

# CONCORD PUBLIC SCHOOLS

## CONCORD-CARLISLE REGIONAL SCHOOL DISTRICT

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120 MERIAM ROAD CONCORD, MA 01742 PHONE 978-318-1500 FAX 978-318-1537 www.concordps.org

### BULLYING PREVENTION AND INTERVENTION

(taken from the CCHS handbook - November 2023)

On May 3, 2010 Governor Patrick signed an Act Relative to Bullying in Schools. This new law prohibits bullying retaliation in all public and private schools, and requires schools and school districts to take certain steps to address bullying incidents. Parts of the law (M.G.L. c. 71, § 37O) that is important for students and parents or guardians to know are described below.

#### DEFINITIONS

Aggressor is a person who engages in bullying, cyber bullying, or retaliation.

Bullying is the repeated use by one or more students or by 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 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/herself or of damage to his/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. Bullying includes cyber bullying.

Perpetrator is a student or 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.

Cyber bullying is bullying through the use of technology or any 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.

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 the student's education.

Target is a person against whom bullying, cyber bullying, or retaliation is directed.

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.

#### Prohibition Against Bullying

Bullying is prohibited:

- On school grounds
- On property immediately adjacent to school grounds
- At a school-sponsored or school-related activity, function, or program, whether it takes place 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

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- Through the use of technology or an electronic device that is owned, leased or used by a school district or school (for example, on a computer or over the Internet)

- At any program or location that is not school-related, or through the use of personal technology or electronic device, if the bullying creates a hostile environment at school for the target, infringes on the rights of the target at school, or materially and substantially disrupts 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 prohibited.

### Reporting Bullying

Anyone, including a parent or guardian, student, or school staff member, can report bullying or retaliation. Reports can be made in writing or orally to the principal or another staff member, or reports may be made anonymously.

A provision will be made for informing parents or guardians of the target of bullying about the Department's problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system.

School staff members must report immediately to the principal or his/her designee if they witness or become aware of bullying or retaliation. Staff members include, but are not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity, or paraprofessionals.

When the school principal or his/her designee receives a report, he or she shall promptly conduct an investigation. If the school principal or designee determines that bullying or retaliation has occurred, he or she shall (i) notify the parents or guardians of the target, 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; (ii) notify the parents or guardians of an aggressor; (iii) take appropriate disciplinary action; and (iv) notify the local law enforcement agency if the school principal or designee believes that criminal charges may be pursued against the aggressor.

### Professional Development for School and District Staff

Schools and districts must provide ongoing professional development to increase the skills of all staff members to prevent, identify, and respond to bullying.

The content of such professional development is to 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 an aggressor, target, and witnesses to the bullying; (iv) research findings on

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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 cyberbullying .

Additional information about the school's or district's Bullying Prevention and Intervention Plan will be made available when it is finalized.

## OUR RESPONSIBILITIES AS MEMBERS OF THE CCHS COMMUNITY

As Members of the CCHS Community, it is our responsibility to create a school culture of respect and demand that all individuals recognize disrespectful behaviors and take action.

Every student at CCHS

has the potential and the responsibility to affect the school culture and is strongly urged to act in concert with the following guidelines.

- Treat others with courtesy, consideration and respect.
- Tell individuals behaving in a disrespectful manner toward you that you want them to stop. • Tell individuals behaving in a disrespectful manner toward someone else that you want them to stop.
- Report the behavior to a teacher or administrator if it does not stop.

## INVESTIGATING A COMPLAINT

An Assistant Principal will conduct an investigation into the complaint.

## RESOLUTION AND CORRECTIVE ACTION

The Assistant Principal will meet with the grievant to review the information gathered and, if applicable, to propose a resolution to the complaint. Corrective action may include, but is not limited to, directions to stop the offensive behavior, mediation, counseling, education, and/or disciplinary action up to and including expulsion, subject to the requirements of applicable law and district policies.

## REPRISAL

It is a violation of this policy for any person to retaliate, coerce, intimidate, harass, or interfere with a member of the school community, or any other official, who has filed a report regarding bullying or harassment or assisted with an investigation. This includes any person who reports an alleged violation of this policy or any person who assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such harassment. Such retaliation may result in disciplinary action, up to and including expulsion, subject to applicable procedural requirements.

