

Paulo Freire Social Justice Charter School

Bullying Prevention and Intervention Plan

2018 - 2019

I. Leadership

The Bullying Prevention and Intervention Plan directly impacts the Paulo Freire Social Justice Charter School's district goals. The district goals specifically address integration of social, emotional and wellness support. This will include professional development and curriculum integration for bullying prevention and intervention.

The Paulo Freire Social Justice Charter School organized groups at each level that take on Bullying Prevention assessments and strategies throughout our community. Examples of these include Administration, Teachers, The Wellness Team, Student Advisory, the Social Justice Committee and more.

Teachers report and intervene in incidences of bullying as well as implement anti-bullying curriculum. Administrators track investigations of allegations, document incidences of bullying, respond and intervene to keep targets safe, and ensure support services for both targets and aggressors. Police are pivotal in investigative procedures and identifying criminal/harassment charges.

Assessing needs and resources

Surveys are constructed to be audience appropriate, include protected class questions, and address local concerns. Youth Risk Behavior Surveys are administered every other year, which include several questions on Bullying and CyberBullying. This information has helped to identify patterns of behaviors and inform decision making for prevention strategies including, curriculum development, professional development, age appropriate curricula, support service allocations, and parent education. A Social Worker and members of the Wellness Team consult with the school on bullying prevention strategies.

At least once every four years beginning with the 2018-2019 school year (or as DESE approves a survey), the school district will administer a Massachusetts Department of Elementary and Secondary Education developed student survey to assess school climate and the prevalence, nature and severity of bullying in our schools. In addition, the school district annually will report bullying incident data to the DESE.

Planning and oversight

- The Executive Director, the members of the Wellness Team, and building administrators are responsible for the implementation of the plan.
- The Principal, Vice Principal, Dean of Climate and Culture, are the designee who are responsible for receiving reports, conducting investigations, contacting the parents of targets and aggressors of confirmed incidences of bullying.
- The Dean of Climate and Culture, Social worker(s) and guidance counselor(s) provide and monitor progress of individual and group support for both targets and aggressors.
- The Principal annually provide information on Recognizing, Responding and Reporting Procedures on Bullying.
- The Board of Trustees has approved a policy on Bullying Prevention and Intervention.
- Codes of Conduct, school handbooks, and the Incident Report form and investigation format have been revised.
- Parent resources are posted to the website to address bullying and cyberbullying.

Paulo Freire Social Justice Charter School priority statement

The Paulo Freire Social Justice Charter School is committed to providing all students with a safe learning environment that is free from bullying and cyberbullying. This commitment is an integral part of our comprehensive efforts to promote learning and the development of strong, resilient, and kind citizens while preventing and eliminating all forms of bullying and other harmful and disruptive behavior that can impede the educational process. We further recognize that certain students may be more vulnerable to becoming targets of bullying or harassment based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one or more of these characteristics. We will provide support to students whose vulnerability is brought to the attention of a teacher, guidance counselor or administrator through observation or direct report from a student, staff member or parent/guardian. This support may be in the form of counseling and/or education to support both the student's ability to report bullying and his/her skills, knowledge and strategies to respond to bullying or harassment.

II. Training & Professional Development

Annual staff training on the Plan

Annual training for all school Staff takes place yearly prior to the students' commencement. Staff members hired after the start of the school year will be trained in district procedures during the school year in which they are hired, unless they are able to demonstrate participation in an

acceptable and comparable program within the last two years. Staff are reminded yearly of where they can view the Plan and the Policy on Bullying.

Ongoing professional development

Professional development is provided to staff in an effort 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. Initiatives include:

- Teacher training on a variety of Research Based Programs, Advisory Programs, Restorative Practices, Social Emotional Learning, and others.
- Special Education training on Bullying considerations at all IEP meetings and annual review on IEP writing/Social Skills.
- Pre-service school presentation for all teachers and staff on the bullying law and procedures for “Recognizing, Responding and Reporting”.
- The new teacher orientations include “Classroom Management” training.
- The special education administrator, team chairs, teachers, and counselor address both the skills needed by targets of bullying and those whose actions meet the definition of bully or perpetrator and the ways to prevent and respond to bullying or retaliation for students with disabilities in order to develop appropriate Individualized Education Plans (IEPs). Special education leaders consult with other team members to address the necessary social, behavioral and self advocacy skills to include in the student’s IEP. Consultations includes skills to address the needs of students with autism or students whose disability affects social skills development. Compliance procedures were developed according to DESE guidelines.

