



KIPP Academy Lynn Charter School & KIPP Academy Boston Charter School
("KIPP Massachusetts")
Bullying Prevention and Intervention Plan
Updated September 2022

Overview

On May 3, 2010 Governor Patrick signed an *Act Relative to Bullying in Schools*. This law prohibits bullying and retaliation in all public and private schools, and requires schools and school districts to take certain steps to address bullying incidents. Parts of the law (M.G.L. c. 71, § 37O) that are important for students and parents or guardians to know are described below. The Bullying Prevention and Intervention Plan (the "Plan") is applicable to students and members of the school staff, including, but not limited to educators, school leaders, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity, paraprofessionals, operations staff, related service providers and regional office staff.

At KIPP Massachusetts ("KIPP MA"), it is expected that all members of the school community will treat each other in a respectful and affirming manner and with respect for differences. KIPP MA 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 the comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

KIPP MA recognizes that certain students and staff 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. The school or district 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.

KIPP MA has established separate discrimination or harassment policies that include these or other categories of students. Nothing in this section shall alter the obligations of the school to remediate any discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law. If you would like to speak with the Title IX Coordinator about discrimination or harassment, they can be reached at title9@kippma.org.

KIPP MA will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in the school buildings, on school grounds, or in school-related activities. KIPP MA will promptly investigate all reports and complaints of bullying, cyberbullying, and retaliation, and take prompt action to end that behavior and restore the complainant's sense of safety. KIPP MA will support this commitment in all aspects of the school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

The Plan is a comprehensive approach to addressing bullying and cyberbullying, and the school or district is

committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, KIPP MA established this Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. The principal 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 respondent. In such cases, the Executive Director or designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged complainant. If the Executive Director is the alleged respondent, the Board Chair, or their designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim.

Definitions

Several of the following definitions are copied directly from M.G.L. c. 71, § 370, as noted below. Schools or districts may add specific language to these definitions to clarify them, but may not alter their meaning or scope. Plans may also include additional definitions that are aligned with local policies and procedures.

“Bullying” as defined in M.G.L. c. 71, § 370, is the repeated use by one or more students or staff members of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

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

“Cyberbullying” is 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 on a multitude of apps and platforms. See M.G.L. c. 71, § 370 for the legal definition of cyberbullying.

“Hostile environment” as defined in M.G.L. c. 71, § 370, 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.

“Respondent” is a student or a member of a school staff who engages in bullying, cyberbullying, or retaliation towards a student.

“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.

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

“Complainant” is a student or staff member against whom bullying, cyberbullying, or retaliation has been perpetrated.

Complaint Process

A. Reporting bullying, cyberbullying or retaliation

Reports of bullying, cyberbullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal any instance of bullying, cyberbullying, or retaliation. When the principal is the alleged respondent, the report should be made immediately to the Executive Director. When the Executive Director is the alleged respondent, the report should be made to the Board Chair. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form¹, cell phone numbers for all staff members, and a dedicated mailing address.

Use of an Incident Reporting Form is not required as a condition of making a report. The school or district will:

1. include a copy of the Incident Reporting Form in the student handbook for students and parents or guardians;
2. make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined by the principal or designee; and
3. post it on the school's website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each school year, the school or district will provide the school community, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, and the Executive Director or designee when the principal or the assistant principal is the alleged respondent, will be incorporated in student and staff handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians.

a. Reporting by Staff

A school or district staff member is required to report immediately to the principal any instance of bullying, cyberbullying, or retaliation that they witness or become aware of. When the principal is the alleged respondent, the report should be made immediately to the Executive Director. When the Executive Director is the alleged respondent, the report should be made to the Board Chair. The requirement to report as provided does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

b. Reporting by Students, Parents or Guardians, and Others

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying, cyberbullying or retaliation involving a student to report it to the principal immediately. The report should be made to the Executive Director when the principal is the alleged respondent. Reports may be made anonymously, but no disciplinary action will be taken against an alleged respondent solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be 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, or Executive Director or designee when the principal or assistant principal is the alleged respondent.

¹ See Appendix A for Incident Reporting Form.

B. Responding to a report of bullying, cyberbullying or retaliation – Allegations of Bullying by a Student

a. Safety

Before fully investigating the allegations of bullying, cyberbullying or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged complainant and/or to protect the alleged complainant from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the complainant and/or the respondent in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the complainant; and altering the respondent’s schedule and access to the complainant. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The principal or designee will implement appropriate strategies for protecting from bullying, cyberbullying or retaliation a student who has reported bullying, cyberbullying or retaliation, a student who has witnessed bullying, cyberbullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying, cyberbullying or retaliation.

