

Massachusetts Department of Elementary and Secondary Education

**Crossroads School Bullying Prevention and Intervention Plan
and Anti-Hazing Policy**

The Department of Elementary and Secondary Education (Department) created a model Bullying Prevention and Intervention Plan required under M.G.L. c. 71, § 37O, in consultation with state agencies, school personnel, advocacy organizations, and other interested parties. Crossroads School has adopted the model Plan where the format parallels the draft *Behavioral Health and Public Schools Framework*, and is designed to be used by schools and school districts as a framework for developing local Plans.

Please note that in the Plan we use the word “target” instead of “victim” and “aggressor” instead of “perpetrator.”

TABLE OF CONTENTS

I. LEADERSHIP.....	2
II. TRAINING AND PROFESSIONAL DEVELOPMENT	4
III. ACCESS TO RESOURCES AND SERVICES	5
IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES.....	5
V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION.....	6
VI. COLLABORATION WITH FAMILIES.....	10
VII. PROHIBITION AGAINST BULLYING AND RETALIATION.....	11
VIII. DEFINITIONS	12
IX. RELATIONSHIP TO OTHER LAWS / ANTI-HAZING POLICY.....	13

I. LEADERSHIP

Leadership at all levels plays a critical role in developing and implementing Bullying Prevention and Intervention Plans ("the Plan") in the context of other whole school and community efforts to promote positive school climate. Leaders have a primary role in teaching students to be civil to one another and promoting understanding of and respect for diversity and difference.

Leadership is defined by Crossroads, dependent on existing roles and responsibilities and locally identified priorities for this initiative. Leadership is responsible for setting priorities and for staying up-to-date with current research on ways to prevent and effectively respond to bullying. It is also the responsibility of leaders to involve representatives from the greater school and local community in developing and implementing the Plan.

- A. Public involvement in developing the Plan. As required by M.G.L. c. 71, § 37O, the Plan was developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians, and PAC. Consultation includes, at a minimum, notice and a public comment period before the Board of Trustees adopts the plan. The Plan will identify the ways that each of the various constituencies will be involved.
- B. Assessing needs and resources. The Plan is the school's blueprint for enhancing capacity to prevent and respond to issues of bullying within the context of other healthy school climate initiatives. As part of the planning process, school leaders, with input from families and staff, will continually assess the adequacy of current programs; review current policies and procedures; review available data on bullying and behavioral incidents; and assess available resources including curricula, training programs, and behavioral health services. This "mapping" process will assist schools and districts in identifying resource gaps and the most significant areas of need. Based on these findings, Crossroads will revise or develop policies and procedures; establish partnerships with community agencies, including law enforcement; and set priorities.

As part of initial and on-going assessment, Crossroads will include: 1) surveying students, staff, parents, and guardians on school climate and school safety issues; and 2) collecting and analyzing building-specific data, including direct observation, on the prevalence and characteristics of bullying (e.g., focusing on identifying vulnerable populations and "hot spots" in school buildings, on school grounds, or on school buses). Similar tools to the student survey can be used with faculty, staff, and parents/guardians to assist in determining school climate needs. This information will help to identify patterns of behaviors and areas of concern, and will inform decision-making for prevention strategies including, but not limited to, adult supervision, professional development, age-appropriate curricula, and in-school support services.

At least once every four years beginning with 2015/16 school year, Crossroads 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, Crossroads will annually report bullying incident data to the Department.

- C. Planning and oversight. The President/CEO will
- 1) Receive reports on bullying within the same working day, anonymous reporting allowed
 - 2) Collect and analyze building and/or school-wide data on bullying to assess the present problem and to measure improved outcomes
 - 3) Utilize a process for recording and tracking incident reports, and for accessing information related to targets and aggressors
 - 4) Plan for the ongoing professional development that is required by the law

- 5) Choose and implement the curricula that Crossroads will use
- 6) Develop new or revising current policies and protocols under the Plan, including an Internet safety policy, and designating key staff to be in charge of implementation of them
- 7) Amend student and staff handbooks and codes of conduct
- 8) Lead the parent or family engagement efforts and drafting parent information materials
- 9) Review and update the Plan each year, or more frequently

D. Developing priority statements.

Crossroads expects that all members of the school community will treat each other in a civil manner and with respect for differences.

Crossroads 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 to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

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. Crossroads 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 understand that members of certain student groups, such as students with disabilities, students who are gay, lesbian, bisexual, or transgender, and homeless students may be more vulnerable to becoming targets of bullying, harassment, or teasing. Crossroads will take specific steps 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 will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. We will investigate promptly all reports and complaints of bullying, cyberbullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. We will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

The Bullying Prevention and Intervention Plan ("Plan") is a comprehensive approach to addressing bullying and cyberbullying, and Crossroads is committed to working with students, staff, families, sending school districts, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. The President/CEO is responsible for the implementation and oversight of the Plan.

II. TRAINING AND PROFESSIONAL DEVELOPMENT

Professional development for all staff, including but not limited to, teachers/educators, administrators, ABA counselors, and school nurses will be conducted at a minimum of one time per year. This training will include Crossroads Policy on bullying, prevention strategies, intervention strategies, cyberbullying, internet safety relating to bullying, research findings including information on vulnerable or at risk students.