Paulo Freire Social Justice Charter School staff members promote and model the use of respectful language; foster an understanding of and respect for diversity and difference; build relationships and communication with families; constructively manage classroom behaviors; employ positive behavioral intervention and constructive disciplinary practices; teach students explicit skills for positive communication, anger management, and empathy for others; engage students in school or classroom planning and decision making; and maintain a safe and caring classroom for all Students.

- Grade 9 - Student Success/Techniques for Tough Times Essentials
- Grade 9 - Comprehensive Health Program
- Gr. 9-12 - Advisory groups, Teaching Tolerance
- Gr. 9-12 – Social Justice Block

Written notice to staff

The district provides all staff with annual notice of the Plan at the beginning of each school year and posts the Initial Bullying Report form at:

<http://www.paulofreirecharterschool.org>; and includes information in the Employee Handbook, including sections relating to staff duties and bullying of students by school staff. Sections relating to students are included in student handbooks.

III. Access to Resources and Services

Current Resources identified in Paulo Freire Social Justice Charter School:

At each level age appropriate interventions are provided for all students, targets and student aggressors, and their families where appropriate:

- Social worker(s) provide groups and counseling for identified targets and student aggressors.
- Social workers, guidance counselors, and administrators are available to meet with students and follow up on reports.
- Parents are supported by the administration.

Reporting form can be found at: <http://www.paulofreirecharterschool.org> website

Upon request, essential information will be translated for parents in home languages other than English

Personnel resources

- Teachers
- Social worker(s)
- School nurse
- Administrators
- Coaches
- Wellness Team
- School based Safety Teams
- Collaboration with English Language Learners Department
- Other town agencies: Police, Health and Human Service Agencies

Counseling and Other Services

Paulo Freire Social Justice Charter School has a relationship with many outside agencies that provide counseling in and out of school. Such as Behavioral Health Network and River Valley Counseling, who is invited into the schools to provide group and individual counseling and

frequently follow up with families as well. Provisions for families and students with cultural, linguistic, and/or financial needs are also made available. Administrators are responsible for creating safety plans for students who have been the targets of bullying or retaliation.

Additionally, teachers provide social skills programs for students to prevent bullying, and the social worker(s) offer education and/or intervention services for students exhibiting early signs of bullying behaviors.

Students with disabilities

If the IEP Team determines that a student's disability adversely affects social skills development and/or the student may be found to be participating in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team considers what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

Referral to outside services

Paulo Freire Social Justice Charter School has a referral process for providing families with services outside of school. The Wellness Team has a listing of outside resources in the local area.

IV. ACADEMIC AND NONACADEMIC ACTIVITIES

The Paulo Freire Social Justice Charter School includes bullying prevention and social competency as part of its comprehensive health programming and school wide cross curricular initiatives. The goal is to ensure school cultures that support teachers to create classroom and school environments that are conducive to building positive relationships. A variety of approaches are taken at the different levels. Currently we are using the following programs and teaching approaches for students:

Anti bullying programs currently in place:

Comprehensive Health classes, Social Emotional Learning Curriculum, Developmental Guidance Programs, and high school Advisory groups include the following skills and approaches for students:

- empower students to take action by knowing what to do when they witness other students or school staff engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyber bullying, including the underlying power imbalance;
- emphasizing cyber safety, 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.

Components of the Plan, and the law are reviewed with students annually, at the beginning of the year by the school principal.