At least once every four years, the district will administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools. Additionally, the school or district will annually report bullying incident data to the Department.

b. Obligations to Notify Others

- i. Notice to parents or guardians. Upon determining that bullying, cyberbullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the complainant and the respondent 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 will be consistent with state regulations at 603 CMR 49.00.
- ii. Notice to Another School or District. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the Chief Schools Officer and Director of Compliance. The Chief Schools Officer and Director of Compliance will notify the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.
- iii. Notice to Law Enforcement. At any point after receiving a report of bullying, cyberbullying 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 respondent, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with 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 shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the respondent.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

C. Investigation

The principal or designee will promptly investigate all reports of bullying, cyberbullying 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. The principal or designee may assign another school or district employee (known as the investigator) to investigate the alleged incident.

During the investigation the investigator, among other things, will interview students, staff, witnesses, parents or guardians, and others as necessary. The investigator will remind the alleged respondent, complainant, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given their obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation.

D. Determinations

The principal or designee will make a determination based upon all of the facts and circumstances. If, after the investigation, bullying, cyberbullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the complainant is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the complainant's or respondent's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents or guardians of the complainant and the respondent about the results of the investigation and, if bullying, cyberbullying or retaliation is found, what action is being taken to prevent further acts of bullying, cyberbullying 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 complainant's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the complainant must be aware of in order to report violations.

The principal or designee shall inform the parent or guardian of the complainant 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.

E. Responding to a Report of Bullying by School Staff

KIPP MA recognizes that in some situations an instance of bullying could be reported where the respondent is a staff member. In such events, KIPP MA will ensure the situation is properly investigated and that all of the witnesses are able to speak truthfully without fear of consequences. Retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action. In the event that there is a situation where a student or staff member reports an incident of bullying by a staff member then the procedures listed above will still apply. The principal, Executive Director, board chair or designee will conduct a thorough investigation and can rely on the support of the KIPP MA Human Resources Director with regards to potential actions steps related to an individual's performance or employment. With the support of the Human Resources Director, the individual in charge of investigating will communicate action steps with students, staff and families as is legally permissible.

F. Taking Disciplinary Action

Where it is determined that inappropriate conduct has occurred, KIPP MA will act promptly to eliminate the conduct and will impose disciplinary action as appropriate. The disciplinary action will be 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. Discipline will be consistent with the Plan and with the school's code of conduct. Corrective action, as necessary, can include a recommendation for counseling or other therapeutic services.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the principal or designee determines that a student knowingly made a false allegation of bullying, cyberbullying or retaliation, that student may be subject to disciplinary action, up to and including suspension, expulsion and/or court involvement. All students shall be afforded the same protection regardless of their status under the law.

Prohibition Against Bullying and Retaliation

Acts of bullying, which include cyberbullying, 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, § 370, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

Academic and Non-academic Activities

- A. Specific bullying prevention approaches. Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:
- a. Using scripts and role plays to develop skills;
 - b. Empowering 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 assistances;
 - c. Helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance;
 - d. Emphasizing cybersafety, including safe and appropriate use of electronic communication technologies;
 - e. Enhancing students' skills for engaging in healthy relationships and respectful communications; and
 - f. Engaging students in a safe, supportive school environment that is respectful of diversity and difference.

Initiatives will also teach students about the student-related sections of the Plan. On at least an annual basis, KIPP MA will review the Plan specifically as it relates to how students can report instances of bullying.

- B. General teaching approaches that support bullying prevention efforts. The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:
- a. Setting clear expectations for students and establishing school and classroom routines;
 - b. Creating safe school and classroom environments for all students, including for students with disabilities, LGBTQ+ students, and students experiencing homelessness;
 - c. Using appropriate and positive responses and reinforcement, even when students require discipline;
 - d. Using positive behavioral supports;
 - e. Encouraging adults to develop positive relationships with students;
 - f. Modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
 - g. Using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
 - h. Using the Internet safely; and
 - i. Supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.
- C. Informing parents and/or guardians about the bullying prevention curriculum.
- a. Reinforcing the curriculum at home
 - b. Supporting the KIPP MA Plan
 - c. The dynamics of bullying
 - d. Online safety and cyberbullying

Appeals

The principal or designee shall inform the parent or guardian of the complainant and respondent of the process to appeal their determination at the conclusion of the investigation via the determination letter.

External Grievance Procedure

Any parent wishing to file a claim/concern or seeking assistance outside of the district 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/pgg>, emails can be sent to compliance@doe.mass.edu or individuals can call 781-338-3700. Hard copies can be made upon request through the regional office.

