Chapter 92 of the Acts of 2010, An Act Relative to Bullying in Schools, was signed into law by the state legislature for the Commonwealth of Massachusetts on May 3, 2010 and took effect immediately. The law requires each school district, charter school, non-public school, approved day or residential school, and collaborative school to develop and implement a plan to address bullying and intervention. As an independent secondary school, Chapel Hill-Chauncy Hall School (CH-CH) is required in this instance to follow directives from the Massachusetts Board of Elementary and Secondary Education as they have promulgated regulations addressing a school leader’s specific duties in regards to notifying parents and/or guardians of the law as well as their child’s vulnerability as a victim or perpetrator of bullying or retaliation. Moreover, CH-CH is required to (1) have a procedure for receiving reports of bullying or retaliation, (2) promptly respond to, investigate, and address all such incidents, and (3) report to parents and law enforcement violations of school anti-bullying policy as set forth in 603 CMR 49.05 and 49.06.

As an educational leader and school community, we wholeheartedly support the spirit of the Commonwealth’s Anti-Bullying Policy for schools. However, this unprecedented legislative act infringes on the self-governance of independent schools and, as such, raises serious questions concerning state interference upon schools not receiving any local, state or federal funding. Is this the first step on a slippery slope of legislative encroachment upon the independent schools in
Massachusetts? What will be the next piece of legislation to infringe upon the independence of non-public schools in the Commonwealth?

In describing and critiquing the school-based Anti-Bullying Policy at Chapel Hill-Chauncy Hall School as directed by the Commonwealth of Massachusetts, it is important to place the policy in context and understand the genesis, as well as procedural additions since 2010, to this legislative act leading to state-wide, school-based policies. This exploration will include the moral implications of this policy, as well as the danger in opposing the policy mandate. After determining what the CH-CH policy states and validating it by connecting it to state guidelines from the Board of Elementary and Secondary Education, time will be dedicated to exploring some of the critical questions surrounding this policy and the independent school community in Massachusetts, including CH-CH.

**Context and Genesis**

On January 14, 2010, 15-year old Phoebe Prince committed suicide in South Hadley, Massachusetts after withstanding months of persistent bullying from peers at her new school, South Hadley High School. The suicide ultimately led to the criminal prosecution of six teenagers for charges including civil rights violations. Her family had recently moved to the U.S. from Ireland, and this suicide gained international attention to the problem of bullying in American schools. After the tragic event, families in South Hadley held public forums to discuss the rising degree of bullying in schools and the lack of responses from school administration. In March, 2010, a state anti-bullying task force was established to investigate this issue throughout the Commonwealth. The fast-tracked, comprehensive Massachusetts legislation to address bullying in public and non-public schools was signed into law by Governor Deval Patrick on
May 3, 2010. Inspired by the Massachusetts bill, similar legislation was introduced in New York State. Moreover, “Phoebe’s Law” has been promoted across the nation in an effort to promote national anti-bullying legislation (Bierman, 2010; Constantine, 2010; Irish, 2010).

An Act Relative to Bullying in Schools and Procedural Additions

An Act Relative to Bullying in Schools (Appendix A), Chapter 92 of the Acts of 2010, requires school leaders to implement strategies to prevent bullying and to address bullying promptly and effectively when it occurs. The legislation dictates that the primary legal duty of school employees is the duty to use reasonable care in dealing with bullying issues. For example,

- the duty to provide adequate supervision of students under school care
- the duty to protect against foreseeable harm
- the duty to report abuse or neglect
- the duty not to engage in inappropriate behavior or abuse of power or authority
- the duty to provide a safe and bully-free school environment
- the duty to protect and care for students as the parents of the students would (Clem & Johnson, 2010)

School leaders are required to be responsible for bullying prevention and responsive actions in fulfilling the school’s role in creating a bully-free school environment. To this end, schools must (1) create a positive school environment which rewards good behavior, and (2) appropriately respond to bullying when it occurs. Key requirements include,

- developing a Bullying Prevention and Intervention Plan by December 31, 2010 that prohibits bullying, cyber-bullying and retaliation
- crafting descriptions of and statements prohibiting bullying, cyber-bullying and retaliation
- planning for prevention, intervention, response, reporting, investigation, and disciplinary action
- providing counseling or referrals to appropriate supportive services for victims, perpetrators and family members
• determining annual written notice of the plan to students, families and school employees
• creating school policies for both student/community and employee handbooks
• determining incident reporting procedures and notice of incidents
• creating a reporting mechanism to local law enforcement
• publishing policies and plans on the school website
• planning for proper response and resolution of complaints
• designing annual training for faculty and staff about the plan (Clem & Johnson, 2010)

When reporting an incident of bullying, a member of school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, shall be required to immediately report any instance of bullying or retaliation the staff member has witnessed or become aware of to the principal and/or to the school official identified in the plan as responsible for receiving such reports. To note, retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is clearly prohibited (Clem & Johnson, 2010).

Upon receipt of such a report, the school principal or a designee shall promptly conduct an investigation. If it is determined that bullying or retaliation has occurred, the school principal or designee shall (1) notify the local law enforcement agency if the school principal or designee believes that criminal charges may be pursued against a perpetrator, (2) take appropriate disciplinary action, and (3) notify the parents and guardians of a perpetrator and the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation (Chester, 2010).