General teaching approaches that support bullying prevention efforts include

- Setting clear expectations for students in regards to behavior, classroom routines, and safety.
- Modeling, teaching, and rewarding pro-social, healthy, and respectful student Behavior.
- Creating safe school and classroom environments that incorporate an appreciation of differences for all students, including students with disabilities, lesbian, gay, bisexual, transgender, and homeless students. This happens through implementation of programs listed above as well as special assemblies organized for Social Justice Block.
- Responding immediately to derogatory remarks and reporting all suspected incidences of bullying.
- Using appropriate and positive responses and reinforcement, even when students require discipline, with assistance from guidance counselors and social workers.
- Implementing techniques that promote positive student teacher relationships.
- Reinforcing positive approaches to behavior, such as collaborative problem - solving, conflict resolution, teamwork, and opportunities to practice positive behavior and healthy social and emotional development in *Restorative Practice Circles*, Social Justice Block, Essential Classes, Advisory Groups, and health classes.
- Providing students with media and Internet safety information and authentic dilemmas to discuss in guidance, health, and other disciplines.
- Supporting students' interest and participation in nonacademic and extracurricular activities, particularly in their areas of interest and strength.

V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

The Paulo Freire Social Justice Charter School administration and staff have developed a common plan for procedures on reporting and responding to bullying within the school. We educate staff, students and parents annually on procedures for reporting and responding when bullying occurs.

Reporting bullying or retaliation

All school and district staff members are required to immediately report to the principal (or other school official as provided below) any instances of bullying or retaliation, about which the staff member becomes aware or witnesses. This includes bullying of a student by another student or by a staff member.

Staff, students, parents or guardians, and others may report bullying or retaliation orally or by voicemail and/or in writing or by email. Oral reports will be recorded. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students are provided practical, safe, private and age appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee.

Reports made by students, parents or guardians, or other individuals who are not school or district staff members may be made anonymously, orally or in writing, and will also be recorded. However, no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.

Reports by school staff, parents or guardians and others should generally be made to the principal or designee. However, if the principal is the alleged aggressor, the report should be made to the Executive Director. In such circumstances, the Executive Director or designee will be responsible for taking appropriate actions in accordance with this Plan and other applicable district policies and procedures, including providing for the safety of the alleged victim. If the Executive Director is the alleged aggressor, the report should be made to the Board of Trustees, which shall then be responsible for taking appropriate actions in accordance with this Plan and other applicable district policies and procedures, including providing for the safety of the alleged victim.

The Incident Report Form is posted on the website for parents, staff, and students.

(<http://www.paulofreirecharterschool.org>) The Incident Report Form is not required as a condition of making a report. A copy of The Bullying Prevention Plan and The Incident Report Form, including reporting procedures is provided to staff and sent home in the beginning of the year for parents or guardians. Hard copies will be mailed home for those requesting. Report forms and the Paulo Freire Social Justice Charter School's Bullying Prevention Plan are also available in the school's main office, the Wellness office and the school nurse's office. The Incident Report Form is made available in other languages upon request. A description of the reporting procedures and resources, including the contact information of the principal or designee, will be incorporated in student and staff handbooks, on the school website, and be available to parents or guardians, all staff, and all students.

A. Responding to Allegations of Bullying or Retaliation

Safety Planning and Support - Before fully investigating the allegations of bullying or retaliation, the principal or designee takes steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan (see attached sample plan); predetermining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the aggressor’s schedule and access to the target.

The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary. In determining the steps necessary to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents, the principal or designee shall consider that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one or more of these characteristics. The principal or designee is responsible for implementing 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.

School administration establishes a safety plan for target(s) of bullying and retaliation/harassment. This includes strategies to protect students who report bullying and retaliation, provide information during an investigation, and/or who witness or provide reliable information about an act of bullying and retaliation. The safety plan may also be used for an aggressor, or even a bystander, in order for them to more effectively manage troublesome times/areas of the school, such as unstructured play and less supervised places.

The safety plan includes the following elements:

- Selection of a “safe zone”- an area identified by the target where he or she can go to get help from a trusted adult.
- A mechanism for informing all relevant adults (teachers, coaches, bus drivers, counselors and other support staff) of the situation between the aggressor(s) and target(s).
- A plan for monitoring of less structured areas of the school environment, such as buses, lunchroom and playground.
- Follow-up with parents/guardians of all involved to inform them of actions being taken.

- Protection of the confidentiality of the reporter and witnesses wherever possible.
- Assessment of effectiveness of the above interventions on a regular basis making necessary adjustments and revisions in order to meet the safety needs of the target.

