



**BCD has a transparent policy regarding community behaviors, stated in the community handbook. This includes bullying behaviors, which can be read below.**

Addendum regarding Anti-Bullying and Anti- Harassment

From Massachusetts General Laws, Chapter 269:

Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term "hazing" shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Whoever knows that another person is the victim of hazing and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

BCD will promptly investigate all reports and complaints of hazing, bullying, and harassment and will attempt to end that behavior and prevent its recurrence. These actions may include referral to a law enforcement agency.

## HARASSMENT AND HAZING

Harassment is any abuse of an individual or group based on race, color, religion, age, ancestry, national origin, sex, sexual orientation, socio-economic status, academic status, gender identity or expression, genetic information, physical appearance, disability, or any other classification protected under state or federal law or regulation. It includes both easily identified acts of oral, written, or physical abuse – such as derogatory comments, abuse, ridicule, derogatory nicknames, and verbal threats – as well as other less-obvious but equally damaging forms of harassment, such as remarks of “humor” or any behavior that contributes to the creation of a hostile environment in which to live and learn. Any incidents involving sexual or any other harassment, racial, religious, or ethnic intolerance, physical injuries or threats, and fighting will be dealt with as disciplinary matters. Furthermore, the community does not tolerate humiliating or potentially harmful “rites of passage” or “initiations,” and such behaviors will be treated as disciplinary matters.

## BULLYING

Bullying is any written or verbal expression, physical acts or gestures directed at another person to intimidate, frighten, ridicule, humiliate, or cause harm where the conduct is not related to the person’s membership in a protected class (e.g., race, sex). Bullying may include—but is not limited to—repeated taunting, threats of harm, verbal or physical intimidation, cyber-bullying, pushing, kicking, hitting, spitting, or taking or damaging another’s personal property. Bullying is a form of aggression that involves a power imbalance between the bully and victim, where the bully has actual or perceived physical, social, and/or psychological power over the target(s) of the behavior. Bullying generally involves a pattern of conduct that is directed at a victim, rather than a single isolated incident. Bullying behavior may also constitute a crime. For more information on bullying, please see BCD’s bullying prevention and intervention plan, below.

## CYBERBULLYING

Cyberbullying is bullying through the use of technology or any electronic communication. It includes—but is not limited to—any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted virtually through electronic means. Cyberbullying can occur via email, internet communication, social media app, instant message, or any other electronic or network system. It also includes (a) the creation of a web page or blog in which the creator assumes the identity of another person or (b) the knowing impersonation of another person as the author of posted content or messages.

If the creation or impersonation creates any of the conditions noted in the definition of bullying. Cyber-bullying also includes the electronic distribution to more than one person—or posting of material on an electronic medium accessible by one or more persons—if the distribution or posting creates any of the conditions noted in the definition of bullying. For more information on cyberbullying, please see BCD’s bullying prevention and intervention plan, below.

## BULLYING PREVENTION AND INTERVENTION PLAN

BCD is committed to providing its students with a safe learning environment that is free from all forms of harassment, including bullying. The School will not tolerate any form of bullying that occurs on School grounds or in connection with any School activity or that otherwise

interferes with the educational experience of any student at the School. We will support this commitment in all aspects of our School community. We will provide information to all faculty, students and parents about the Plan at least annually. We ask that students and parents report any alleged bullying incident promptly.

We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing 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, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. We will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing. We afford all students the same protection regardless of their status under the law.

We will respond promptly and effectively to any report of bullying or retaliation against any person who has any information about bullying or participated in an investigation of bullying. We will promptly investigate the report. If we find that bullying or retaliation has occurred, we will promptly take action to end that behavior and restore a sense of safety for those who were the target of it. We will impose disciplinary sanctions in appropriate cases, up to and including dismissal from the School or termination from employment. We will report to local law enforcement incidents of bullying that may constitute a violation of criminal law.

#### WHAT CONSTITUTES BULLYING

Massachusetts has adopted a law relative to bullying in schools, which broadly defines bullying as “the repeated use by one or more students or by a member of a school’s staff (including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to any 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/targeted student, that:

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

The law defines a “hostile environment” as “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 the student’s education.”