On April 24, 2014, Massachusetts Governor Deval Patrick signed into law House Bill No. 3909, *An Act Relative to Bullying in Schools*, effective July 23, 2014. This Act expands the
protections afforded to students in schools (including independent schools), and adds a data
collection and reporting mechanism for certain schools to assist the Commonwealth in evaluating
the effectiveness of anti-bullying efforts (Bill H.3909, 2014). As a result, schools are actively
reviewing their existing bullying prevention and intervention plans to ensure that they are in
compliance with the latest Act. Specifically, in order to incorporate the latest amendments to the
anti-bullying law, many Massachusetts schools are (1) expanding their definitions of “target” and
“aggressor” to include school personnel, and (2) recognizing that certain students may be more
vulnerable to being the target of bullying based on a broad list of actual or perceived protected
characteristics, these include “race, color, religion, ancestry, national origin, sex, socioeconomic
status, homelessness, academic status, gender identity or expression, physical appearance,
pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory
disability or by association with a person who has or is perceived to have one or more of these
characteristics” (Bill H.3909, 2014).

The procedural additions required of schools from House Bill No. 3909 include, “the
specific steps that each school district, charter school, non-public school, approved private day or
residential school and collaborative school shall take to support vulnerable students and to
provide all students with the skills, knowledge and strategies needed to prevent or respond to
bullying or harassment” (Bill H.3909, 2014). Furthermore, non-public schools must now adhere
to an earlier optional provision that was only required of public schools: “A non-public school
shall develop procedures for immediate notification by the principal or person who holds a
comparable role to the local law enforcement agency when criminal charges may be pursued
against the perpetrator” (Bill H.3909, 2014).
Moral Implications and Opposition

Chapel Hill-Chauncy Hall wholeheartedly supports the spirit and purpose of the Commonwealth’s Anti-Bullying Policy for schools. However, some concern exists because this legislative act can be viewed as infringing on the self-governance of independent schools and, as such, raises serious questions concerning state interference upon schools not receiving any government funding.

With that said, school leadership at CH-CH charged with adopting, adapting and administering the School’s Anti-Bullying Policy believes the policy benefits to the school community indeed outweigh the concern about state interference. To note, however, this opinion is not held by all independent schools in Massachusetts. One of Chapel Hill-Chauncy Hall's grade-level program director’s notes, "I think the Prince case, in particular, showed school administrators in a very negative light, and the legislation is a way to control those people" (Bubar, 2014). The other program director states, "The inclusion of private as well as public schools in the law indicates that Massachusetts policymakers see this as a health/safety issue as opposed to an educational issue. They have been pretty consistent in the past applying school health/safety laws to private schools like the hazing law, smoke-free schools…” (Cronin, 2014). Agreeing with this rationale, the CH-CH school counselor adds, "I have no problem with the state extending this particular legislative decree to independent schools for the safety of the students" (Waldinger, 2014).

Despite the School's inherent support for the establishment and implementation of the Anti-Bullying Policy and the additional safety it provides members of the CH-CH community, an obvious tension remains. Are the legally based provisions set forth by this 2010 law the first
step on a slippery slope of legislative encroachment upon the independent schools in Massachusetts? Neil Cronin, the 9th/10th Grade Program Director at CH-CH, explains that it is a question of scope. He believes that so long as legislation in support of the health and safety of school-aged students is broad-based and empowers schools to establish their own protocol within a general framework or guidelines, then it is warranted and should not impede the independence of private schools in the Commonwealth. In response to the question, "Does it concern you that this legislative decree extends into the independent school world?" Cronin states,

No, because of the seriousness of the health/safety concern here and the broadness of the requirement. I would be concerned if lawmakers were to start to create health and safety regulations about minutiae that impeded independent schools’ ability to design programs consistent with their mission, population and resources or if they were to apply overly prescriptive laws to private schools like the safe schools laws that require zero tolerance responses to certain disciplinary infractions. (Cronin, 2014)

In 2010, with the enactment of An Act Relative to Bullying in Schools, the Association of Independent Schools in New England (AISNE) was initially torn on what advice to provide its Massachusetts private schools. On the one hand, it was cautiously optimistic that this new legislation was not going to unreasonably interfere with the operations of independent schools. It also understood that overtly opposing such legislation would be an unfavorable public position for the Association and the schools it represents. As such, AISNE opted to support this extraordinary measure for the greater well-being of all school-aged students in the Commonwealth, much as it did when anti-hazing legislation appeared years earlier. It launched into an education campaign for its members schools in Massachusetts to help ease the implementation requirements. By providing access to legal counsel, workshops and model plans, AISNE assisted its Massachusetts member schools in fulfilling anti-bullying plan
requirements as established by *An Act Relative to Bullying in Schools* and the Board of Elementary and Secondary Education. Chapel Hill-Chauncy Hall School relied on these resources in establishing its Anti-Bullying Policy in the summer of 2010.

**CH-CH Anti-Bullying Policy**

The framework of the Chapel Hill-Chauncy Hall School Anti-Bullying Policy (Appendix B) directly derives from *An Act Relative to Bullying in Schools*. The school policy is structured through definitions, expectations, roles and responsibilities, reporting acts of bullying, investigating a report of bullying, restorative actions, bullying prevention, and confidentiality. The School is committed to preventing bullying in its community and, thus, the plan is crafted to be administered, interpreted, and applied consistently by the School in accordance with Massachusetts General Laws.

Particularly noteworthy in the School’s policy is the focus on cyber-bullying and highlighting the social media arena by connecting elements of the School’s Acceptable Use Policy and its Anti-Bullying Policy. Beyond that, CH-CH takes considerable time to outline behavioral expectations for community members: “Chapel Hill-Chauncy Hall expects all members of the School community to conduct themselves in a manner that honors and protects the rights and welfare of other students, faculty, staff, visitors, and others, and the educational purpose of the School and the School’s facilities and equipment” (Chapel Hill-Chauncy Hall School, 2014).

