

THE PHOENIX SCHOOL BULLYING PREVENTION AND INTERVENTION PLAN DECEMBER 2010

I. Introduction

At The Phoenix School, we expect that all members of our school community will treat each other with civility and respect.

It is the policy of the School to provide and maintain a learning environment that is free of bullying and any other verbal or physical misconduct that disrupts the learning environment or makes it unsafe.

The Phoenix School Bullying Prevention and Intervention Plan, set forth below, is published in response to the recently enacted Massachusetts law against bullying and is an integral part of our efforts to promote learning and to prevent behavior that can impede the learning process. Our Plan spells out The Phoenix School's comprehensive approach to addressing bullying, cyber-bullying, and retaliation.

This Plan is consistent with broader protections at Phoenix against discrimination, harassment, bullying, and retaliation that appear in our *Parents' Handbook* and our *Faculty/Staff Personnel Policies Handbook*.

It is important that this Plan be well understood by all members of the Phoenix community. The Heads of School are responsible for the implementation and administration of the Plan. Questions and concerns related to this Plan may be referred to them.

II. Policy against Bullying, Cyber-Bullying, and Retaliation

The School will not tolerate any form of bullying or cyber-bullying, nor will we tolerate retaliation against any person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable

information about bullying.

Bullying and cyber-bullying are prohibited on school grounds and at school sponsored events, activities, functions, and programs. Bullying and cyber-bullying also are prohibited through use of technology or an electronic device owned, leased, or used by the school.

In addition, bullying and cyber-bullying are prohibited at a location, activity, function, or program that is not school-related or through the use of technology or an electronic device that is not owned, leased, or used by the school, if the bullying creates a hostile environment at school for a targeted student; infringes on the rights of a targeted student at school; or materially and substantially disrupts the educational process or the orderly operation of the school.

Definitions under the Law. The following definitions are drawn from the Massachusetts law against bullying.

Bullying. Bullying is defined as 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:

- causes physical or emotional harm to the targeted student or damage to the targeted student's property;
- places the targeted student in reasonable fear of harm to himself or herself or of damage to his or her property;
- creates a hostile environment at school for the targeted student;
- infringes on the rights of the targeted student at school; or materially and substantially disrupts the educational process or the orderly operation of the school.

Cyber-bullying. Cyber-bullying is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, fax machines and the internet. It

includes, but is not limited to, e-mail, instant messages, text messages, and internet postings, whether on a web page, in a blog, on Facebook or My Space, or otherwise.

Hostile Environment. A hostile environment 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. 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.

Legal Definitions and School Policy. It is important to bear in mind that stricter standards of behavior may apply under The Phoenix School's policies in order that we may 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 law defines bullying as "repeated use" of certain expressions, acts, and/or gestures, the School reserves the right to apply disciplinary measures and other corrective action in a case of a single expression, act or gesture, if the School determines that it is of sufficient severity to warrant disciplinary measures or other remedial action or that the repetition of that expression, act, or gesture might reasonably result in bullying as defined under the law.

III. Prevention of Bullying and Cyber-bullying

From the earliest grades at Phoenix, students learn that as members of our community they have a right to be treated with civility and respect. Our curriculum emphasizes respect for differences, and teachers are clear in their expectations for student behavior. When necessary, parents are notified and asked to reinforce standards for membership in the

Phoenix community.

In Grades 5-8, a “Student Rights and Responsibilities Handbook” is reviewed with students and shared with parents in the fall. This handbook includes explicit policies around the acceptable use of technology at Phoenix.

Community Meetings are utilized by administrators to make sure that students are well informed about what is expected of them and to reinforce positive conduct.

Workshops focus on peer relationships and empower students to take action if they feel targeted or if they witness other students engaging in bullying or other unacceptable behavior.

The administration and faculty recognize that it is essential that expectations for student conduct extend to all areas of the school, lunch, recess, sports, carpool, buses and the like. The School strives to ensure that ample adult supervision is provided on School premises, at lunch and at recess, at off campus classes and activities, and on School-provided transportation during the school day as well as at School-sponsored events.

