

Landmark School Bullying Prevention & Intervention Plan

I. Introduction

Landmark School believes that a healthy environment depends upon every student's trust in the safety and integrity of the community. It is expected, therefore, that every student and staff member will contribute to the building of that trust by respecting the rights of others within the community while striving toward his/her individual goals. Landmark is enriched by the diversity of its students; it respects individual differences and believes in each student's right to full participation in the community without experiencing bullying or cyber-bullying. Such activity undermines the Landmark community which seeks to promote sound emotional, physical, and intellectual development and self-respect.

Consistent with these beliefs, Landmark will not tolerate any unlawful or disruptive behavior including any form of bullying, cyber-bullying, use of demeaning statements or materials, uninvited physical advances, hazing, threats, or retaliation. All students at Landmark are afforded the same protections regardless of their status under the law. As detailed below, Landmark will investigate promptly all reports and complaints of bullying, cyber-bullying, and retaliation, and take prompt action to end that behavior.

This Plan is a comprehensive approach to addressing bullying, cyber-bullying, and retaliation. Landmark's Parent & Student Handbook and Policy & Procedure Manual contain this Plan as well. The Directors of each campus are responsible for implementation and administration of this Plan.

II. Policy against Bullying, Cyber-Bullying, and Retaliation

Landmark will not tolerate any form of bullying or cyber-bullying. Landmark will also not tolerate retaliation against any person who reports bullying, cyber-bullying or who provides information during an investigation, or witnesses or has reliable information about bullying or cyber-bullying.

Specifically and as stated in Massachusetts statutes, acts of bullying, which include cyber-bullying, are prohibited:

- (i) 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 a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and
- (ii) at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

III. Definitions

Aggressor is a student who engages in bullying, cyber-bullying, or retaliation.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or school staff of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- i. causes physical or emotional harm to the target or damage to the target's property;
- ii. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school; or
- v. materially and substantially disrupts the education process or the orderly operation of a school.

Cyber-bullying, is bullying through the use of 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 cyber-bullying.

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 against whom bullying, cyber-bullying, or retaliation has been perpetrated.

Legal Definitions & Landmark Policy. It is important to recognize that stricter standards of behavior may apply under Landmark's policies in order to prevent inappropriate verbal and physical conduct before a student has been subjected to bullying as it is defined by Massachusetts statutes. For example, although the statutes define bullying as "repeated use" of certain expressions, acts, or gestures, Landmark reserves the right to apply disciplinary measures and other corrective actions in a case of a single expression, act, or gesture if Landmark determines that it is of sufficient severity to warrant disciplinary measures.

IV. Prevention of Bullying & Cyber-bullying

From the earliest grades at Landmark, students learn that as members of the Landmark community they have a right to be treated with civility and respect. Landmark's curriculum emphasizes respect for differences, and teachers are clear in their expectations for student behavior. When necessary, parents are notified and asked to reinforce standards for membership in the Landmark community.

Each year, Landmark provides all students and parents with its Student Handbook. The Handbook outlines Landmark's policies regarding bullying, cyber-bullying, and retaliation. Landmark also provides information to parents & guardians about how to reinforce bullying prevention at home, about the dynamics of bullying, and about on-line safety and cyber-bullying.

Landmark recognizes that it is essential that expectations for student conduct extend to corridors, locker rooms, lunch, recess, carpool, buses and the like. In order to reinforce positive conduct, Landmark strives to ensure that ample adult supervision is provided on School premises, including in the corridors and locker rooms, at lunch and at recess, and on School-provided transportation throughout the school day as well as at School-sponsored events.

V. Reporting Bullying or Cyber-bullying.

At the beginning of each school year, Landmark provides the school community, including administrators, 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 Campus Director, is in student and staff handbooks, on the school's website, and in information provided to parents or guardians.

A. Student Reporting. Any student who is the target of bullying or cyber-bullying or has witnessed an incident of bullying or cyber-bullying or otherwise has relevant information about bullying or cyber-bullying prohibited by this policy is strongly encouraged to promptly report the matter orally or in writing to any of the following persons: Academic Case Manager, Residential Case Manager, Dean of Students, Assistant Dean of Students, Campus Director, Academic Dean, or to any other faculty or staff member with whom the student is comfortable speaking. Also, any student who is subject to retaliation in violation of this policy or who knows of another student who has been subject to retaliation is urged to report it as soon as possible.

B. Parent & Guardian Reporting. A parent of a student who is the target of bullying or cyber-bullying or of a student who has witnessed or otherwise has relevant information about bullying or cyber-bullying or whose student is aware of incidents of retaliation based on a report of bullying is strongly urged to promptly notify the Campus Director. Furthermore, any parent who has him or herself witnessed bullying or cyber-bullying or

has relevant information concerning such an incident is strongly urged to come forward to the Campus Director. A parent should also report any incident of retaliation in violation of this policy to the Campus Director.

C. Landmark Faculty & Staff Reporting. Any member of the faculty or staff of the School who witnesses or otherwise becomes aware of bullying or cyber-bullying in violation of this policy or who becomes aware of retaliation against a student who reported information concerning a violation of this policy is required to report it immediately to the Campus Director. There are to be no exceptions. A member of the faculty or staff shall not make promises of confidentiality to a student or parent who informs him/her of an allegation of bullying, cyber-bullying, or retaliation.