In terms of roles and responsibilities, the School’s policy takes great care to expressly state these for three specific constituent groups: (1) school administration, faculty and staff, (2) students, and (3) parents and guardians. At CH-CH, it is the direct responsibility of the 9th/10th
Grade Program Director and the 11\textsuperscript{th}/12\textsuperscript{th} Grade Program Director, in collaboration with the Head of School as necessary, to work with all community members to best use the School’s policy and procedures in a way that, “ensures students’ academic success, physical and emotional safety, and overall growth and development” (Chapel Hill-Chauncey Hall School, 2014). Grade-level program directors are responsible for investigating all bullying reports and/or situations, as well as overseeing any subsequent disciplinary action or intervention. All School employees, however, are accountable for the implementation of student support services in accordance with the standards of the policy.

The CH-CH Anti-Bullying Policy also presents very specific steps and directions for community members to follow in reporting and investigating an act of bullying, as well as restorative actions that may need to be taken at the end of an investigation. At Chapel Hill-Chauncey Hall, the belief is that proper process, procedures and protocol protects everybody. This is certainly true in terms of this particular policy and its many provisions. In the end, the School firmly believes in carrying out consistent due diligence and process in enforcing the tenets of its anti-bullying stance which is consistent and within compliance of Chapter 92 of the Acts of 2010: An Act Relative to Bullying in Schools.

Finally, in terms of meeting the conditions of the procedural additions mandated by the Commonwealth in July of 2014, CH-CH recently included the following statement concerning the further prevention of bullying:

Chapel Hill-Chauncey Hall School recognizes that some perceived differentiating characteristics may increase the likelihood that certain students become the target of bullying or harassment. To provide these students with additional support, the Class Dean in conjunction with students’ teachers and advisors will identify students who are at heightened risk to be the target of bullying. Once identified, grade level deans will inform the school counselor and the Student Life Committee of both the names of at-risk students and the factors that contribute to their increased susceptibility. After an initial evaluation, the school counselor will
collaborate with the Student Life Committee and Grade Level Program Director to develop and implement support plans for identified students (Chapel Hill-Chauncy Hall School, 2014).

This statement not only recognizes that some community members may be more susceptible to bullying, but it describes the additional support provided to students who may be at heightened risk to be the target of bullying. With this very recent inclusion, School leadership is confident that not only does School policy meet every standard as directed by An Act Relative to Bullying in Schools and its subsequent procedural additions but, more importantly, the School's Anti-Bullying Policy is appropriate and specific to the CH-CH community.

Critical Questions

Despite the general willingness of all independent schools in Massachusetts to adopt a site-based anti-bullying plan in accordance with the 2010 legislative decree, as previously discussed there are some private school leaders and boards that continue to voice concern about the proverbial slippery slope that this relatively unprecedented Act presents. Numerous critical questions surround the plan requirements coming from the Board of Elementary and Secondary Education, as well as the implementation and effectiveness components weighing on independent school communities in Massachusetts, including CH-CH. Four such site specific questions are explored herein.

What goals, and whose interests, was the CH-CH Anti-Bullying Policy intended to serve?

Prior to 2010, anti-bullying verbiage existed in the CH-CH Community Handbook under the hazing and harassment section. By constructing a separate, specific section for the anti-bullying plan, CH-CH joined dozens of Massachusetts independent schools in elevating the
importance of this health and safety issue. The initial goal was to meet standards as set forth by the Commonwealth. The secondary goal, however, was to craft and implement a policy that promoted the school climate and culture that school leadership desired. Assistant Head of School and 11th/12th Grade Program Director Josh Bubar notes,

I think the primary goal was to meet the state standards; we were already doing good work addressing these issues as they arose in our community. However, insomuch as the state standards were designed to serve students and families, I believe they do a good job in that regard. (Bubar, 2014)

Similarly, 9th/10th Grade Program Director Neil Cronin adds,

Our anti-bullying policy is designed and implemented with the intent of protecting our students and ensuring that they have a school environment where they are safe and able to focus on academic and personal growth without the specter of peer harassment hanging over them. (Cronin, 2014)

How well does the CH-CH Anti-Bullying Policy work? Is it actually serving the goals it was intended to serve?

One missing aspect of the state legislation and the Board of Elementary and Secondary Education's requirements is in regards to assessing the effectiveness of site-based anti-bullying plans and adjusting policies as necessary. At CH-CH, it is recognized that all school policies must withstand annual legal review and regular context review, as necessary.

In consideration of the evaluative query: how well does the CH-CH Anti-Bullying Policy work, both program directors concur that it is meeting the School's goals and needs. The implementation of the policy has been generally uniform and successful in that it has helped the School administration achieve the goal of protecting students (Bubar, 2014). Moreover, the policy, "provides fairly streamlined guidelines for us to recognize, prevent, and respond to acts of bullying" (Cronin, 2014). As such, the School has been able to customize its plan to achieve desired goals in terms of community climate and culture considerations.
Does the CH-CH Anti-Bullying Policy have unintended consequences?

In assessing the overall effectiveness of the School's anti-bullying plan, it is important to address this critical question: have unintended consequences resulted over the past four years since the Anti-Bullying Policy was elevated and given heightened importance in the CH-CH Community Handbook?

