

1 LEXINGTON SCHOOL COMMITTEE POLICY

2		
3	First Reading:	<u>November 5, 2013</u>
4	Second Reading:	<u>November 19, 2013</u>
5	Date Approved by	
6	School Committee:	<u>February 4, 2014</u>
7		
8	Signature of Chair:	<u>On File</u>
9		
10		Page 1 of 6

11
12
13
14
15
16
17
18
19
20

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

1 Cyberbullying shall also include the creation of a web page or blog in which the creator assumes
2 the identity of another person or knowingly impersonates another person as author of posted
3 content or messages, if the creation or impersonation creates any of the conditions enumerated in
4 the definition of bullying.

5
6 Cyberbullying shall also include the distribution by electronic means of communication to
7 more than one person or the posting of material on an electronic medium that may be accessed
8 by one or more persons, if the distribution or posting creates any of the conditions enumerated in
9 the definition of bullying.

10
11 Bullying and cyberbullying can occur in and out of school, during and after school hours, at
12 home and in locations outside of a home. When bullying and cyberbullying are alleged, the full
13 cooperation and assistance of parents or guardians and their families are expected.

14
15 For the purpose of this policy, whenever the term bullying is used, it is to denote either bullying,
16 or cyberbullying.

17
18 Bullying is prohibited:

- 19
20
- 21 • on school grounds;
 - 22 • on property immediately adjacent to school grounds;
 - 23 • at school sponsored or school related activities, functions or programs, whether
24 on or off school grounds;
 - 25 • at school bus stops;
 - 26 • on school buses or other vehicles owned, leased or used by the school district; or,
 - 27 • through the use of technology or an electronic device owned, leased or used by the school district.

28 Bullying and cyberbullying are prohibited at a location, activity, function or program that is not
29 school related or through the use of technology or an electronic device that is not owned, leased
30 or used by the school district if the act or acts in question:

- 31
- 32 • create a hostile learning and/or social environment at school for the target;
 - 33 • infringe on the rights of the target at school; and/or
 - 34 • materially and substantially disrupt the education process or the orderly operation of a
35 school.

36
37 Prevention and Intervention Plan

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

45
46 The principal or designee is responsible for the implementation and oversight of the Plan, except
when a reported bullying incident involves the principal or the assistant principal as the alleged perpetrator.

1 alleged victim. If the Superintendent is the alleged aggressor, the School Committee or its
2 designee shall be responsible for investigating the report and taking other steps necessary to
3 implement the Plan, including addressing the safety of the alleged victim.

4 5 Reporting

6
7 Students who believe that they are a target of bullying are encouraged and urged to report the
8 matter to a member of the school staff. Students who observe an act of bullying, or who have
9 reasonable grounds to believe that these behaviors are taking place, are obligated to report
10 incidents to a member of the school staff, and may be subject to discipline for failing to report
11 such incidents. However, the target shall not be subject to discipline for failing to report bullying.

12
13 A school or district staff member shall immediately report any instance of suspected bullying or
14 retaliation the staff member has witnessed or become aware of to the school principal or
15 designee. This includes bullying or retaliation of a student by another student or bullying or
16 retaliation of a student by a staff member. If the principal is the alleged aggressor, the report
17 shall be made to the superintendent or designee. If the superintendent is the alleged aggressor
18 the report shall be made to the school committee or designee. If the staff member fails to report,
19 he or she may be subject to disciplinary action.

20
21 Parents or guardians, or members of the community, are encouraged to report an incident of
22 suspected bullying as soon as possible to the school principal or designee. This includes bullying
23 of a student by another student or by a staff member. If the principal is the alleged aggressor, the
24 report shall be made to the superintendent or designee. If the superintendent is the alleged
25 aggressor, the report shall be made to the school committee or designee.

26
27 Each school shall have a means for anonymous reporting by students of incidents of suspected
28 bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous
29 report.

30
31 Any student who is found to have knowingly made a false accusation/report of bullying may
32 subject to disciplinary action.

33 34 Investigation Procedures

35
36 A school principal or designee shall promptly investigate any report of bullying, using a
37 Bullying/Cyberbullying Report Form. It may include, but is not limited to, interviewing the
38 alleged target, alleged aggressor, staff members, students and/or witnesses. The principal or
39 designee (or whoever is conducting the investigation) shall remind the alleged student aggressor,
40 target, and witnesses of the importance of the investigation, their obligation to be truthful and
41 that retaliation against someone who reports bullying or provides information during a bullying
42 investigation is strictly prohibited and will result in disciplinary action.

43
44 A principal or designee, upon determining that bullying or retaliation has occurred, shall
45 promptly contact the parents or guardians of the alleged target(s) and when the alleged
46 aggressor(s) is a student, parents or guardians of the alleged aggressor(s). Actions being taken to
47 prevent further acts of bullying shall be discussed.

- 1 The investigation shall be completed within a reasonable amount of time. The parents or
- 2 guardians of both the student aggressor(s) and the target(s) shall be notified if there has been a
- 3 finding that bullying has occurred. They will be updated periodically during the investigation,
- 4 and, upon its completion, shall be informed of the results, including whether the allegations were

1 REFERENCES: Massachusetts Department of Elementary and Secondary Education's
2 Model Bullying Prevention and Intervention Plan

3

4 LEGAL REFS.:

5 Title VII, Section 703, Civil Rights Act of 1964 as amended

6 Federal Regulation 74676 issued by EEO Commission

7 Title IX of the Education Amendments of 1972

8 603 CMR 26.00

9 MGL 71:37O

10 M.G.L. c. 71, 37H & 37H1/2

11 MGL 265:43, 43A

12 MGL 268:13B

13 MGL 269:14A

14 Discipline of Special Education Students Under IDEA 2004

15 20 U.S.C. 1415(k) and 34 CFR 300.536

16 M.G.L. ch. 71 §41 and §42

17 Collective Bargaining Agreements

18

19

20

21 LEXINGTON PUBLIC SCHOOLS POLICIES: [PROHIBITING HARRASSMENT](#) (Approved:
22 2/15/03.)

23 [DISCIPLINING SPECIAL NEEDS STUDENTS POLICY](#) (Approved: on file.)

24

25

26