Professional Development

A. Annual Staff Training on the Plan

Staff will be trained annually on the Plan including, but not limited to their duties under the Plan and an overview of the steps that the principal or designee will follow upon receipt of a report of bullying, cyberbullying or retaliation.

B. Ongoing Professional Development

The goal of professional development is to establish a common understanding of tools necessary for staff 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. As required by M.G.L. c. 71, § 37O, the content of school-wide and district wide professional development will be informed by research and will include information on:

- a. developmentally (or age-) appropriate strategies to prevent bullying;
- b. developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- c. information regarding the complex interaction and power differential that can take place between and among a respondent, complainant, and witnesses to the bullying;
- d. research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
- e. information on the incidence and nature of cyberbullying; and
- f. Internet safety issues as they relate to cyberbullying.

Professional development will also address ways to prevent and respond to bullying, cyberbullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs).

Additional areas identified by the school or district for professional development may include:

- a. promoting and modeling the use of respectful language;
- b. fostering an understanding of and respect for diversity and difference;
- c. building relationships and communicating with families;
- d. constructively managing classroom behaviors;
- e. using positive behavioral intervention strategies;
- f. applying constructive disciplinary practices;
- g. teaching students skills including positive communication, anger management, and empathy for

others;

- h. engaging students in school or classroom planning and decision-making;
- i. maintaining a safe and caring classroom for all students; and
- j. engaging staff and those responsible for the implementation and oversight of the Plan to distinguish between acceptable managerial behaviors designed to correct misconduct, instill accountability in the school setting, etc and bullying behaviors

C. Written Notice to Staff

KIPP MA will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties and bullying of students by school staff, in the school or district employee handbook and the student code of conduct.

Appendix A

BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM

1. Name of Complainant/Person Filing the Report:

This line may be left blank if an anonymous report is being made

(Note: Reports may be made anonymously, but no disciplinary action will be taken against an alleged respondent solely on the basis of an anonymous report.)

2. Check whether you are the: **Target of the behavior** **Reporter (not the target)**

3. Check whether you are the: **Student** **Staff member (specify role)** _____

Administrator **Parent** **Other**

Your contact information/telephone number: _____

4. If student, state your school: _____ **Grade:** _____

5. If staff member, state your school or work site: _____

6. Information about the Incident:

Name of Complainant (Person who received the behavior): _____

Name of Respondent(Person who engaged in the behavior): _____

Date(s) of Incident(s): _____

Time When Incident(s) Occurred: _____

Location of Incident(s) (Be as specific as possible): _____

7. Witnesses (List people who saw the incident or have information about it):

Name: _____ **Student** **Staff** **Other** _____

Name: _____ **Student** **Staff** **Other** _____

Name: _____ **Student** **Staff** **Other** _____

8. Describe the details of the incident (including names of people involved, what occurred, and what each person did and said, including specific words used). Please use additional space on back if necessary.

FOR ADMINISTRATIVE USE ONLY

9. Signature of Person Filing this Report: _____ Date: _____

(Note: Reports may be filed anonymously.)

10. Form Given to: _____ Position: _____ Date: _____

Signature: _____ Date Received: _____

I. INVESTIGATION

1. Investigator(s): _____ Position(s): _____

2. Interviews:

Interviewed respondent Name: _____

Interviewed complainant Name: _____

Interviewed witnesses Name: _____

3. Any prior documented incidents by the respondent? Yes No

Date: _____

Date: _____

Date: _____

Date: _____

If yes, have incidents involved complainant or complainant group previously? Yes No

Any previous incidents with findings of BULLYING, RETALIATION? Yes No

Summary of Investigation:

(Please use additional paper and attach to this document as needed)

II. CONCLUSIONS FROM THE INVESTIGATION

1. Finding of bullying or retaliation: YES NO

- Bullying Incident documented as _____
- Retaliation Discipline referral only _____

2. Contacts:

- Complainant's parent/guardian Date: _____
- Respondent's parent/guardian Date: _____
- Law Enforcement Date: _____

3. Action Taken:

- Loss of Privileges Detention STEP referral Suspension
- Community Service Education Other _____

4. Describe Safety Planning:

Follow-up with Complainant: scheduled for _____ **Initial and date when completed:** _____

Follow-up with Respondent: scheduled for _____ **Initial and date when completed:** _____

Report forwarded to Principal: Date _____

Report forwarded to Executive Director: Date _____

(If principal was not the investigator)

Signature and Title: _____ **Date:** _____

Print Name and Title: _____