School leadership in charge of the oversight and administration of the Anti-Bullying Policy independently note that there has been one particular unintended consequence that has added a layer of complexity to the issue. It is recognized that community members have differing definitions, opinions and responses to bullying and reports of bullying at the School. In the words of the School's administrative staff:

I think the occasional bouts of bullying hysteria we see are an unintended consequence, as is the way in which the terms “bullying” and “bullied” are, at times, thrown out inappropriately and/or pre-maturely thus compromising the effectiveness of interventions. (Bubar, 2014)

Because bullying is a particularly hot button issue in general, and particularly so for our school population, any reference to bullying tends to create heightened awareness/concern. While this is the point, with our community, this sometimes translates into misinterpretation of what conflict is bullying and what is the normal conflict that arises between adolescents. (Cronin, 2014)

While I think that our policy has been beneficial in that it has made people more aware of bullying behavior and the large number of students who have been negatively impacted by it, I also think that our policy has unintentionally made the term "bullying" become such a hot-button word around campus and one that is often bandied about without particular attention to whether or not the behavior in question does in fact meet the definition of bullying. (Waldinger, 2014)

As mandated reporters of events which place children in harm's way or, in fact, harm adolescents, the CH-CH faculty and staff take this responsibility quite serious. Sometimes, as a result, members of the faculty and staff are hypersensitive to the nature of conflict that may or
may not be defined as bullying. This can result in disagreement on what the true nature of conflict might be, as well as what restorative actions the School might pursue. In the end, the School has confidence in the administrators tasked to oversee this policy. The head of school demands that proper process and protocol be maintained for all cases so that consistency in due process can be achieved and demonstrated.

Finally, should the Anti-Bullying Policy be revised in any way? And, if so, how should that be accomplished?

The final critical question is also a reflective question requiring the School's administrative staff to review the policy’s effectiveness in its entirety over its short four-year lifespan. In doing so, however, there is no consensus that the School's Anti-Bullying Policy has flaws that need to be rectified. As Assistant Head Josh Bubar notes, "this is our response to a state mandate, and since it passes muster at that level and has not inhibited our work in substantial ways, it seems fine as is" (Bubar, 2014). School Counselor Cory Waldinger agrees but suggests that to better answer this query, the School administration would be well served to invite feedback from students and parents. Waldinger believes that the School's student leaders, particular the peer relations support group, would be the best unfiltered source in reviewing the effectiveness of the plan.

The Anti-Bullying Policy of Chapel Hill-Chauncy Hall School that was created in 2010, in response to An Act Relative to Bullying in Schools, is one of few examples of required independent school policy based on state law. However, when health and safety issues arise that potentially have a negative or harmful impact on school climate and culture, private schools have been willing to step away from rally cries of independence to support the moral high ground and
acts for the common good. This was such the case when the Massachusetts Board of Elementary and Secondary Education forwarded anti-bullying plan requirements to independent schools throughout the Commonwealth in the summer of 2010. Chapel Hill-Chauncy Hall has been pleased to invest the added time and energy into its Anti-Bullying Policy. It has been a worthy cause and sound addition to community behavior standards as outlined in the CH-CH Community Handbook.
References


The 188th General Court of The Commonwealth of Massachusetts (2010). General laws: Chapter
https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71/Section37O.


APPENDIX A: An Act Relative to Bullying in Schools

Regulatory Authority:

603 CMR 49.00: M.G.L. 71, Section 37O, as added by Chapter 92 of the Acts of 2010

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the prevention of bullying in schools, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by inserting after section 15 the following section:

15. The governor shall annually issue a proclamation setting apart the fourth Wednesday in January as No Name Calling Day to increase public awareness of the devastating effects of verbal bullying, to encourage students to use positive dialogue and pledge not to use hurtful names on this designated day, to promote tolerance and respect for differences and to reaffirm the commitment of the citizens of the commonwealth to basic human rights and dignity.

SECTION 2. The third paragraph of section 1D of chapter 69 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: The standards may provide for instruction in the issues of nutrition, physical education, AIDS education, violence prevention, including teen dating violence, bullying prevention, conflict resolution and drug, alcohol and tobacco abuse prevention.

SECTION 3. The first paragraph of section 37H of chapter 71 of the General Laws, as so appearing, is hereby amended by inserting after the third sentence the following sentence: The policies shall also prohibit bullying as defined in section 37O and shall include the student-related sections of the bullying prevention and intervention plan required by said section 37O.

SECTION 4. The third paragraph of said section 37H of said chapter 71, as so appearing, is hereby amended by inserting after the first sentence the following sentence: The student handbook shall include an age-appropriate summary of the student-related sections of the bullying prevention and intervention plan required by section 37O.

SECTION 5. Said chapter 71 is hereby further amended by inserting after section 37N the
following section:

Section 37O. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meaning:

"Approved private day or residential school", a school that accepts, through agreement with a school committee, a child requiring special education pursuant to section 10 of chapter 71B.

“Bullying”, 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 victim that: (i) causes physical or emotional harm to the victim or damage to the victim’s property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

“Charter school”, commonwealth charter schools and Horace Mann charter schools established pursuant to section 89 of chapter 71.

“Cyber-bullying”, bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying shall also include (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 (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include 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.

“Collaborative school”, a school operated by an educational collaborative established pursuant to section 4E of chapter 40.

“Department”, the department of elementary and secondary education.

“Hostile environment”, 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.

“Plan”, a bullying prevention and intervention plan established pursuant to subsection (d).

“Perpetrator”, a student who engages in bullying or retaliation.

“School district”, the school department of a city or town, a regional school district or a county agricultural school.

“School grounds”, property on which a school building or facility is located or property that is owned, leased or used by a school district, charter school, non-public school, approved private day or residential school, or collaborative school for a school-sponsored activity, function, program, instruction or training.

“Victim”, a student against whom bullying or retaliation has been perpetrated.

(b) Bullying shall be prohibited: (i) on school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, or 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, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying shall be prohibited.

(c) Each school district, charter school, approved private day or residential school and collaborative school shall provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the curriculum of the school district or school. The curriculum shall be evidence-based.