IV. Reports of Bullying, Cyber-Bullying, or Retaliation

Any student who is the target of bullying or cyber-bullying or has witnessed an incident of bullying or cyber-bullying or otherwise has relevant information about bullying or cyber-bullying prohibited by this policy is strongly encouraged to promptly report the matter orally or in writing to the Heads of School or other administrator, or to any other faculty or staff member with whom the student is comfortable speaking. Also, any student who is subject to retaliation in violation of this policy or who knows of another student who has been subject to retaliation is urged to report it as soon as possible.

A parent of a student who is the target of bullying or cyber-bullying or of a student who has witnessed or otherwise has relevant information about bullying or cyber-bullying is strongly urged to promptly notify the Heads of School. Furthermore, any parent who has witnessed bullying or cyber-bullying or has relevant information concerning such an incident is strongly urged to come forward to the Heads of School. A parent should also report any incident of retaliation in violation of this policy to the Heads of School.

Any member of the faculty or staff of the School who witnesses or otherwise becomes aware of bullying or cyber-bullying in violation of this policy or who becomes aware of retaliation against a student who reported information concerning a violation of this policy is required to report it immediately to the Heads of School. There are to be no exceptions. A member of the faculty or staff may not make promises of confidentiality to a student or parent who informs him/her of an allegation of bullying, cyber-bullying, or retaliation.

Faculty and staff may not make reports under this policy anonymously. The School also urges students and their parents 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. Students and parents are encouraged to bear in mind that the School takes its policy against retaliation seriously. Also, 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 on a legitimate need-to-know basis.

V. Responding to a Report of Bullying, Cyber-bullying,

or Retaliation

A. Preliminary Considerations. When a complaint of bullying, cyber-bullying, or retaliation is brought to the attention of the Head of School or a Division Head, an assessment is made as to whether any initial steps need to be taken to protect the well-being of students and to prevent disruption of their learning environment while the investigation is being conducted. As appropriate, strategies such as increased supervision may be implemented to prevent further bullying, cyber-bullying, or retaliation during an investigation.

B. Obligation to Notify Parents. It is the policy of the School to notify the parents of any student who is an alleged target of bullying, cyber-bullying, or retaliation and the parents of any student who may have been accused of engaging in such behavior promptly after a complaint has been made.

C. Investigation

The following is an outline of the procedure that is pursued once a complaint has been brought to the attention of the Heads of School:

An impartial investigation of the complaint is conducted by the Heads of School. 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, faculty, staff or other persons who witnessed or who may otherwise have relevant information about the alleged incident.

Depending on the circumstances, the Heads of School conducting the investigation also may choose to consult with other teachers and/or other adults appropriate to aiding in

the investigation.

D. Resolution, Notification, and Follow-up

Following interviews and any other investigation undertaken, as the School deems appropriate, the Heads of School will determine whether and to what extent the allegation of bullying, cyber-bullying, or retaliation has been substantiated. If it is determined that the policy set forth in this Plan has been violated, the Heads of School will determine what disciplinary action and/or other remedial action is appropriate and how it will be implemented.

The goal of an investigation and any disciplinary or other remedial process that is imposed following that investigation is to correct the situation to the extent it is reasonably possible and to take such steps as can be taken to prevent there being a repetition of the incident and to prevent the student or students targeted and others who participated in the investigation from being subject to retaliation.

In appropriate circumstances, such as when a crime may have been committed or a child may have been subject to abuse or neglect of the type that is reportable under Section 51A of the Massachusetts laws, law enforcement or another appropriate government agency may be notified.

Upon completion of the investigation, the Heads of School who conducted the investigation will meet individually with the student or students who were the target of the alleged incident and the student or students against whom the complaint was made and their parents to report the results of the investigation and, where disciplinary or other corrective action is determined to be appropriate, to inform the parties of the steps that will be taken to correct the situation. The amount of information provided in these meetings may be limited by confidentiality laws protecting student records.

Follow-up contacts will be made with any student found to

have been targeted in violation of this policy and his/her parents to inquire as to whether there have been any further incidents.

VI. Conclusion

This Plan is intended (1) to prevent bullying and cyber-bullying among our students, (2) to encourage students and their parents to have confidence in the School's procedures and to come forward promptly whenever a student is subject to conduct that is prohibited by this or any other School policy; and (3) to implement appropriate discipline and other corrective measures when they are found to be warranted.