Erving School Union #28 Bullying Prevention and Intervention Plan

March 2023

The Erving School Union #28 is committed to providing a safe learning environment free from bullying, cyber bullying, and retaliation in order to support all our students, employees, volunteers, and visitors. The District prohibits any form of bullying, cyber bullying, or retaliation, in school district buildings, on school grounds, at school bus stops, on school transportation, and at school-sponsored activities whether on or off school grounds. Further, bullying, cyberbullying and retaliation are prohibited 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 the school district if the act or acts in question create a hostile environment at school for the target; infringe on the rights of the target at school; and/or materially and substantially disrupt the education process or the orderly operation of a school. This prohibition applies to all school district employees, volunteers, independent contractors, students, and parents/guardians, including conduct between/among all parties.

Certain students may be more vulnerable to bullying or harassment based on actual or perceived 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.

Definitions

Aggressor is a student or a member of a school staff who engages in bullying, cyber bullying, or retaliation.

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

- causes physical or emotional harm to the target or damage to the target's property;
- places the target in reasonable fear of harm to oneself or of damage to their property;
- 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.

Cyber bullying is defined as bullying through the use of technology or any electronic communication, which will include, but will 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 will also include the creation of a web page or blog in which the creator assumes the identity of another person or 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 will 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 the clauses, inclusive, of the definition of bullying. 37O(a)

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 a student's education.

*Race includes traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

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.

School Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Target is a student against whom bullying, cyber bullying, or retaliation has been perpetrated.

Witness is a person who has directly observed an incident.

The Bullying Prevention and Intervention Plan shall apply to students and members 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.

III. RESPONSE AND INVESTIGATION PROCEDURES

A. Reporting 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/guardians, or other individuals who are not school or district staff members, may be made anonymously. However, no disciplinary action shall be taken against a student solely on the basis of an anonymous report. 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, a lock box, and an email address. The principal or designee will determine when an incident is considered to have a criminal intent. Contact with the local police will occur.

School staff are considered mandated reporters for 51A filings. At Erving School Union #28 Elementary Schools, the principal, school nurse, and school psychologist will meet with the staff member to discuss a situation that may involve a 51A filing. Most filings are completed by the principal.

Use of an Incident Reporting Form is recommended, however it is not required as a condition of making a report. 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 psychologist's office, and the school nurse's office; and
3) post it on the school's website

At the beginning of each school year, Erving School Union #28 elementary schools will provide the school community, including administrators, staff, students, and parents or guardians, with written notice of its policies 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.

1. 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 bullying or retaliation. The requirement to report to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

2. Reporting by Students, Parents or Guardians, and Others

The school or district expects students, parents/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. 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.

B. 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 may 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; increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur; 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. The principal or designee will work closely with classroom teachers to ensure that students who have 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 are protected.

C. Counseling and Other Services. Erving School Union #28 will identify the availability of culturally and linguistically appropriate resources within the school and district. A listing will be available with the principal or designee. If resources need to be developed, Erving School Union #28 will identify linkages with community based organizations, including Community Service Agencies (CSAs) for Medicaid eligible students. In addition, the school psychologist, nurse, principal, and appropriate staff people will assist in developing safety plans for students who have been targets of bullying and retaliation, providing social skills programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors. Erving School Union #28 will utilize current tools including, but not limited to, behavioral intervention plans, social skills groups, and individually focused curricula.

D. Students with Disabilities. As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

E. Referral to Outside Services. Erving School Union #28 will establish a referral protocol for referring students and families to outside services. This protocol will include the school psychologist in collaboration with the principal and/or designee and nurse will help students and

families access appropriate and timely services. In addition, a listing of local outside services will be available to parents/guardians. Referrals must comply with relevant laws and policies. Current local referral protocols should be evaluated to assess their relevance to the Plan and revised as needed.

F. Investigation. The principal or designee will promptly investigate all reports of bullying or retaliation and, 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/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.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school psychologist, as appropriate. 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.