(d) Each school district, charter school, non-public school, approved private day or residential school and collaborative school shall develop, adhere to and update a plan to address bullying prevention and intervention in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement
agencies, students, parents and guardians. The consultation shall include, but not be limited to, notice and a public comment period; provided, however, that a non-public school shall only be required to give notice to and provide a comment period for families that have a child attending the school. The plan shall be updated at least biennially.

Each plan shall include, but not be limited to: (i) descriptions of and statements prohibiting bullying, cyber-bullying and retaliation; (ii) clear procedures for students, staff, parents, guardians and others to report bullying or retaliation; (iii) a provision that reports of bullying or retaliation may be made anonymously; provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report; (iv) clear procedures for promptly responding to and investigating reports of bullying or retaliation; (v) the range of disciplinary actions that may be taken against a perpetrator for bullying or retaliation; provided, however, that the disciplinary actions shall balance the need for accountability with the need to teach appropriate behavior; (vi) clear procedures for restoring a sense of safety for a victim and assessing that victim’s needs for protection; (vii) strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation of bullying or witnesses or has reliable information about an act of bullying; (viii) procedures consistent with state and federal law for promptly notifying the parents or guardians of a victim and a perpetrator; provided, further, that the parents or guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation; and provided, further, that the procedures shall provide for immediate notification pursuant to regulations promulgated under this subsection by the principal or person who holds a comparable role to the local law enforcement agency when criminal charges may be pursued against the perpetrator; (ix) a provision that a student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action; and (x) a strategy for providing counseling or referral to appropriate services for perpetrators and victims and for appropriate family members of said students. The plan shall afford all students the same protection regardless of their status under the law.

A school district, charter school, non-public school, approved private day or residential school or collaborative school may establish separate discrimination or harassment policies that include categories of students. Nothing in this section shall prevent a school district, charter school, non-public school, approved private day or residential school or collaborative school from remediating any discrimination or harassment based on a person’s membership in a legally protected category under local, state or federal law.

The plan for a school district, charter school, approved private day or residential school and collaborative school shall include a provision for ongoing professional development to build the skills of all staff members, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities
and paraprofessionals, to prevent, identify and respond to bullying. The content of such professional development shall include, but not be limited to: (i) developmentally appropriate strategies to prevent bullying incidents; (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 a perpetrator, victim 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 cyber-bullying; and (vi) internet safety issues as they relate to cyber-bullying. The department shall identify and offer information on alternative methods for fulfilling the professional development requirements of this section, at least 1 of which shall be available at no cost to school districts, charter schools, approved private day or residential schools and collaborative schools.

The plan shall include provisions for informing parents and guardians about the bullying prevention curriculum of the school district or school and shall include, but not be limited to: (i) how parents and guardians can reinforce the curriculum at home and support the school district or school plan; (ii) the dynamics of bullying; and (iii) online safety and cyber-bullying.

The department shall promulgate rules and regulations on the requirements related to a principal’s duties under clause (viii) of the second paragraph of this subsection; provided, that school districts, charter schools, approved private day or residential schools and collaborative schools shall be subject to the regulations. A non-public school shall develop procedures for immediate notification by the principal or person who holds a comparable role to the local law enforcement agency when criminal charges may be pursued against the perpetrator.

(e)(1) Each school district, charter school, non-public school, approved private day or residential school and collaborative school shall provide to students and parents or guardians, in age-appropriate terms and in the languages which are most prevalent among the students, parents or guardians, annual written notice of the relevant student-related sections of the plan.

(2) Each school district, charter school, non-public school, approved private day or residential school and collaborative school shall provide to all school staff annual written notice of the plan. The faculty and staff at each school shall be trained annually on the plan applicable to the school. Relevant sections of the plan relating to the duties of faculty and staff shall be included in a school district or school employee handbook.

(3) The plan shall be posted on the website of each school district, charter school, non-public school, approved private day or residential school and collaborative school.

(f) Each school principal or the person who holds a comparable position shall be responsible for
the implementation and oversight of the plan at his school.

(g) A member of a school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, shall immediately report any instance of bullying or retaliation the staff member has witnessed or become aware of to the principal or to the school official identified in the plan as responsible for receiving such reports or both. Upon receipt of such a report, the school principal or a designee shall promptly conduct an investigation. If the school principal or a designee determines that bullying or retaliation has occurred, the school principal or designee shall (i) notify the local law enforcement agency if the school principal or designee believes that criminal charges may be pursued against a perpetrator; (ii) take appropriate disciplinary action; (iii) notify the parents or guardians of a perpetrator; and (iv) notify the parents or guardians of the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation.

(h) If an incident of bullying or retaliation involves students from more than one school district, charter school, non-public school, approved private day or residential school or collaborative school, the school district or school first informed of the bullying or retaliation shall, consistent with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action. If an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in a local school district, charter school, non-public school, approved private day or residential school or collaborative school, the school district or school informed of the bullying or retaliation shall contact law enforcement consistent with the provisions of clause (viii) of the second paragraph of subsection (d).

(i) Nothing in this section shall supersede or replace existing rights or remedies under any other general or special law, nor shall this section create a private right of action.

(j) The department, after consultation with the department of public health, the department of mental health, the attorney general, the Massachusetts District Attorneys Association and experts on bullying shall: (i) publish a model plan for school districts and schools to consider when creating their plans; and (ii) compile a list of bullying prevention and intervention resources, evidence-based curricula, best practices and academic-based research that shall be made available to schools. The model plan shall be consistent with the behavioral health and public schools framework developed by the department in accordance with section 19 of chapter 321 of the acts of 2008. The resources may include, but shall not be limited to, print, audio, video or digital media; subscription based online services; and on-site or technology-enabled professional development and training sessions. The department shall biennially update the model plan and the list of the resources, curricula, best practices and research and shall post them on its website.
SECTION 6. Said chapter 71 is hereby further amended by adding after section 92, added by section 8 of chapter 12 of the acts of 2010, the following section: -

Section 93. Every public school providing computer access to students shall have a policy regarding internet safety measures to protect students from inappropriate subject matter and materials that can be accessed via the internet and shall notify the parents or guardians of all students attending the school of the policy. The policy and any standards and rules enforcing the policy shall be prescribed by the school committee in conjunction with the superintendent or the board of trustees of a commonwealth charter school.

