

The Fenn School Bullying Prevention and Intervention Plan

August 1, 2014

(Originally written for implementation by January 1, 2011 as mandated by law)

I. Statement of Purpose/Priority Statement

At The Fenn School, we expect all students and members of our school community to treat each other with respect and empathy. We educate students and engage adults with frequent reference to these values, which are two of the School's four core values of honesty, respect, empathy, and courage. These values are incorporated into Fenn's mission statement, serve as the moral underpinnings of the school community and every Fenn boy's education, and inform our standards for school citizenship. Bullying is antithetical to the core values of Fenn, which come to bear in preventing and responding to bullying.

It is the goal of The Fenn School to provide a safe learning environment free of any physical, verbal, and electronically conducted misbehavior, including bullying and cyber-bullying, which could threaten the physical and/or emotional wellbeing of a student and disrupt the learning environment or make it feel unsafe for students.

Fenn's Plan recognizes 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, 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.

Complementing the long established and fundamental goal of ensuring the physical and emotional safety of all students at our school, The Fenn School Bullying Prevention and Intervention Plan has been developed in response to Massachusetts legislation requiring all schools to prevent and address bullying. The Plan is an important part of our efforts to ensure the safety and wellbeing of all Fenn boys in partnership with students, teachers, staff, administrators, and parents and to comply with the law. The standards and practices noted within this Plan are consistent with our previously established school policies and practices.

Fenn's Plan is in full compliance with the law and details the School's comprehensive approach to preventing and addressing bullying, cyber-bullying, and retaliation.

As noted, the contents and spirit of this Plan are consistent with broader policies

and procedures on good school citizenship and student behavior at Fenn, which are detailed in *The Parent and Student Handbook* and on discrimination and harassment standards and reporting procedures, which appear in *The Fenn School Employee Manual*. It is important that this Plan be read and understood by all members of the Fenn community. The Headmaster is responsible for the general oversight of the Plan, including its implementation and administration. Questions or concerns may be directed to Jerry Ward as Headmaster or one of the school's Division Heads, i.e. George Scott of the Lower School, Patricia McCarthy of the Middle School, or Derek Boonisar of the Upper School and Associate Headmaster.

II. Statements of Prohibited Conduct

Fenn will not tolerate any form of physical or emotional bullying or cyber-bullying, nor will the School tolerate retaliation against any person who reports an incident of bullying or cyber-bullying, acts as a witness or provides information during an investigation, or shares reliable information about any form of bullying.

Bullying, cyber-bullying, and retaliation are prohibited on Fenn's campus and at school-sponsored events, activities, and programs. These acts are also prohibited at school bus stops, on school busses and other vehicles owned, leased, or used by the School, and through the use of technology or an electronic device owned, leased, or used by the School.

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

Fenn will not accept and will discredit knowingly false reports of bullying, cyber-bullying, and retaliation after necessary investigation.

III. Definitions of Key Terms

Aggressor. The aggressor is a student who engages in bullying, cyber-bullying, or retaliation.

Bullying. Bullying is defined as the repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof directed at a target that:

(i) causes physical or emotional harm to the target or damage to the target's property;

(ii) places the target in reasonable fear of harm to himself or herself or of damage to his or her property;

(iii) creates a hostile environment at school for the target;

(iv) infringes on the rights of the target at school; or

(v) materially and substantially disrupts the education process or the orderly operation of the school.

Bullying includes cyber-bullying.

Cyber-bullying. 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. 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.

Retaliation. Retaliation is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

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

Legal Definitions and School Policy

It is important to bear in mind that stricter standards of behavior may apply under Fenn's policies in order that we may prevent inappropriate verbal, physical, and/or electronic conduct before a student has been subject to bullying as defined under the law. For example, although the law defines bullying as "repeated use" of certain expressions, acts, and/or gestures, the School reserves the right to apply disciplinary measures and other corrective action in a case of a single expression, act or gesture, if the School determines that it is of sufficient severity to warrant disciplinary measures or other remedial action or that the repetition of that expression, act, or gesture might reasonably result in bullying as defined under the law.