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### Legal References

Title VI and VII of the Civil Rights Act of 1964, title IX of the 1972 Education Amendments to the Civil Rights Act,

Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, the Americans with

Disabilities Act, Chapter 622 of the Acts of 1971, G.L.c. 151B and G.L.c. 151C. (safe schools, Mass Law Chapter

76, section 5). - Adopted February 7, 2000, Commonwealth of Massachusetts Act Relative to Bullying in Schools

### BULLYING PREVENTION AND INTERVENTIONS

All members of the Concord Public Schools and Concord-Carlisle Regional School District school's community will treat each other in a civil manner and with respect for differences.

The district 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 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. The district 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, cyber bullying ,or retaliation, in our school buildings, on school grounds, or in school-related activities.

We will promptly investigate all reports and complaints of bullying, cyber bullying , 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 is a comprehensive approach to addressing bullying and cyberbullying. The School Districts are committed to working with students, staff, families, law enforcement agencies and the community to prevent issues of violence. In consultation with these constituencies, we have established this Bullying Prevention and Intervention Plan for preventing, intervening and responding to incidents of bullying, cyber bullying and retaliation.

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The Principal is responsible for the implementation and oversight of the Plan at his/her school.

### POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

#### Reporting Incidents of Hurtful Behavior and Bullying or Retaliation

Hurtful Behavior – Any and all verbal, written, physical or electronic attempt to harm another person or their property must be reported to the principal or his/her designee immediately. Reports may be verbally or in writing. Electronic communication used to report an incident should not include students' full names.

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 school or district staff member is required to report immediately to the principal 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 or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form, a voicemail box, a dedicated mailing address, and an email address.

Use of an Incident Reporting Form is not required as a condition of making a report; however, the person receiving the report will be required to document the incident.

The school or district 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 counseling office, the school nurse's office and other locations determined by the Principal or designee; and 3) post it on the school's website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each school year, the school or district will provide the school community, including administrators, staff, students and parents or guardians, with written notice of its policy for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, will be incorporated in student and staff handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians.

Faculty, staff, parents and students will be required to sign a statement indicating that they have

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received and read the district's policy and procedures. The districts will keep a record of these signed statements.

### Reporting by Staff

A staff member will report immediately to the principal or designee when he/she witnesses or becomes aware of conduct that may be hurtful, bullying or retaliation. It is the responsibility of the staff member to intervene to the behavioral incidents consistent with district's policy and procedures for behavior management and discipline first and then report it to the principal or designee as previously indicated. Our districts regard faculty and staff's obligation to report as analogous to the mandate to report child abuse or neglect (51A).

### Reporting by Students

Students, who believe themselves to be a target of bullying, who observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are encouraged to report incidents to a member of the school staff. The target or witness shall not, however, be subject to discipline for failing to report bullying.

Students may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee.

### Reporting by Parents or Guardians and Others

The district expects 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 principal 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.

Reporters need to understand that any report of bullying and retaliation requires the school to conduct an initial investigation. If you call to make a report, it will be documented and investigated if appropriate. Because of the school's responsibility to prevent bullying and intervene when incidents of hurtful behavior, bullying or retaliation occur, it is advisable to file a report even if it isn't a complaint.

Students, parents or guardians, and others who want to report an instance of bullying or retaliation involving a student will be able to access a PDF version of our Reporting Form on our website. A hard copy of our Reporting Form will be included in our back to school packets and will be available in school and district offices. The districts will consider establishing a telephone "tip line."

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## Responding to a Report of Bullying or Retaliation Safety

Before fully investigating the allegations of bullying or retaliation, the principal 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 will 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 principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The principal or designee will implement appropriate strategies for protecting from bullying 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.

## Obligations to Notify Others

a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the Principal 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 Principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

The Principal or designee will promptly notify the parents 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 will comply with applicable 51 state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the Principal or designee cannot report specific information to the 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.

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 principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

c. Notice to Law Enforcement – At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe

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that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the Principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the School Resource Officer, if any, and other individuals the Principal or designee deems appropriate.

### INVESTIGATION

The Principal or designee, upon receipt of a viable report, will promptly contact the parents or guardians of a student who has been the alleged perpetrator of bullying. The actions being taken to prevent further acts of bullying will be discussed.