SECTION 7. The sixth paragraph of section 3 of chapter 71B of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the third sentence the following sentence:-

Whenever the evaluation of the Individualized Education Program team indicates that the child has a disability that affects social skills development or that the child is vulnerable to bullying, harassment or teasing because of the child’s disability, the Individualized Education Program shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing.

SECTION 8. Said section 3 of said chapter 71B, as so appearing, is hereby amended by inserting after the word “proficiencies”, in line 154, the following words:- ; the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing.

SECTION 9. Section 43 of chapter 265 of the General Laws, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) Whoever (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking and shall be punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than $1,000, or imprisonment in the house of correction for not more than 2 ½ years or by both such fine and imprisonment. The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited
to, electronic mail, internet communications, instant messages or facsimile communications.

SECTION 10. Section 43A of said chapter 265, as so appearing, is hereby amended by striking out paragraph (a) and inserting in place thereof the following paragraph:-

(a) Whoever willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person, which seriously alarms that person and would cause a reasonable person to suffer substantial emotional distress, shall be guilty of the crime of criminal harassment and shall be punished by imprisonment in a house of correction for not more than 2 ½ years or by a fine of not more than $1,000, or by both such fine and imprisonment. The conduct or acts described in this paragraph shall include, but not be limited to, conduct or acts conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

SECTION 11. Subsection (3) of section 13B of chapter 268 of the General Laws, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Such act shall include, but not be limited to, an act conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including but not limited to any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

SECTION 12. Chapter 269 of the General Laws is hereby amended by striking out section 14A, as so appearing, and inserting in place thereof the following section:-

Section 14A. Whoever telephones another person or contacts another person by electronic communication, or causes a person to be telephoned or contacted by electronic communication, repeatedly, for the sole purpose of harassing, annoying or molesting the person or the person’s family, whether or not conversation ensues, or whoever telephones or contacts a person repeatedly by electronic communication and uses indecent or obscene language to the person, shall be punished by a fine of not more than $500 or by imprisonment for not more than 3 months, or by both such a fine and imprisonment.

For purposes of this section, “electronic communication” shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system.
SECTION 13. The department of elementary and secondary education shall periodically review school districts, charter schools, approved private day or residential schools and collaborative schools to determine whether the districts and schools are in compliance with this act.

SECTION 14. The department of elementary and secondary education shall issue a report detailing cost-effective ways to implement the professional development requirements in subsection (d) of section 37O of chapter 71 of the General Laws; provided, further, that the report shall: (i) include an option available at no cost to school districts, charter schools, approved private day or residential schools and collaborative schools; (ii) explore the feasibility of an option for a “train-the-trainer” model, so-called, with demonstrated success and an option for online professional development; and (iii) include any other options which may be cost effective; provided, further, that the report shall include a cost estimate for the professional development; and provided, further, that the report shall be provided to the clerks of the senate and house of representatives not later than August 31, 2010; and provided, further, that the clerks of the senate and house of representatives shall forward the report to the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on education.

SECTION 15. School districts, charter schools, approved private day or residential schools and collaborative schools shall establish a bullying prevention and intervention plan in compliance with this act and shall file the plan with the department of elementary and secondary education on or before December 31, 2010; provided, however, that school districts, charter schools, approved private day or residential schools and collaborative schools shall establish and have in place the professional development provisions of the fourth paragraph of subsection (d) of section 37O of chapter 71 of the General Laws at the start of the 2010-2011 academic year. Non-public schools shall establish a bullying prevention and intervention plan in compliance with this act on or before December 31, 2010.

SECTION 16. The department of elementary and secondary education shall publish guidelines for the implementation of social and emotional learning curricula in kindergarten to grade 12, inclusive, on or before June 30, 2011. The guidelines shall be updated biennially. For purposes of this section, social and emotional learning shall mean the processes by which children acquire the knowledge, attitudes and skills necessary to recognize and manage their emotions, demonstrate caring and concern for others, establish positive relationships, make responsible decisions and constructively handle challenging social situations.

SECTION 17. The department of elementary and secondary education shall promulgate the rules and regulations required under the last paragraph of subsection (d) of Section 37O of chapter 71 of the General Laws on or before September 30, 2010.
SECTION 18. There shall be a special commission to consist of 7 members: 1 of whom shall be the attorney general or a designee who shall chair the commission; 1 of whom shall be a representative of the Massachusetts District Attorneys Association; 1 of whom shall be a representative of the Massachusetts Chiefs of Police Association; 1 of whom shall be a representative of the Massachusetts Sheriffs’ Association; 1 of whom shall be a representative of the Massachusetts Association of School Committees; 1 of whom shall be a representative of the Massachusetts Association of School Superintendents; and 1 of whom shall be a representative of the Association of Independent Schools in New England who represents a Massachusetts school, for the purpose of making an investigation and study relative to bullying and cyber-bullying. The commission shall review the General Laws to determine if they need to be amended in order to address bullying and cyber-bullying; provided, further, that the commission shall also investigate parental responsibility and liability for bullying and cyber-bullying. The commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry out such recommendations, by filing the same with the clerks of the senate and the house of representatives who shall forward the same to the chairs of the joint committee on education, the chairs of the joint committee on the judiciary, and the chairs of the house and senate committees on ways and means on or before June 30, 2011.

