

## **BULLYING POLICY**

### **I. GOALS**

The Marshfield Public Schools is committed to providing our students equal educational opportunities and a safe learning environment free from bullying or retaliation. This will be possible when all members of the Marshfield school community treat each other with respect and appreciate the rich diversity in our schools. This policy is an integral part of the Marshfield Public Schools' comprehensive effort to promote learning and prevent and eliminate all forms of violent, harmful, and disruptive behavior. The Marshfield Public Schools' response to bullying actions will include, as appropriate, disciplinary and/or corrective action, and the involvement of appropriate state and/or federal agencies addressing the remediation of discrimination or harassment. In addition, a referral to a law enforcement agency may be made if criminal charges could be pursued against a perpetrator or perpetrators. The Marshfield Public Schools will support this policy in all aspects of its activities, including its curricula, instructional programs, staff development, extracurricular activities, and parental involvement.

The Marshfield Public Schools will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber-bullying, or retaliation, in its schools before, during, or after school, and school-related activities, and will promptly investigate all reports of bullying.

### **II. DEFINITIONS**

"Bullying" is the repeated use by one or more students or 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 paraprofessionals, of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

- Causes physical or emotional harm to the target or damage to the target's property;
- Places the target in reasonable fear of harm to him/herself, or in reasonable fear of damage to his/her property;
- Creates a hostile environment at school for the target;
- Infringes on the target's rights at school; or
  - Materially and substantially disrupts the education process or the orderly operation of a school.

For the purposes of this policy, bullying shall include cyber-bullying.

"Cyber-bullying" means bullying through the use of technology or any electronic communication, including, but not limited to, any transfer of signs, signals, writings, images, sounds, data, or intelligence of any nature which is transmitted in whole or in part by:

- 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 the creating of a web page or blog in which the creator assumes the identity of another person, or knowingly impersonates another person, as the author of posted content or messages if the creation of the web page or blog or the impersonation causes any of the five (5) harm enumerated 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 causes any of the five (5) harms enumerated in the definition of bullying.

"Retaliation" means any form of intimidation, reprisal, or harassment directed against a student who reports bullying or provides information during an investigation of bullying or against a student who witnesses bullying or has reliable information about bullying.

"Hostile environment" means 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.

### **III. PROHIBITIONS**

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs, whether on or off school grounds;
- At school bus stops;
- On school buses or other vehicles owned, leased, or used by the school district; or
- Through the use of technology or an electronic device owned, leased, or used by the Marshfield Public Schools.

Bullying and cyber-bullying are prohibited 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 Marshfield Public School District if the act or acts in question:

- Create a hostile environment at school for the target;
- Infringe on the target's rights at school; and/or
- Materially and substantially disrupt the education process or the orderly operation of a school.

Retaliation against a person who reports bullying or provides information during an investigation of bullying, or against a student who witnesses or has reliable information about bullying is prohibited

#### **IV. RATIONALE**

The Marshfield Public Schools prohibits all forms of harassment, discrimination and hate crimes based on race, color, religion, national origin, gender, gender identity, sexual orientation, disability, homelessness, or age. The civil rights of all school community members are guaranteed by law. The protection of those rights is of utmost importance and priority to our school district. While bullying may constitute an illegal form of harassment which is prohibited by state and federal law and may result in criminal prosecution, the Marshfield Public Schools prohibits bullying of school community members for any reason, whether related or unrelated to race, color, religion, national origin, gender, gender identify, sexual orientation, disability, homelessness, or age. Further, the Marshfield Public Schools will also not tolerate retaliation against persons who act consistent with this policy.

#### **V. APPLICATION**

This policy applies to all sites and activities under the supervision and control of the Marshfield Public Schools, or where it has jurisdiction under the law. The policy applies to all students, school committee members, school employees, independent contractors, school volunteers, visitors, parents, and legal guardians of students of the Marshfield Public Schools. Bullying and cyber-bullying may occur in or out of school, during or after school hours, at home or in locations outside the home. When bullying and cyber-bullying are alleged, the Marshfield Public Schools expects the full cooperation and assistance of parents and families. The Marshfield School Committee shall implement this policy by developing and adopting a plan to address bullying prevention and intervention. This plan will include age-appropriate notices to students, ways to inform parents and guardians about bullying prevention and intervention, and annual professional development for employees. Any plan so adopted shall provide that reports of bullying or retaliation may be made anonymously, but no disciplinary action may be taken against a person solely on the basis of an anonymous report. The plan shall also provide for disciplinary action to be taken against any person who knowingly makes a false accusation of bullying or retaliation. This policy and any plan adopted pursuant to it shall at all times be construed and implemented so as to be consistent with the provisions of M.G.L. Chapter 71, Section 370, and shall be reviewed and updated at least annually. Nothing in this policy is designed or intended to limit the Marshfield Public Schools' authority to discipline or take remedial action under General Laws Chapter 71, §37H or in response to violent, harmful, or disruptive behavior, regardless of whether this policy covers the conduct.

#### **VI. DISCIPLINARY AND CORRECTIVE ACTION**

Violation of this policy and the plan developed pursuant to it shall be considered a serious offense. Violators may be subject to appropriate disciplinary and/or corrective action to stop the conduct and prevent its recurrence, including expulsion from school, involving appropriate federal and state agencies to remediate harassment and discrimination, and/or criminal prosecution by law enforcement agencies. The Marshfield Public Schools is committed to protecting a complainant and other similarly-situated individuals from bullying at all times. A bullying prevention and intervention plan containing the reporting procedures, complaint process, alternatives for resolution, and protection against retaliation shall be in place throughout the School District. This policy shall be printed in each school handbook and employee handbook, and shall be posted on the District's website.