- A. Annual staff training on the Plan. Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the President/CEO or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school. Staff members hired after the start of the school year will be required to participate in school-based training during their initial training period/orientation.
- B. Ongoing professional development. 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 professional development will be informed by research and will include information on:
- (i) developmentally appropriate strategies to prevent bullying
 - (ii) developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents
 - (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying
 - (iv) 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
 - (v) information on the incidence and nature of cyberbullying
 - (vi) Internet safety issues as they relate to cyberbullying

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

Additional areas identified by Crossroads for professional development include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making; and
- maintaining a safe and caring classroom for all students.

- C. Written notice to staff. Crossroads will provide all staff with an annual written notice of the Plan during the annual staff training.

III. ACCESS TO RESOURCES AND SERVICES

- A. Identifying resources. Crossroads will provide social skills groups to all students that will support the creation of a positive school environment for all students, including targets, aggressors and family members. Team meetings will be held for all targets and aggressors to work with the families regarding the issue. Additionally, a list of local resources will be disseminated to parents upon admission to the school that will include local resources for counseling and support.
- B. Counseling and other services. Any student at Crossroads is entitled to services provided to all students in the sending school district, including linkages with community-based organizations, including Community Service Agencies (CSAs) for Medicaid eligible students. In addition, Crossroads administrators work with out of district coordinators in the context of team meetings to develop safety plans for students who have been targets of bullying or retaliation, providing social skills programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors. Crossroads consider current tools including, but not limited to, behavioral intervention plans, social skills groups, development of specific IEP goals and objectives and individually focused curricula.
- C. Students with disabilities. As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.
- D. Referral to outside services. Crossroads will refer students and families to outside services when internal interventions have not proven successful. Crossroads updates and maintains a list of local and state agencies as well as private therapists. Referrals to outside service providers are made when deemed appropriate. Referrals to the Department of Child and Families may be initiated as deemed appropriate. Support from the local police department will be initiated as needed.

IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES

Crossroads implements social skills groups with students providing developmentally appropriate instruction targeting skills to increase social communication.

- A. Specific bullying prevention approaches. Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:
- using scripts and role plays to develop skills;
 - empowering students to take action by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance;
 - helping students understand the dynamics of bullying and cyberbullying, 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.

Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan. Crossroads staff will review the plans needed and at least once annually utilizing a communicative approach appropriate to the developmental level of each individual student.

- 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:
- setting clear expectations for students and establishing school and classroom routines;
 - creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
 - using appropriate and positive responses and reinforcement, even when students require discipline;
 - using positive behavioral supports;
 - encouraging adults to develop positive relationships with students;
 - modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
 - 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;
 - using the Internet safely; and
 - supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

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

- A. Reporting bullying or retaliation. Reports of bullying 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 Crossroads staff member is required to report immediately to the President/CEO or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school staff members, may be made anonymously. Crossroads will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form, a confidential voicemail box and a confidential email address.

Use of an Incident Reporting Form is not required as a condition of making a report. Crossroads will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the school's main office, the school nurse's office, and other locations determined by the President/CEO 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, Crossroads will provide the school community including administrators, staff, 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 President/CEO or designee, will be incorporated in student and staff handbooks, on Crossroads website, and in information about the Plan that is made available to parents or guardians.

1. Reporting by Staff

A staff member will report immediately to the President/CEO or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the President/CEO or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with Crossroads policies and procedures for behavior management and discipline.

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

Crossroads expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the President/CEO or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor 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 President/CEO or designee.

B. Responding to a report of bullying or retaliation.

1. Safety

Before fully investigating the allegations of bullying or retaliation, the President/CEO or designee will take 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; pre-determining 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 President/CEO or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The President/CEO or designee will implement 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.

2. Obligations to Notify Others

- a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the President/CEO or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the President/CEO or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
- b. 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 President/CEO or designee first informed of the incident will promptly notify by telephone the President/CEO 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.
- c. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the President/CEO or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the President/CEO 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 President/CEO 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 aggressor.

In making this determination, the President/CEO 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 President/CEO or designee deems appropriate.

- C. Investigation. The President/CEO or designee will investigate 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 President/CEO or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The President/CEO or designee (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the President/CEO or designee, other staff members as determined by the President/CEO or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the President/CEO or designee will maintain confidentiality during the investigative process. The President/CEO 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 President/CEO or designee will consult with legal counsel about the investigation. (Align this with school or district procedures.)

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

Depending upon the circumstances, the President/CEO or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor'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 President/CEO or designee will promptly notify the parents or guardians of the target and the 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 President/CEO 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.

The President/CEO or designee shall inform the parent or guardian of the 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.