Obligations to Notify Others

●*Notice to parents or guardians.*

Upon determining that bullying or retaliation has occurred, the principal or designee promptly notifies the parents or guardians of the target and the student aggressor of this and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation.

●*Notice to another school or district.*

If the reported incident involves students from more than one school district, charter school, nonpublic school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident promptly notifies by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action.

●*Notice to Law Enforcement.*

At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal notifies 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 principal or designee contacts the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the student aggressor. In making this determination, the principal consults with the local law enforcement agency, and other individuals the principal or designee deem appropriate, consistent with the Plan and with applicable district policies and procedures.

Investigation

The principal or designee investigates 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 principal or designee may interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee reminds the alleged student aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

To the extent practicable given his/her obligation to investigate and address then matter, the principal or designee and other staff maintain confidentiality during the investigative process. The principal or designee and other staff maintain a written record of the investigation. All acts of bullying by students that have been investigated and confirmed are recorded in Rediker. Procedures for investigating reports of bullying and retaliation are consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation.

Determinations

The principal or designee makes a determination based upon all of the facts and circumstances. If, after an investigation, bullying or retaliation is substantiated, the principal or designee takes steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or benefiting from school activities. The principal or designee: 1) determines what remedial action is required, if any, and 2) determines what corrective actions and/or disciplinary action are necessary. Disciplinary measures are left to the administrator's discretion, within the guidelines of the school Code of Conduct and age appropriateness for students. Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or student aggressor's parents or guardians to identify any underlying social or emotional issues that may have contributed to the bullying behavior and to assess the level of need for additional social skills support for the student.

The principal or designee promptly notifies the parents or guardians of the target and the student 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 notice 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 principal 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.

Responses to Bullying

Teaching appropriate behavior through skill building:

Upon the principal or designee determining that bullying or retaliation has occurred, the principal, teacher, and school counselor works with students and relevant staff to ensure that the behavior stops. The school principal or designee follows up and monitors the behavior.

The principal contacts the school counselor, social worker, or special education teacher to determine what appropriate intervention(s) and skill building should be put in place for both the target and student aggressor.

Social worker, guidance counselor, teachers, special educators, nurse and administrators respond to bullying incidents with a variety of individualized supports, group interventions, and techniques for students:

- Individual counseling with social workers/counselors
- Small group counseling
- Other strategies and interventions developed by the Wellness Team or Student Support
- Ongoing support and consultation for students, i.e. check-ins with counselors, teachers, the nurse, and/or administrators
- Advisory social competency instruction
- Assemblies and special programs that address school climate, bullying, bystanders, etc.
- District and school speaker forums, educational groups, and resources on websites and in school bulletins to support parents to reinforce the skills and techniques for social and emotional development at home
- Further intervention(s) when deemed appropriate by the Wellness Team
- Individual Educational Plans that focus on skill development and safety and provide appropriate resources as determined by the IEP team

Taking Disciplinary Action

- If the principal or designee decides that disciplinary action is appropriate for a student, the disciplinary action is determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior.
- Disciplinary actions are consistent with the Plan and with the school or district's code of conduct. If the principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student is subject to disciplinary action as well.
- The special education department has consulted to ensure compliance with the Individuals with Disabilities Education Act (IDEA), 504 ADA, and state regulations.

Promoting Safety for the Target and Others

The principal or designee considers what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others. The principal or designee increases adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee contacts the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee works with appropriate school staff to implement these immediately.

B. Responding to Allegations of Bullying by School Staff

Upon receipt of a report of alleged bullying of a student by school staff, the principal/designee will be responsible for taking appropriate actions in accordance with this Plan and other applicable district policies and procedures, including providing for the safety of the alleged target where necessary. If the principal is the alleged aggressor, then the Executive Director/designee shall be responsible for such actions. In the event the Executive Director is the alleged aggressor, the Board of Trustees/designee shall be responsible for such actions. A staff member who is the subject of a complaint of a serious nature will be informed promptly and will be afforded the opportunity to present the facts as he/she sees them, in accordance with any district policies and procedures.