D. Others Reporting. Other parties who have witnessed or otherwise have relevant information about bullying or cyber-bullying are strongly urged to promptly notify the Campus Director. Other parties should also report any incident of retaliation in violation of this policy to the Campus Director.

E. Anonymous Reporting. Reports of bullying, cyber-bullying or retaliation may be made anonymously; provided, however, that no disciplinary action may be taken against a student based solely on an anonymous report.

VI. Responding to a Report of Bullying or Retaliation

A. Safety

When a complaint of bullying, cyber-bullying, or retaliation is brought to the attention of the Campus Director, an assessment is made as to whether any initial steps need to be taken to protect the well-being of students and to prevent disruption of their learning environment while the investigation is being conducted. The Campus Director 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. As appropriate, strategies such as increased supervision may be implemented to prevent further bullying, cyber-bullying, or retaliation during an investigation.

B. Landmark's Obligation to Notify Others

1. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the Campus 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 Campus Director or designee contacts 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 Campus Director or designee 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 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 Campus Director or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Campus 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 Campus Director 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.

C. Investigation.

Each allegation of bullying, cyber-bullying, or retaliation brought forward will be examined to determine if Landmark's bullying, cyber-bullying, or retaliation policy has been violated. The Campus Director or designee 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 Campus Director or designee will interview students, staff, witnesses, parents or guardians, and others as necessary. The Campus Director or designee (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the Campus Director or designee, other staff members as determined by the Campus Director or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his or her obligation to investigate and address the matter, the Campus Director or designee will maintain confidentiality during the investigative process. The Campus Director or designee will maintain a written record of the investigation.

Also, while the School cannot promise strict confidentiality, because information must be shared in order to conduct an effective investigation, the School releases information concerning complaints of bullying, cyber-bullying, and retaliation only on a legitimate need-to-know basis.

D. Findings & Decisions. The Landmark School Disciplinary Committee (EMS) or Standards Committee (HS) will determine whether bullying, cyber-bullying, or retaliation has occurred.

1. Anonymous Report. Note that no disciplinary action may be taken against a student based solely on an anonymous report.
2. False Accusations. Note that if a determination is made that a student knowingly made a false accusation of bullying or retaliation, then that student shall be subject to disciplinary action.
3. Bullying or Retaliation Substantiation. If, after bullying or retaliation is substantiated, the Committee will determine steps necessary to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The Committee will a) determine what remedial action is required, if any, and b) determine what responsive actions and/or disciplinary action is necessary.

Landmark School may impose progressive discipline as needed to those students involved in situations deemed bullying, cyber-bullying, or retaliation. Responses may include, but not be limited to, a written apology, community service, suspension, expulsion, and/or educational assignments dealing with bullying, cyber-bullying, or retaliation issues. For students who are funded by their school districts and who receive certain levels of disciplinary action, Landmark will follow applicable regulations regarding notice to the school district and Department of Elementary & Secondary Education. In some cases, Landmark may remedy the effects of bullying, cyber-bullying, or retaliation on the student victim through training, class changes, and the provision of counseling service.

Depending upon the circumstances, consultation may occur with a student's 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.

Depending on the circumstances and findings, counseling or referral to appropriate services for perpetrators, victims, and family members may be provided or coordinated by the counseling department.

The Campus Director 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 notices 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 Campus Director 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.

VII. Conclusion

This Plan is intended (1) to prevent bullying and cyber-bullying among our students, (2) to encourage students and their parents to have confidence in the School's procedures and to come forward promptly whenever a student is subjected to conduct that is prohibited by this or any other School policy; and (3) to implement appropriate discipline and other corrective measures when they are found to be warranted.

Appendix A: Training & Professional Development

- A. Annual staff training on the Plan. Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that Landmark will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades. Staff members hired after the start of the school year will be required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.
- B. Ongoing professional development. The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of school wide professional development will be informed by research and will include information on:
- (i) developmentally (or age-) appropriate strategies to prevent bullying;
 - (ii) developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
 - (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
 - (iv) 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;
 - (v) information on the incidence and nature of cyberbullying; and
 - (vi) Internet safety issues as they relate to cyberbullying.

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students whose disability affects social skills development.

Additional areas identified by the school or district for professional development include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making; and
- maintaining a safe and caring classroom for all students.

- C. Written notice to staff. The school or district will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties, in the school or district employee handbook and the code of conduct.

Appendix B: Academic & Non-Academic Activities

A. Specific bullying prevention approaches. Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:

- using scripts and role plays to develop skills;
- empowering students to take action by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance;
- emphasizing cybersafety, including safe and appropriate use of electronic communication technologies;
- enhancing students' skills for engaging in healthy relationships and respectful communications; and
- engaging students in a safe, supportive school environment that is respectful of diversity and difference.

Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan. The Plan should include specific information about how and when the school or district will review the Plan with students.

B. General teaching approaches that support bullying prevention efforts. The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines;
- creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;
- encouraging adults to develop positive relationships with students;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the Internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.