APPENDIX B: Chapel Hill-Chauncy Hall School Anti-Bullying Policy

Chapel Hill-Chauncy Hall School is fully committed to preventing bullying in its community. Each and every member of our community has the right to feel safe, and bullying of any kind will not be tolerated. The following policy will be administered, interpreted, and applied consistently by the School in accordance with An Act Relative to Bullying in Schools, Massachusetts General Laws, Chapter 71, Section 37O. Any conduct or behavior that constitutes bullying, as defined hereafter, is strictly prohibited.

Definitions

Based on An Act Relative to Bullying in Schools, Chapel Hill-Chauncy Hall School defines “bullying” as follows:

- “Bullying” is the repeated use by one or more students of written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at another student that (a) causes physical or emotional harm to the student or damages the student’s property, (b) places the student in reasonable fear of harm to himself or damage to his property, (c) creates a hostile school environment for the student, (d) infringes on the student’s rights at school, or (e) materially and substantially disrupts the education process or the orderly operation of the school.

Bullying may include, but is not limited to, the following:

- Unwanted teasing or ridicule
- Threatening
- Intimidating
- Stalking
- Theft
- Physical violence
- Harassment
- Public humiliation
- Destruction of property
- Coercion
- Rumor spreading
- Publication of false facts

Bullying may occur directly in person, indirectly through others, on or off campus and even online in cyberspace. “Cyber-bullying” is defined as follows:
“Cyber-bullying” is bullying through the use of technology or any electronic communication, including, but not limited to, the transfer of writings, images, sounds, data, or intelligence in whole or in part by means including, but not limited to electronic mail, Internet communications, instant messages, cellular phone calls or messages, or facsimile communication. Cyber-bullying also includes the creation of a webpage or other Internet communication in which the author impersonates the identity of another person or falsely identifies another person as the author of posted content in instances where such behaviors violate the clauses set forth in the definition of “bullying.”

Please refer to the Chapel Hill-Chauncy Hall School Acceptable Use Policy for more information regarding appropriate use of technology.

Other important terms that will be used throughout this policy are defined as follows:

- “Accused” is a student who is reported, whether formally or informally, to have committed an act of bullying.
- “Complainant” is any member of the School community or other person attending or involved in School-sponsored events who formally or informally makes a report of bullying, verbally or in writing.
- “Target” is a student at the School against whom the alleged bullying is directed.

Expectations

Chapel Hill-Chauncy Hall expects all members of the School community to conduct themselves in a manner that honors and protects the rights and welfare of other students, faculty, staff, visitors, and others, and the educational purpose of the School and the School’s facilities and equipment.

Chapel Hill-Chauncy Hall School strictly prohibits bullying:

- On School grounds.
- During any educational program or activity conducted or sponsored by the School (class, Office Hours, field trips, etc.).
- During any School-related or School-sponsored program or activity or in a School vehicle (athletic event, weekend trip, etc.).
- Through any electronic device (computer, cellular phone, etc.) while on School grounds or while participating in a School-related event or activity.
- Through threats made verbally, electronically, or in writing to be carried out on School grounds or during a School-related activity or event.
- At any time or place, on or off campus, in which the act of bullying creates a hostile school environment or disrupts the educational process.
Roles & Responsibilities

The Grade Level Program Director’s Office, in collaboration with the Administration of Chapel Hill-Chauncy Hall School, will work with all community members and community families to best use this Policy and its procedures in a way that ensures students’ academic success, physical and emotional safety, and overall growth and development. All community members have the responsibility to contribute to the success and effectiveness of bullying prevention and intervention at Chapel Hill-Chauncy Hall School.

The following are descriptions of ways in which different constituencies can collaborate with the School to maximize the effectiveness of this Policy:

- School Administration, faculty, and staff will receive annual training on identifying, preventing, and intervening in situations where bullying has occurred or may occur. School employees will take an active role in Student Life activities aimed to prevent bullying. All School employees will receive a copy of this policy, and applicable sections will become part of the Chapel Hill-Chauncy Hall School Employee Handbook. Any member of the School staff is responsible for reporting an act of bullying to the Grade Level Program Director. The Grade Level Program Director, or another administrator appointed by the Grade Level Program Director, is responsible for investigating a bullying situation and overseeing any subsequent disciplinary action or intervention.

- Students at Chapel Hill-Chauncy Hall School are responsible for knowing the contents of and acting in accordance with this Policy. At the beginning of each academic year, the School will provide students with age-appropriate programming on identifying and preventing bullying, as well as the procedures in this Policy for reporting incidents, investigation, and possible disciplinary consequences. This Policy will be printed in its entirety in the Student Handbook and posted on the CH-CH website.

- Parents and guardians will be notified of this Policy via the Student Handbook and CH-CH website. Additionally, parents and guardians will be provided an opportunity to comment on the School’s Policy during a pre-arranged event. If parents/guardians are made aware of an instance of bullying, they should report it directly to the student’s advisor or the Grade Level Program Director. Where instances of bullying have occurred, the parents/guardians of both the target and accused will be notified.