Bullying includes “cyberbullying,” which Massachusetts law defines as “bullying through the use of technology or any electronic communication ... including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.”

Cyberbullying also includes “(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 (iii) to (v), inclusive, of the definition of bullying.”

Cyberbullying also includes “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.”

#### DEFINITIONS AND SCHOOL POLICY

It is important to bear in mind that stricter standards of behavior may apply under the School’s policies in order to prevent inappropriate verbal and physical conduct before a student has been subject to bullying as it is defined under the law. For example, although the Plan defines bullying as “repeated use” of certain expressions, acts, and/or gestures, the School reserves the right to impose disciplinary measures or other corrective action in a case of a single expression, act or gesture, as well as in a case of inappropriate conduct that may not rise to the level of the legal definition of bullying. This may occur if the School determines that the behavior is of sufficient severity to warrant disciplinary measures or other remedial action, or if the repetition of an expression, act, or gesture might result in bullying as defined under the Massachusetts anti-bullying law.

#### PROHIBITION AGAINST BULLYING

The School prohibits bullying:

- on School grounds, which means any building or property that the School owns or uses for educational, athletic, or other purposes;
- on any property immediately adjacent to School grounds;
- at or in connection with any School-sponsored or School-related activity, function or program, whether or not the activity occurs on School grounds;
- on any vehicle or other form of transportation owned or used by the School; or
- through the use of any technology or any electronic device owned, leased or used by the School.

The School also prohibits bullying that does not meet any of the above criteria, but that nonetheless:

- creates a hostile environment at school for the victim/alleged target;
- infringes on the rights of the victim/alleged target at school; or
- materially and substantially disrupts the education process or the orderly operation of the School.

## PROHIBITION AGAINST RETALIATION

The School also prohibits retaliation against any person who reports bullying, who provides information during an investigation of bullying, or who witnesses or has reliable information about bullying. “Retaliation” means any form of intimidation, reprisal, or harassment directed against any such person.

## REPORTING INCIDENTS OF BULLYING OR RETALIATION

**Students:** Any student who feels that he or she or any other student has been the subject of bullying or retaliation should promptly report the matter to the Head of School, the Associate Head of School, or any other staff member or teacher with whom they would feel more comfortable making the report. Student reports of bullying may be made anonymously, although the School is prohibited from taking any disciplinary action against a student solely on the basis of an anonymous report. A student who knowingly makes a false accusation of bullying or retaliation will be subject to disciplinary action, up to and including dismissal.

**Parents/Guardians:** Any parent or guardian who feels that any student has been the subject of bullying or retaliation should promptly report the matter to the Head of School or the Associate Head of School. Such reports of bullying may be made anonymously, although the School is prohibited from taking any disciplinary action against a student solely on the basis of an anonymous report. Any parent or guardian who wishes to file a claim/concern or seek assistance outside of the School may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at <http://www.doe.mass.edu/pgs>, emails can be sent to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu), or individuals can call 781-338-3700. Hard copies of this information are also available at the Superintendent’s office. If a parent or guardian knowingly makes a false accusation of bullying or retaliation, the School may terminate the enrollment of any child(ren) of that parent or guardian.

**Teachers and Staff:** All administrators, teachers, and staff – every person who is employed by the School in any capacity – must immediately report any instance of bullying or retaliation that the person has witnessed, or otherwise become aware of, to the Head of School. If the Head of School is unavailable, reports should be given directly to the Associate Head of School. An employee who knowingly makes a false accusation of bullying or retaliation or who fails to immediately report an instance of bullying or retaliation of which they are aware shall be subject to disciplinary action, up to and including dismissal.

If a teacher or staff member witnesses an act of bullying, cyberbullying or retaliation in progress, the teacher or staff member is expected to take reasonable steps to stop the act by communicating directly with the person where behavior is considered unacceptable, offensive, or inappropriate.

