

MASSACHUSETTS LAW AGAINST BULLYING

Passed in May 2010, updated in July 2014 each school district, charter school, non-public school, approved private day or residential school and collaborative school shall develop, adhere to and update a plan to address bullying prevention and intervention in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians. The plan shall apply to students and members of a school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and para professionals. The consultation shall include, but not be limited to, notice and a public comment period; provided, however, that a non-public school shall only be required to give notice to and provide a comment period for families that have a child attending the school. The plan shall be updated at least biennially.

Some Terms:

“BULLYING”, the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that:

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

For the purposes of this section, bullying shall include cyber-bullying

“CYBER-BULLYING”, 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 shall also include:

- (i) the creation of a web page or blog in which the creator assumes the identity of another person or
- (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

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 enumerated in clauses (i) to (v) inclusive, of the definition of bullying.

HOSTILE ENVIRONMENT a situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is a sufficiently severe or pervasive to alter the conditions of the student’s education.

PERPETRATOR a student or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying or retaliation.

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

Youth Villages Germaine Lawrence does not condone bullying. We expect everyone who is part of our community to treat each other in a civil way and with respect for differences. We are committed to a safe learning environment for everyone free from bullying and cyber-bullying. This is especially important here because our students are emotionally vulnerable. All of you need a safe, supportive place to help you learn self-confidence and skills dealing with others, including responding to bullying or harassment.

We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber-bullying or retaliation—in our buildings, on a school bus or bus stop, in our vehicles, on or near the campus, with our computers or other technology, or in school-related activities, whether on or off campus. Even if the bullying itself is not related to Germaine Lawrence (such as through home computers), if it hurts the school environment or anyone's rights, we will not tolerate it. We are going to promptly investigate all reports and act quickly to end the behavior and bring back a sense of safety to anyone victimized by bullying. The same goes for retaliation against someone who reports or has information about bullying. You will see this in our work in all parts of the program—the curriculum, in school and in activities. We will be working with students, staff, families, law enforcement and the community in implementing this plan, with our school principal in charge of overseeing our plan.

Reporting Bullying

Anyone—staff, students, parents or others who have information about any bullying or retaliation—can report it.

Reports may be spoken or written and should be directed to the attention of Mary Decourcey, Principal, Youth Villages Germaine Lawrence School, (781)648-6200, extension 192, e-mail Mary.Decourcey@YouthVillages.org.

Written incident report forms are available at the nurse's office (Wellness Center). These may be used to report bullying, but are not required. They may also be e-mailed or mailed to Mary Decourcey. A copy of the form comes with your student handbook.

All staff members who are aware of or witnessing bullying or retaliation are required to immediately report it. This may be done verbally or in writing, but it may not be anonymous.

Reports by students, parents/guardians or others who are not staff members at Youth Villages Germaine Lawrence may be anonymous. They can be by mail, left on voice mail (see above for extension) or through the report form, which can be left at the health center. However, no disciplinary action will be taken when an anonymous report is the only information source.

Investigation

Step 1: Safety – When the principal gets a report of allegations of bullying or retaliation, a central administrator will investigate right away, but first will take steps to assure safety for the targeted person. This may include keeping her separate from the aggressor, having a staff member as a resource, changing schedules or activities, changing buses (day students) or even one-on-one supervision or moving dorms or classes.

Step 2: Investigation – We have a procedure for serious incidents that includes interviewing everyone involved and getting all the facts. We may bring in a therapist or helpful staff member to assist. Everyone will be reminded of the possible consequences for retaliation. The investigation should be completed within 72 hours, completing a Report of the findings. The Report will take into consideration the students' ages and the seriousness of the behavior.

Step 3: Determination – The conclusion of the report will be based on all the facts and circumstances and will make recommendations. An assessment of necessary action will be made to make sure this does not happen again.

If it is decided there was bullying or retaliation, the parents/guardians of both the target and the aggressor will be notified. If needed the notification will be translated into the parent's language at home. In rare cases a case may be reported to the police if it is seen as a serious criminal matter. Our first choice will always be to handle the situation at Youth Villages Germaine Lawrence.

Actions/Responses

Making things safe for all involved will be a top priority. This includes the targeted person as well as witnesses or those who provided information. As in the investigation, this may mean more staff monitoring or changing schedules, limiting access among individuals or having resource staff available.

Our decisions for action will consider both consequences, to help and hold the aggressor accountable and supportive plans to help develop alternative behaviors. We may set new treatment goals and plans for discharge, develop behavior plans, change privileges or consequences and build in counseling supports as we do with other behaviors at Youth Villages Germaine Lawrence. We will also help the targeted person, if appropriate, to find ways to protect herself or find protection. Those involved will be working closely with their therapists and we will use our treatment system to help create better ways of managing conflict.

Students found to have knowingly made a false accusation of bullying or retaliation will be subject to disciplinary action and also special educational/behavioral interventions themselves.