G. 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 actions are necessary.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school psychologist, 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/guardians 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. However, 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.

IV. RANGE OF DISCIPLINARY ACTIONS

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 the Plan and the guidelines set forth in the *Erving School Union #28 School Handbooks*.

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.

V. NOTIFICATION PROCEDURES

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.

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 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 Superintendent of Union 28 and other individuals the principal or designee deems appropriate.

VI. BULLYING PREVENTION CURRICULUM

Erving School Union #28 Bullying Prevention and Intervention Plan

A. Specific Bullying Prevention Approaches. Bullying prevention curriculum will be informed by current research, which among other things, emphasizes the following approaches:

- using scripts and role-plays to develop skills
- empowering students to take action by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance
- helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance
- emphasizing cyber safety, including safe and appropriate use of electronic communication technologies
- enhancing students' skills for engaging in healthy relationships and respectful communications
- engaging students in a safe, supportive school environment that is respectful of diversity and difference

Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan.

B. General Teaching Approaches that Support Bullying Prevention Efforts. The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines
- creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students
- using appropriate and positive responses and reinforcement, even when students require discipline
- using positive behavioral supports
- encouraging adults to develop positive relationships with students
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors
- using positive approaches to behavioral health, including collaborative problem- solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development
- using the Internet safely
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength

C. Bullying Prevention and Intervention Curriculum. The foundation of behavior expectations at all Erving School Union #28 schools' respects that all children have the right to learn in a safe school environment. Each grade has 30 minutes of social curriculum instruction, including bullying prevention and intervention, per week.

- Erving Elementary School: Kindergarten through Grade 2, Second Steps is the evidence based curriculum used and Steps to Respect Program is used in grades 3-6

- Leverett Elementary School: PATHS is the evidence-based curriculum used by all grades
- Shutesbury Elementary School: Choose Love is the evidence-based curriculum used by all grades
- Swift River School: Second Steps is the evidence-based curriculum used by all grades

VII. PROFESSIONAL DEVELOPMENT

A. Annual Staff Training on the Plan. Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. Staff members hired after the start of the school year are required to participate in school- based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

B. Ongoing Professional Development. The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of school-wide and district-wide professional development will be informed by research and will include information on:

- developmentally (or age-) appropriate strategies to prevent bullying;
- developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- 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 cyberbullying; and
- Internet safety issues as they relate to cyberbullying

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

VIII. COLLABORATION WITH FAMILIES

A. Parent Education and Resources. Erving School Union #28 elementary schools will offer 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 will be offered in collaboration with the PTO, School Council, Special Education Parent Advisory Council, Internal Safety Committee, or similar organizations.

B. 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 cyberbullying and online safety. Erving School Union #28 elementary schools will send parents written notice each year about the student-related sections of the Plan and the school's or district's Internet Safety Policy. All notices and information made available to parents or guardians will be in hard copy and electronic format. Erving School Union #28 will post the Plan and related information on its website.

IX. CREATION AND MAINTENANCE OF THIS PLAN

This Bullying Prevention and Intervention Plan was updated in April 2021. Resources used to write it included An Act Relative to Bullying in Schools M.G.L. c. 71, § 37O; Model Bullying Prevention and Intervention Plan, Massachusetts Department of Elementary and Secondary Education. The draft BIPP Plan was reviewed and edited by the staff, the School Council (including parents and members of the community), the Internal Safety Committee (including members of local law enforcement agencies), the PTO, and the School Committee. The Plan was formally adopted by the Joint Supervisory School Committee on May 17, 2021 and then submitted to the Department of Elementary and Secondary Education as required by law. This Plan will be reviewed and if necessary, revised and amended annually by the School Committee, school staff, Internal Safety Committee, and School Council from all 4 of the Erving School Union #28 school districts (Erving, Leverett, Shutesbury and New Salem/Wendell).