Procedures for investigating reports of bullying and retaliation by staff are consistent with district policies and procedures for investigations of other alleged misconduct by staff. If necessary, the designated school official will consult with legal counsel about such procedures. Investigations may include interviews of staff, students and others as deemed appropriate. School officials will remind individuals (1) that retaliation is strictly prohibited and will result in disciplinary action and (2) of the importance of being truthful. To the extent practicable given their obligation to investigate and address the allegations at issue, the school officials will maintain confidentiality during the investigative process.

In the event a designated school official determines that the staff member has engaged in bullying of or retaliation against a student, the student's parent/guardian will be notified of what action is being taken to prevent further such acts and to restore the student's sense of safety. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of personnel records, the school official will not report specific information to the target's parent or guardian about any 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.

In the event disciplinary action against an employee is under consideration, appropriate due process will be provided. Any disciplinary action imposed will be based upon facts found by the designated school official and appropriate standards and expectations in light of the employee's

role and responsibilities. School officials will develop a method to record confirmed acts of bullying by staff.

C. Problem Resolution System

Regardless of the outcome of the bullying determination, the principal or designee shall inform the parent or guardian of the target about the Massachusetts Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system. Any parent wishing to file a claim/concern or seeking assistance outside of the school district may do so with the MA Department of Elementary and Secondary Education Problem Resolution System (PRS). Information about the PRS can be found at <http://www.doe.mass.edu/pqa> or individuals may send emails to [http:compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or may call 781-338-3700. In addition, the Executive Director's office has hard copies of information about the PRS.

VI. COLLABORATION WITH FAMILIES

Paulo Freire continues to build a strong parent education program. As new issues arise, such as the dangers of the Internet and cyber bullying, and new curricula are implemented, programs have been offered to all parents in the community free of charge. The district recognizes that parent participation is a crucial component of a student's education and that no school district is able to address all students' needs and development without parental support and involvement. Our district website includes, "Creating Safe Schools: Prevention, Intervention, Response and Recovery," has a host of resources on safety and bullying prevention.

Each year the district offers parent workshops on the social competency, school climate, diversity and other forms of bullying, in an effort to teach parents and guardians how to reinforce the social skills and strategies at home, respond to targets and aggressors, educate them on social media and to support the school and district Plan. All parent programs are advertised in the local paper and are on our district website. (<http://www.arlington.k12.ma.us/home/>)

These programs are offered in collaboration with school PTOs, School Councils, Special Education Parent Advisory Council, and other educational organizations.

Parent education and resources

Annually parents receive the "Parent Notification Law," which outlines the bullying prevention topics covered in health classes. School open house each fall provides information and syllabi on health topics being covered.

The annual Parent Notification Letter sent home includes: information about the dynamics of bullying and cyberbullying, on the reporting process and location of Suspected Bullying Incident Report Forms.

The Bullying Prevention and Intervention Plan is posted on the district web site in addition to parental written notice each year about the student related sections of the Plan and district's Internet safety policy.

The Acceptable Use Policy references the Code of Conduct that addresses cyber bullying, both of which require sign off by the student and parent/guardian. Accessibility of information at a variety of locations, in the language(s) most prevalent among parents or guardians, and in multidimensional means such as email, hard copy, website, workshops, SEPAC and School Councils will enhance communication and outreach to parents who don't typically participate in school events.

VII. PROHIBITION AGAINST BULLYING AND RETALIATION

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. Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also prohibited. As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district to staff any non-school related activities, functions, or programs.

VIII. DEFINITIONS

Several of the following definitions are copied directly from M.G.L. c. 71, § 37O, as noted below.

Aggressor: means perpetrator of bullying or retaliation as defined in M.G.L. c. 71, §37O.

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.

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 himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (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.

Cyberbullying: 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 cyberbullying.

Hostile environment: 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.

Staff: includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, and bus drivers, and athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Target/victim: a student(s) against whom bullying, cyber bullying, or retaliation has been perpetrated.

IX. RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, M.G.L. c. 71, §§ 42 or 42D, other applicable laws, or local school or district policies in response to violent, harmful, disruptive, or other inappropriate behavior by students or staff, regardless of whether the Plan covers the behavior.