IV. Prevention of Bullying and Cyber-bullying

Fenn students are expected to treat others with respect and empathy, to practice self respect, and to respond in difficult circumstances with personal honesty and courage. As stated in *The Parent and Student Handbook*, which every family receives prior to the start of each academic year and accepts the conditions of which as a term of enrollment, responsible and courteous behavior and respect for the rights and property of others are expected of students at all times. The attitudes and actions of each member of the Fenn community are expected to reflect positive citizenship. A breach of these standards by a student would entail disciplinary action and could result in his suspension or expulsion from school.

There are many ways in Fenn daily school life in which we instruct and promote the moral conduct of our students and make clear our expectations for the proper treatment of others. Venues for this teaching and formation include daily advisor meetings, four-times-per-week All School Meetings, class meetings, grade-wide meetings, and division meetings. The Headmaster, Division Heads, teachers, and faculty advisors use these forums to review and reinforce the standards and expectations of the School, affirm positive conduct, and inform and encourage students to report inappropriate conduct.

Student Life classes, taught on a weekly basis to sixth through ninth grade students, focus, along with other topics, explicitly on bullying in its various forms and its reporting and prevention. Faculty advisors in grades four and five engage with Lower School boys in their advisor groups the nature and prevention of bullying and how to respond responsibly and effectively to instances of bullying.

Fenn students have many opportunities to use technology to enrich their learning. As in other areas of school life, students are expected to demonstrate responsibility, respect, and good judgment when using computers and other technology, both on and off campus.

In the case of electronic communication in its various forms, students are encouraged to seek adult assistance if they feel targeted or if they witness another student either engaging in bullying or other inappropriate behavior or being targeted.

The administration and faculty expect that appropriate student conduct extends beyond the classroom to the hallways, athletic fields, gyms, arts studios, locker room, dining hall, recess areas, car pool waiting areas, and all other parts of campus. As noted in *The Parent and Student Handbook*, when participating in school related off-campus events such as field trips, athletic contests, concerts, dances, and social gatherings in private residences, boys are expected to meet all school rules and

standards of behavior. A student's behavior away from campus can affect his citizenship status and his eligibility for enrollment at Fenn.

The School strives to ensure that ample adult supervision is provided on school premises, including in but not limited to the hallways, locker room, recess areas, car pool waiting areas, and on school-provided transportation.

These steps, as stated above, are aimed at supporting all our students and providing them with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment.

V. Reporting of Bullying, Cyber-bullying, or Retaliation

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

A parent of a student who is the target of bullying or cyber-bullying or of a student who has witnessed or otherwise has relevant information about bullying or cyber-bullying is strongly urged to promptly notify the Headmaster or a Division Head. Furthermore, any parent who has him or herself witnessed bullying or cyber-bullying or has relevant information concerning such an incident is strongly urged to inform the Headmaster or a Division Head. A parent should also report any incident of retaliation in violation of this policy to the Headmaster or a Division Head. In its best judgment Fenn will make a reasonable effort to be sensitive and responsive to any expressed concerns of discomfort for a family regarding their reporting of bullying and/or retaliation.

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

Faculty and staff may not make reports under this policy anonymously. The School also urges students and their parents not to make reports anonymously. Although

there are circumstances in which an anonymous report can be beneficial or better than no report at all, it is significantly more difficult to determine the facts of what occurred if complaints are made anonymously. Students and parents are encouraged to bear in mind that Fenn takes its policy against retaliation seriously. Also, while the School is unable to promise strict and full confidentiality because information must be shared in order to conduct an effective investigation, Fenn releases information concerning complaints of bullying, cyber-bullying, and retaliation only on an as-needed basis.

Any student who is knowingly found to have made a false accusation of bullying, cyber-bullying, or retaliation may be subject to disciplinary action as determined by the School.

