



Wendy Crocker-Roberge
Interim Chief Schools Officer
155 Merrimack Street
Lowell, Massachusetts 01852

LOWELL PUBLIC SCHOOLS
Phone: (978) 674-2163
E-mail: wcrocker-roberge@lowell.k12.ma.us

TO: Liam Skinner, Interim Superintendent

FROM: Wendy Crocker-Roberge, Interim Chief Schools Officer

DATE: September 15, 2023

RE: *Response to Motion Protocol on Student on Student Bullying Reports*

The following report is an addendum to the report, given on 9/6/23, on the same motion by Eileen Delrossi:

Request superintendent to report on protocol of student on student bullying reports

Additional information was requested to include the procedures for reporting bullying incidents on the bus or otherwise outside of school along with information about training for teachers and administrators on how to respond to bullying concerns that involve special populations, including students who may have a disability.

Additional Reporting Information: All students, staff, and families have access to the bullying reporting tool via the LPS website. Incident reports initiated by staff must occur within 72 hours of being notified of a complaint of bullying. A report of bullying does not need to be via the reporting tool and may be communicated by various other means, including emails, texts, face-to-face reports, and phone calls. School principals or their designees are responsible for investigating all charges of bullying, cyberbullying and/or retaliation and determining findings according to the definitions of bullying and cyberbullying included in the Massachusetts General Laws, referenced at the conclusion of this report.

Schools utilize various systems to teach students about what bullying is and is not, as the term is used very commonly to describe a wide range of behaviors. Sometimes, a student may experience a behavior that is rude or unkind that warrants an intervention but does not meet the threshold of bullying. To meet the threshold of the law, staff are trained to assess whether the behavior was **specific**, **repeated**, and **targeted**. When a determination

Response to Motion September 15, 2023

is made that the behavior meets those thresholds as determined by law, the school responds with an appropriate plan that may include student discipline, additional education, and/or safety and intervention planning to prevent further acts of bullying.

School Bus: When a behavioral incident happens on a school bus, the driver will complete a written report of the incident which is then forwarded to the Principal and Assistant Principal at the home school. The school administrators will assess the infraction and if it involves any potential bullying, they will then initiate an investigation according to the LPS protocols.

Professional Learning and Mandatory Training: All administrative staff are required to complete annual mandatory training for different aspects of upholding the bullying law which include specific training on how to conduct investigations of staff and students. Our Staff Counsel, Attorney Jane Mosher-Canty and Attorney Mike Ortiz, provide the training. It also includes distinctions between what is **bullying** and what is **harassment** or behavior otherwise categorized. Additionally, the training includes consideration of other factors, including the concern that certain students may be more vulnerable to becoming a target of bullying or harassment (based on actual or perceived differentiating characteristics including 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).

The law requires schools to use a research-based curriculum to teach students about bullying. As a result, each school provides training to staff and lessons on bullying with students as part of the prevention plan. Additionally, for students with disabilities, there is a component of the IEP that requires the TEAM to address any concerns for potential bullying, whether the student's disability may lead to a greater likelihood of the student being bullied or potentially engaging in bullying behaviors. There is a wide range of supports that are put in place depending on the needs of the individual student. School administrators follow and consider these circumstances when conducting bullying investigations. A student's IEP TEAM may reconvene at any time that circumstances change related to the potential for bullying or if actual bullying occurs.

As part of mandatory Crisis Prevention and Intervention (CPI) training, school administrators are also trained in using a non-confrontational approach to students who may have a disability and in de-escalation procedures intended to maintain a safe and productive school environment. These trainings have taken place over multiple sessions beginning on August 25 and are ongoing in their respective series. Leaders gain valuable skills to increase their understanding of ways to work with students with and without disabilities in a non-confrontational and supportive way.

Reference: *Mass. Gen. Laws ch. 71, § 370 (2014)*

“Bullying”, means the **repeated use** by one or more students of a written, verbal or electronic expression or a

physical act or gesture or any combination thereof, **directed at a target** that:

- (a) **causes physical or emotional harm** to the target or damage to the target's property;
- (b) **places the target in reasonable fear of harm** to himself or herself or damage to his or her property;
- (c) **creates a hostile environment** at school for the target;
- (d) **infringes on the rights** of the target at school; or
- (e) **materially and substantially disrupts the education process** or the orderly operation of a school.

Bullying shall include cyberbullying.

“Cyberbullying” means bullying through the use of technology or any electronic communication, which 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, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyberbullying shall also include:

- (a) the creation of a web page or blog in which the creator assumes the identity of another person; or
- (b) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions in bullying(a) through (e).

“Cyberbullying” 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 in bullying(a) through (e).