

Anti-Hazing Policy

The COVE School issues a copy of M.G.L. c 269 §§ 17 through 19 to every student enrolled full-time, and every student group, student team, or student organization, including every unaffiliated student group, student team, or student organization, and a copy of the The COVE School's Anti-Hazing Disciplinary Policy which is approved by the Educational Director.

COMMONWEALTH OF MASSACHUSETTS: ANTI-HAZING LAW

CHAPTER 269: Section 17. Hazing; Organizing or Participating; Hazing Defined

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 three thousand dollars (\$3,000) or by imprisonment in a house of correction for not more than one (1) year, or 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.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

CHAPTER 269: Section 18. Failure to Report Hazing

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 themselves or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars (\$1,000).

CHAPTER 269: Section 19. Copy of Sections 17 to 19; Issuance to Students and Student Groups, Teams and Organizations; Report

Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an

institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full-time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full-time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports and shall forthwith report to the Attorney General any such institution which fails to make such report.

THE COVE SCHOOL'S DISCIPLINARY PROCEDURE FOR HAZING

Should an instance of hazing arise within The COVE School, the Principal will meet with the student(s) involved to determine the specific information regarding the incident.

- Any student who has been found to have practiced hazing will receive a 1-day out-of-school suspension for the act.
- A student who has been suspended for hazing will need to participate in a re-entry meeting the morning the student returns from suspension. This meeting should include the student's parents/guardians if the student is below the age of 18.
- A student must be able to verbally process their misconduct with administrators and sign a safety contract in order to return to the classroom.

- In all instances where the victim of the hazing feels ready to process with the student who committed an act of hazing towards him or her, the verbal processing will take place with the facilitation of a school clinician and/or administrator.
- Further acts of hazing on any student's part may result in a longer period of suspension and additional processing, both verbally and in writing.

The Principal will promptly notify the guardians of each student affected by instances of hazing, as well as the LEA(s) of each student, both victim(s) and perpetrator(s) and all relevant state agencies involved with the affected students.

The Principal will notify local police in instances where they deem local law enforcement is required. The Principal will promptly notify local police if they believe the perpetrator's conduct may be criminal.

Upon intake and at the beginning of each school year, this policy is reviewed with all students. Acknowledgement of their receipt of this policy is documented by the Principal.

Bullying Prevention and Intervention Policy

The COVE School 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 COVE School 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, cyberbullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. We will investigate promptly all reports and complaints of bullying, cyberbullying, 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 parents/guardians' involvement.

The COVE School Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and cyberbullying, and the agency is committed to working with students, staff, families, caregivers, guardians, law enforcement agencies, community resources, and the greater community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. The Principal is responsible for the implementation and oversight of the Plan within our school.

The approved Massachusetts Department of Elementary and Secondary Education Bullying Prevention and Intervention Plan is available on-site at The COVE School. Copies of the plan and reporting options are located in the Main Office, Principal Office, and Program Director's Office. Reporting forms are available in all classrooms and Clinical offices. Anyone can fill out a report.

Additionally, the administration of the school, teachers, and clinical staff go over the Bullying Prevention and Intervention Plan with all students. Students are asked to sign an acknowledgement receipt stating that The COVE School staff members have explained the legislation and The COVE School's approved plan with them.

LAWS

The following statement is incorporated directly from M.G.L.c.71, § 370(b), and describes the law's requirements for the prohibition of bullying. Acts of bullying, which include cyberbullying, are prohibited:

- I. On school/program grounds and property immediately adjacent to school/program grounds, at a school/program-sponsored or school/program-related activity, function, or program whether on or off school/program grounds, 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/program-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt 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 also prohibited.

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

DEFINITIONS

AGGRESSOR

A student who engages in bullying, cyberbullying, or retaliation.

BULLYING

As defined in M.G.L. c. 71, § 37O, is 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 themselves or of damage to their 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.

CYBERBULLYING

Bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by: wire, radio, electromagnetic, photo-electronic or photo-optical system, including but not limited to email, instant messages, text messages, Internet postings, and facsimile communications. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

HOSTILE ENVIRONMENT

As defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

RETALIATION

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.

STAFF

Includes, but is not limited to, educators, administrators, clinicians, counselors, Health Service staff, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

TARGET

A student against whom bullying, cyberbullying, or retaliation has been perpetrated.

Upon intake and at the beginning of each school year, this policy is reviewed with all students. Acknowledgement of their receipt of this policy is documented by the Principal.