The administrators, faculty, and staff of Chapel Hill-Chauncy Hall School share accountability for the implementation of student support services in accordance with the standards of this Policy.
Reporting an Act of Bullying

The Grade Level Program Director is responsible for receiving oral or written reports that accuse a person of violating this Policy. The following are the requirements and procedures for filing a report of bullying:

- All School employees are required to complete, in writing, an Bullying Report Form for any allegations of bullying or violations of this Policy. All Incident Reports are to be sent directly to the Grade Level Program Director in a timely fashion.
- Any other community member, whether a complainant or bystander, who has credible information that a violation of this Policy has occurred may submit a report, either orally or in writing.
- Any student, parent, or guardian who believes that a student is a victim of an act of bullying is strongly encouraged to submit a report, orally or in writing, with an appropriate member of the School administration, faculty, or staff (e.g., Grade Level Program Director, School Counselor, teacher, advisor). Additionally, bystanders who have credible information about an act of bullying are encouraged to do the same.
- Anonymous reports of bullying may be made using the Bullying Report Form. These forms are available from the Grade Level Program Director’s Office (Wilkins Hall), outside of the Health Center, and online via the CH-CH website. Anonymous reports may be delivered to the School’s reporting box located outside of the Grade Level Program Director’s Office. Filing an anonymous report will lead to further investigation, but disciplinary action may not be taken solely on the basis of an anonymous report.
- Reports of bullying should be filed as soon as possible after the alleged incident has occurred. All reports must be filed within 30 days after the alleged incident; failure to file a report of an incident within the required 30 days may make it difficult or impossible to conduct a fair investigation.
- The Grade Level Program Director will document, in writing, all reports regarding bullying, as well as steps of investigation, intervention, and any disciplinary action.

The success and effectiveness of this Policy requires that all reports be made accurately, honestly, and in good faith. Any student who is found to have deliberately filed a false report may be subject to disciplinary action.

Investigating a Report of Bullying

The Grade Level Program Director, or another administrator appointed by the Grade Level Program Director, will oversee the investigation of all reports of bullying. All investigations will be completed in accordance with this Policy.
The following steps will be taken to ensure a thorough investigation into all reports of bullying:

- The Grade Level Program Director or other appointed administrator will begin the investigation within two school days of receiving the report. All investigations will begin with interviews with the complainant, the target, the accused, and witnesses.
- The Grade Level Program Director or other appointed administrator, in consultation with other School officials, will assess the target’s need for protection and what interim safeguards (such as no contact instructions, change in schedule, etc.) are warranted to protect the students and prevent further disruption of the learning environment.
- The Grade Level Program Director will notify the parents/guardians of the target and accused when an investigation has begun.
- During the course of the investigation, the target is expected to attend school; however, if necessary, arrangements can be made for working remotely or taking a leave of absence.
- An investigation may lead to a variety of outcomes, including disciplinary measures. The School will use its standard procedures for determining restorative actions. For further information regarding possible outcomes, please see the following section “Restorative Actions.” The Head of School retains final authority in all student conduct decisions.
- At the conclusion of the investigation and after any restorative actions have been determined, all relevant parties will be notified by the Grade Level Program Director.
- If bullying is found to have occurred, restorative actions will include terms for monitoring and re-evaluating the situation at regular intervals.
- Retaliation of any kind is strictly prohibited during or after an investigation of an act of bullying. Any form of retaliation will be considered an act of bullying as defined in this Policy.

If and when necessary, the School will inform local law enforcement when criminal charges may be pursued.

Restorative Actions

The Grade Level Program Director is responsible for coordinating and overseeing the response to all student misconduct situations, including acts of bullying. The Grade Level Program Director may choose to respond to such situations by personally adjudicating consequences, convening an Honor Committee, assembling an Administrative Honor Committee, or referring to a more appropriate designee. The Head of School retains final authority in all disciplinary decisions and reserves the right to deal directly with any student conduct matter, in the Head’s discretion, without the involvement of other persons, groups or committees.
Based on the investigation performed by the Grade Level Program Director, or his designee, it will be determined what, if any, actions are necessary to restore a sense of safety and justice. Restorative actions will be determined on an individual basis with consideration given to the target’s needs, the frequency and severity of the bullying, the accused student’s attitude and cooperation, and other factors. Depending on the circumstances of the offense and the investigation, students may be referred to the School Counselor for appropriate intervention and mediation.

The following list includes, but is not limited to, possible restorative actions that may be taken in an instance of bullying:

- Verbal reprimand and warning, with written record noted in student’s file
- Letter of apology to the appropriate party(ies)
- Written or artistic reflection
- Supplemental education
- Phone conference with Grade Level Program Director and parents/guardian
- Temporary or permanent removal from class or other activity
- Required Campus Improvement Program (CIP) hours (Saturday mornings)
- Required parent conference with Grade Level Program Director and Assistant Head of School
- Restitution for stolen or damaged property
- Modifications to class schedule
- In-School Suspension
- Out-of-School Suspension
- Required behavioral counseling with professional provider
- Monitoring
- Expulsion

Based on the nature of the offense, a student may be required to complete any combination of the above listed actions, or other actions.

Preventing Bullying

Chapel Hill-Chauncy Hall School recognizes that some perceived differentiating characteristics may increase the likelihood that certain students become the target of bullying or harassment. To provide these students with additional support, the Class Dean in conjunction with students’ teachers and advisors will identify students who are at heightened risk to be the target of bullying. Once identified, grade level deans will inform the school counselor and the Student Life Committee of both the names of at-risk students and the factors that contribute to their increased susceptibility. After an initial evaluation, the school counselor will collaborate with the Student Life Committee and
Grade Level Program Director to develop and implement support plans for identified students.

Confidentiality

- Reports of bullying will be treated as confidential in accordance with School policies. Limited disclosure may be necessary to complete a thorough investigation as described previously in this Policy. The School’s obligation to investigate and take preventive or corrective action supersedes an individual’s right to privacy.
- The identity of the accused will be protected, but total confidentiality cannot be guaranteed. A complainant’s and target’s identity will be protected to the extent possible.