- E. **Responses to Bullying.** *Use this section of the Plan to enumerate the school's or district's chosen strategies for building students' skills, and other individualized interventions that Crossroads may take in response to remediate or prevent further bullying and retaliation. The following is sample language that may be included in school or district Plans:*

1. Teaching Appropriate Behavior Through Skills-building

Upon the President/CEO or designee determining that bullying or retaliation has occurred, the law requires that Crossroads use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O(d)(v). Skill-building approaches that the President/CEO or designee may consider include:

- offering individualized skill-building sessions based on the school's/district's anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills; and
- making a referral for evaluation.

2. Taking Disciplinary Action

If the President/CEO or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the President/CEO 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.

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 President/CEO or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

3. Promoting Safety for the Target and Others

The President/CEO or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that the President/CEO or designee may use is to increase 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 President/CEO or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the President/CEO or designee will work with appropriate school staff to implement them immediately.

VI. COLLABORATION WITH FAMILIES

Effective Plans will include strategies to engage and collaborate with students' families in order to increase the capacity of Crossroads to prevent and respond to bullying. Resources for families and communication with them are essential aspects of effective collaboration. The law requires the district or school Plan to include provisions for informing parents or guardians about the bullying prevention and intervention curricula used by the school district or school including:

(i) how parents and guardians can reinforce the curricula at home and support the school or district plan; (ii) the dynamics of bullying; and (iii) online safety and cyberbullying. Parents and guardians must also be notified in writing each year about the student-related sections of the Bullying Prevention and Intervention Plan, in the language(s) most prevalent among the parents or guardians. School- or district-specific approaches to collaboration should take into account age, climate, socio-economic factors, linguistic, and cultural make-up of students and the parents.

Identify in local Plans the parent resource and information networks that Crossroads will collaborate with in working with parents and guardians.

- A. **Parent education and resources.** Crossroads will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the district or school. The programs will be offered in collaboration with the PTO, PTA, School Councils, Special Education Parent Advisory Council, or similar organizations.
- B. **Notification requirements.** Each year Crossroads will inform parents or guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. Crossroads will send parents written notice each year about the student-related sections of the Plan and the school's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. Crossroads will post the Plan and related information on its website.

VII. PROHIBITION AGAINST BULLYING AND RETALIATION

The law requires each Plan to include a statement prohibiting bullying, cyberbullying, and retaliation. The statement must be included in the Plan and included in the student code of conduct, the student handbook, and the staff handbook. The following statement is incorporated directly from M.G.L. c. 71, § 37O(b), and describes the law's requirements for the prohibition of bullying. It may be tailored to meet the specific priorities of Crossroads. Alternative language is included in the draft priority statements in Part I.D above.

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, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs

Problem Resolution System.

Chapter 86 of the Acts of 2014 amended Section 37O of chapter 71 of the General Laws to include (g) (v):

Crossroads will notify the parents or guardians of the target about the Department's problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. This information will be made available in both hard copy and electronic formats: 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/pqa>, emails can be sent to compliance@doe.mass.edu or individuals can call 781-338-3700. Hard copies of this information is also available at Crossroads School.

VIII. DEFINITIONS

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

Aggressor is a student who engages in bullying, cyberbullying, or retaliation.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students 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 himself or herself or of damage to his or her 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. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

Hostile environment, as 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, ABA counselors, school nurses, related services providers, support staff, or any contracted services provider.

Target is a student against whom bullying, cyberbullying, or retaliation has been perpetrated.

IX. RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of Crossroads, 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 Crossroads 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 Crossroads to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

Anti-Hazing Policy

The term "hazing" as used in M.G.L. c. 269, §§ 17-19, 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.

Notification Requirements

1) The President/CEO will issue a copy of M.G.L. c 269, 17 through 19, to every secondary school age student enrolled full-time, and every student group, student team, or student organization, including every unaffiliated student group, student team, or student organization, and a copy of Crossroads Schools anti-hazing disciplinary policy approved by the Board of Trustees.

In addition, Crossroads will file an annual report with the Massachusetts Department of Elementary and Secondary Education (DESE) at least annually certifying that:

- a) Crossroads is compliant with its responsibility to inform student groups, teams, or organizations, and every full-time enrolled student, of the provisions of M.G.L. c. 269, 17 through 19;
- b) Crossroads adoption of a disciplinary policy with regard to the organizers and participants of hazing; and
- c) That Crossroads hazing policy has been included in the student handbook or other means of communicating school program policies

Disciplinary Action:

Given the learning profile of students at Crossroads, many of our children would require a manifestation determination prior to the implementation of any disciplinary proceedings. Should an investigation determine that an incident was clearly an act of hazing, and then discipline may be imposed on the aggressor after the assessment of their disability issues. These actions will be determined based on the student's skill set and level of understanding. They may include movement away from the target and loss of preferred activities (as based on their IEP and behavior support plan). In the event none of these interventions work, we would move to our student suspensions and termination of placements policy.

If the President/CEO or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the President/CEO 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 and/or district's code of conduct.

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

If the President/CEO or designee determines that a student knowingly made a false allegation of hazing, that student may be subject to disciplinary action.

Massachusetts General Law c 269, 17-19

Section 17. 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" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which wilfully 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.

Section 18. Whoever knows that another person is the victim of hazing as defined in section seventeen 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.

Section 19. Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.