyber-bullying.

In addition, the district shall...

- Institute a policy regarding internet safety measures to protect students from inappropriate subject matter and materials that can be accessed via the internet and notify the parents or guardians of all students attending the school of the policy.
- Include the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing in Individualized Education Plans for children with a disability that affects their social skills development and for children who are vulnerable to bullying, harassment or teasing because of the child's disability.

Administrative Guidelines and Procedures: The principal of each school is responsible for the implementation and oversight of the bullying policy at his or her school, including the following guidelines and procedures.

- Students, parents, and other witnesses will report incidents of alleged bullying or retaliation to any staff member, orally or in writing, in a timely manner. Reports may be made anonymously though no disciplinary action may be taken against a student solely on the basis of an anonymous report.
- Staff members who witness or are informed of alleged bullying or retaliation will report the incident to the principal or assistant principal right away and complete a Student Disciplinary Referral form by the close of the school day (or by the following morning should the incident happen during an after-school activity). If an assistant principal receives the report, s/he will immediately inform the principal.
 - If a staff member is a possible victim of bullying or retaliation, s/he will be notified immediately if s/he has not initiated the report him/herself.
- Any principal or assistant principal who receives a report of alleged bullying or retaliation will complete an investigation of the alleged incident within 24 hours of having received the report, including meeting(s) with involved students and witnesses.
 - If the incident includes a possible criminal offense, the Malden Police Department will be notified immediately.
 - If the allegations of bullying or retaliation are substantiated, the principal or assistant principal will determine the appropriate disciplinary response, which may include mediation, detention, suspension (in or out-of-school), or expulsion. The principal or assistant principal will also complete an Incident Report detailing: 1) his/her findings, 2) the disciplinary response, 3) actions that will be taken to prevent further acts of bullying or retaliation, and 4) the procedures and supports that will be used to restore a sense of safety for the victim, as necessary. The principal or assistant principal will attach any related Student Disciplinary Referral form that s/he has received to his or her Incident Report.
 - The student(s)' parents or guardians will be immediately notified of the incident and the disciplinary response.
 - Repeated incidents of bullying by a student will result in more severe disciplinary actions.
- Any student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action, which may include a warning, detention or suspension (in or out-of-school).
- If any perpetrator of bullying is a staff member, appropriate disciplinary actions will be taken and may include a reprimand, suspension or termination depending on the severity of the incident.
- If an incident of bullying or retaliation involves students from more than one school in or outside the district, the school district or school first informed of the bullying or

retaliation shall promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action.

- If an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in the district, the Malden Police Department should be contacted immediately.

The school district shall update the Bullying Policy at least biennially.