## ANONYMOUS REPORTING

Employees may not make reports under this policy anonymously. The School urges students and their parents and guardians not to make reports anonymously. Although there are circumstances in which an anonymous report can be better than none at all, it is far more

difficult to determine the facts of what occurred if complaints are made anonymously. 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 as needed to address concerns.

#### RESPONDING TO REPORTS OF BULLYING OR RETALIATION

Upon receiving a report of bullying or retaliation, the Head of School, or the Head of School's designee, will promptly conduct an investigation. The nature and extent of the investigation will depend on the circumstances.

If the Head of School or designee determines that bullying or retaliation has occurred after completion of the investigation, the Head or designee will take the following actions:

- Notify the parents or guardians of the alleged victim/target and, to the extent consistent with state and federal law, notify them of any action taken to prevent any further acts of bullying or retaliation. The Head of School or designee shall also inform the parents or guardians of the alleged victim/target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.
- Notify the parents or guardians of the alleged perpetrator.
- Assess the alleged victim's/target's need for protection and take appropriate steps as necessary to restore a sense of safety for the victim/target.

The following is an outline of the procedure that is pursued once a complaint has been brought forward:

An impartial investigation of the complaint is conducted by the Head of School or designee. That investigation may include (but will not necessarily be limited to) interviews with the person who made the complaint, with the student who was the target of the alleged bullying, cyber bullying, or retaliation, with the person or persons against whom the complaint was made, and with any students, employees, or other persons who witnessed or who may otherwise have relevant information about the alleged incident.

Depending on the circumstances, the Head of School or designee conducting the investigation also may choose to consult with other teachers and/or the School Counselor.

#### RESOLUTION, NOTIFICATION AND FOLLOW UP

Following interviews and any other investigation undertaken, as the School deems appropriate, the Head of School or designee will determine whether and to what extent the allegation of bullying, cyberbullying, or retaliation has been substantiated. If it is determined that the policy set forth in this Plan has been violated, the Head of School or designee will determine what disciplinary action and/or other remedial action is appropriate and how it will be implemented. When necessary, the following steps may be taken:

- In consultation with the school counselor, refer perpetrators, victims/targets, and family members of such students for counseling or other services as appropriate.

- Take appropriate disciplinary action, which may include any form of discipline that the School imposes for other violations of its rules and policies, up to and including dismissal. In accordance with Massachusetts law, any disciplinary actions shall balance the need for accountability with the need to teach appropriate behavior, and no disciplinary action may be taken against a student solely on the basis of an anonymous report.
- Notify local law enforcement if the Head of School or designee reasonably believes that criminal charges may be pursued against a perpetrator. Depending on the nature of the conduct, bullying may involve, for example, the crimes of stalking; making threats; harassment; or making harassing, annoying or molesting electronic communications. In addition, retaliation or threats of retaliation may involve, for example, the crime of witness intimidation.
- Notify the appropriate administrator of another school if an incident of bullying or retaliation involves a student from that school.

For all reports of bullying or retaliation, the Head of School or designee will keep a file of the report, the investigation, and any steps taken in response to a finding of bullying or retaliation.

#### NOTIFICATION AND TRAINING

The School will provide written notice of the relevant student-related sections of this Plan to students and parents/guardians at least annually. The notification to students will be in age appropriate terms. Relevant portions of the Plan will be included in the Community Handbook.

The School will post the entire Plan on its website.

The School will provide training on this Plan for all employees at least annually. The training at a minimum will include a review of the reporting obligations for all employees and the processes that the School will follow in response to a report of bullying or retaliation. The Plan, or relevant portions thereof, will be included in employee handbooks.

#### REVIEWING AND UPDATING THIS PLAN

The Plan will be updated at least once every two years. In connection with that update, the Head of School, or the Head of School's designee, will be responsible for reviewing the Plan, reviewing the file of reported incidents of bullying or retaliation in at least the preceding two years, and undertaking such other steps as may be appropriate to evaluate the effectiveness of this plan and the School's compliance with the Plan and any laws or regulations relating thereto.

At least once every four years, the School will administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in the School. Additionally, the School will annually report bullying incident data to the Department as may be required by law.