VI. Response to a Report of Bullying, Cyber-bullying, or Retaliation

A. Preliminary Safety Assessment. When a complaint of bullying, cyber-bullying, or retaliation is brought to the attention of the Headmaster or a Division Head, an assessment is made as to whether any initial steps need to be taken to protect the well-being of students or to prevent disruption of their educational experience at Fenn while the investigation is being conducted. As needed, strategies such as increased supervision may be implemented to prevent further bullying, cyber-bullying, or retaliation during an investigation

B. Obligation to Notify Parents. Fenn will notify the parents of any student who is an alleged target of bullying, cyber-bullying, or retaliation and the parents of any student who may have been accused of engaging in such behavior promptly after a complaint has been made and facts gathered in an investigation regarding the allegations or accusation.

C. Investigation. The following is an outline of the procedure that is initiated and pursued once a complaint is brought to the attention of the Headmaster or a Division Head:

An impartial investigation is conducted by the Headmaster and/or a Division Head, in consultation with faculty or staff as needed. That investigation may include but not be limited to interviews with the person who made the complaint, with the target of the alleged bullying, cyber-bullying, or retaliation, with the person or persons against whom the complaint was made, and with any students, faculty, staff, or other persons who witnessed or may have other relevant information about the alleged incident.

Depending on the circumstances, the Headmaster or Division Head may also choose to consult with the School Psychologist who may offer counseling or referrals as needed to a target, aggressor, or appropriate family member.

D. Resolution, Notification, and Follow-Up. Following interviews and any other investigative measures undertaken, as the School deems appropriate, the Headmaster and Division Head will determine whether and to what extent the allegation of bullying, cyber-bullying, or retaliation has been substantiated. If it is determined that the policy set forth in this plan has been violated, the Headmaster and Division Head will determine what disciplinary action will be taken and the parameters and length of the disciplinary action, and they will determine what remedial action is appropriate and how that action will be implemented.

The goal of an investigation and any disciplinary or other remedial process that is imposed following that investigation will be designed to rectify the situation to the extent that it is reasonably possible, to maximize the chances of there not being a repetition of the incident, and to prevent the student or students targeted and others who participated in the investigation from being subject to retaliation.

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

Upon completion of the investigation, the Headmaster and/or Division Head who conducted the investigation will meet individually with the students or students who were the target of the alleged incident and the student or students against whom the complaint was made and their parents to report the results of the investigation and, where disciplinary or other corrective action is determined to be appropriate, to inform the parties of the steps that will be taken to rectify the situation and of the discipline response if applicable. The amount of information provided in these meetings may be limited by confidentiality laws protecting student records. The School may choose to inform parents of the alleged target and/or the alleged aggressor before completion of an investigation if in the judgment of the School it would be constructive to do so.

Follow-up contact will be made with any student found to have been targeted in violation of this policy to gauge his feeling of safety and comfort at the School and to inquire whether there have been further incidents and contact will be made with his/her parents to maintain open lines of communication.

Follow-up contact will be made and active monitoring will be applied, as deemed necessary and appropriate by the School, to any student found to have acted in violation of this policy but was permitted to remain at the School and contact will be made with his parents to provide ongoing assessments of behavior and citizenship.

VII. Annual Notice, Training, and Biennial Updates

As required by the statute, Fenn will provide annual notice of the Plan and its existence to faculty, staff, students, and parents. The School will also provide training on the Plan and its contents to employees.

In an ongoing way, Fenn will track trends and issues that arise and review any proposed changes by members of the school community. Changes will be made to the Plan if need be at any time. Every two years, as mandated by the statute, the School will review and as needed update its Plan.

The Plan, components of which appear annually in *The Parent and Student Handbook* and in *The Fenn School Employee Manual*, will be posted in its entirety on The Fenn School website.

VIII. Conclusion

This Plan is intended (1) to prevent bullying, cyber-bullying, and retaliation among Fenn students in order to keep our school's learning environment safe, (2) to encourage Fenn students and their parents to have confidence in the School's procedures and to share their observations and concerns with the School whenever a student is subjected to conduct prohibited by this or any other School policy, and (3) to implement appropriate discipline and other corrective measures at Fenn when they are found to be warranted.