The school Principal or a designee will assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality will be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the school principal or a designee determines that bullying has occurred, he/she will take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the principal will consult with the school's resource officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The Principal or designee will contact the parents or guardians as to the status of the investigation. Upon completion of the investigation, the parents or guardians will be contacted and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken.

Disciplinary actions for students who have committed an act of bullying or retaliation will be in accordance with district disciplinary policy.

Each school will document any incident of bullying that is reported per this plan and the Principal or designee will maintain a file.

Confidentiality will be maintained to the extent consistent with the school's obligations under law. The principal or designee will promptly investigate all reports of bullying or retaliation and,



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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 principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal 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.

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

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

### DETERMINATIONS

The Principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal 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 principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action are necessary.

Depending upon the circumstances, the principal 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 principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation. If bullying or retaliation is found, the action being taken to prevent further acts of bullying or retaliation will be communicated to the parents of the aggressor. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the 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. If bullying or retaliation is found, the parents of the target will be informed of the school's plan to monitor the situation and to help ensure the safety of their child.

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## RESPONSES TO BULLYING

### Teaching Appropriate Behavior Through Skills-Building

Upon the principal or designee determining that bullying or retaliation has occurred, the law requires that the school use a range of responses that balance the need for accountability with the need to teach appropriate behavior to the aggressor. M.G.L. c. 71, § 37O(d)(v). Skill-building approaches that the principal 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 prosocial 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 skills; and
- Making a referral for evaluation

## TAKING DISCIPLINARY ACTION

If the Principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with this Plan and with the schools' or districts' code of conduct.

### Disciplinary Action for Bullies and False Reporters

The following Groups from CCHS Rules and Regulations may apply when a student is involved in a

bullying incident:

Organizing or participating in any act of bullying or harassment (persistent acts of annoyance, threats, or intimidation) hazing or initiation. (Additional information on hazing/initiation and the penalties under the law for engaging in such activity are contained in this handbook.)

**MINIMUM PENALTY:** Three to five day suspension from all classes and school activities (some of the suspension time may be served in school at the discretion of one or both of the Assistant Principals), revocation of open campus privileges for a minimum of 10 weeks and up to the remainder of the year with a review at the end of each quarter, restitution for any damage, involvement of the Police as appropriate, loss of school bus transportation privileges for the

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remainder of the semester if the violation occurs on a school bus, determination as to whether additional action as noted below is warranted.

**ADDITIONAL ACTION:** One or more of the following: Up to five additional days of suspension from all classes and activities, loss of school bus transportation privileges for up to the remainder of the year if the violation occurs on a school bus, compensatory work, school probation, expulsion. Discipline procedures for students with disabilities are governed by the federal, Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the Principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

### Promoting Safety for the Target and Others

The Principal 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. Possible strategies may include but are not limited to:

- Increasing adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur
- Adjust transportation arrangements
- Change schedule
- Teaching skills that will increase the child's resiliency
- Notify relevant faculty and staff to alert them to the need for increased vigilance

### Follow-Up

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the Principal 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 Principal or designee will work with appropriate school staff to implement them immediately.

### COLLABORATION WITH FAMILIES

#### Parent Education and Resources

The district offers 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 are offered through our

- Center for Teachers and Parents
- Concord-Carlisle Parent Initiative Organization
- Parent Teacher Groups
- Special Education Parent Advisory

We also benefit from partnerships with community organization such as:

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- The Massachusetts Department of Mental Health
- The Elliot Center
- The Concord Clergy Laity Group
- Project Interface
- The Concord-Carlisle Community Chest
- The Concord Youth Services Coordinator
- Social Worker for the Town of Concord
- Concord Police Department – School Resource Officer

### Notification Requirements

Each year the school or district 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 cyber bullying and online safety. The school or district will send parents written notice each year about the student-related sections of the Plan and the school or district'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.

The school or district will post this Plan and related information on its website.

### RULES REGARDING ACTS OF HAZING

Hazing carries possible criminal penalties as described below. The following sections from the Massachusetts General Laws concern the crime of hazing:

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 one thousand dollars or by imprisonment in a house of correction for not more than one hundred days, or by 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 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.

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

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official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than five hundred dollars.