

Hamilton-Wenham Regional School District Bullying Prevention and Intervention Plan

I LEADERSHIP

Statement of Purpose

The Hamilton-Wenham Regional School District (the "District") expects that all members of the school 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 cyber-bullying. 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.

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 recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing 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, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. The District will identify specific steps it will take 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.

The District 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 investigate promptly 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 (the "Plan") is a comprehensive approach to addressing bullying and cyber-bullying, and the district is 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 Plan for preventing, intervening, and responding to incidents of bullying, cyber-bullying, and retaliation. The Principal or his/her designees are responsible for the implementation and oversight of the Plan at their respective buildings.

A. Public Involvement in Developing the Plan.

As required by M.G.L. c. 71, § 370, the Plan will be developed with various constituencies. This involvement will include:

- District/School administrators, faculty and Staff;
- school volunteers;
- interested community representatives, students, parents, and guardians; and
- the District School Committee.

Consultation will include, at a minimum, notice and a public comment period before the District School Committee adopts the Plan.

B. Assessing Needs and Resources

The Superintendent, along with the Superintendent's designees, with input from administrators, faculty, and families, will assess the adequacy of current programs, policies and procedures. This task will include:

- review of current policies and procedures;
- review of available data on the prevalence and characteristics of bullying and behavioral incidents;
- assessment of available resources including curricula, training programs, and behavioral health Services; for designing ongoing professional development
- review of current and relevant articles and research on best methodology to prevent, intervene and address bullying and cyber-bullying;
- research and review of field tested and research-based anti-bullying curricula and instructional guides;
- development of a resource bank of relevant materials for both parents and students;
- Review of the Massachusetts comprehensive Health and Wellness Curriculum frameworks to provide a working curriculum context for anti-bullying curriculum; and
- at least once every four years beginning with 2015/16 school year, the district will administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools.
- the district will annually report bullying incident data to the DESE.
- assessments of initial and periodic needs, by surveying students, faculty, staff, parents, guardians on school climatic and school safety needs.

C. Planning and Oversight

The building Principal or his/her designees will be responsible for the following tasks under the Plan:

- receiving reports on bullying;
- collecting and analyzing school-wide data on bullying to assess the present level of need and to measure improved outcomes;
- creating a process for recording and tracking incident reports, and for accessing information related to targets and aggressors;
- implementing the ongoing professional development that is required by the law;
- identifying supports that respond to the needs of targets and aggressors;
- choosing and implementing, in partnership with central office administrators, the curricula that the school or district will use;
- amending student and Staff handbooks and codes of conduct; and
- leading the parent or family engagement efforts and drafting parent information materials.

The Director of Technology will be responsible for updating the Acceptable Use Policy.

The Superintendent, in partnership with the Anti-bullying Subcommittee, will be responsible for reviewing and updating the Bullying Prevention Policy biennially or more frequently if needed.

II PROHIBITION AGAINST BULLYING AND RETALIATION

Acts of bullying, which include cyberbullying, are prohibited:

- on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school related activity, function, or program whether 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; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and
- at a location, activity, function, or program that is not school-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, § 370, nothing in this Plan requires the District or school to staff any non-school related activities, functions, or programs.

III. DEFINITIONS

In order to work as collaboratively and as efficaciously as possible, to prevent and intervene on all acts of bullying, it is essential for administrators, faculty, Staff, students, parents, guardians, law enforcement agencies, and other interested parties to use common language. The following definitions are provided to facilitate this goal.

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

Bullying, as defined in M.G.L. c. 71, § 370, is the repeated use by one or more students or school staff members, 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 himself or herself or of damage to his or her 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 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, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 370 for the legal definition of cyber-bullying.

Hostile environment as defined in M.G.L. c. 71, § 370, 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 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.

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.

IV. RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, age or sexual orientation. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§37H or 37H72, other applicable laws, or

local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

V. TRAINING AND PROFESSIONAL DEVELOPMENT

A. Annual Staff Training on the Plan.

Annual training for all District Staff on the Plan will include Staff duties under the Plan, an overview of the steps that the Principal or his/her 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. Staff members hired after the start of the school year is 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 Superintendent, in collaboration with the Anti-bullying Subcommittee will be responsible for oversight and implementation of the training used throughout the system. 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, § 370, the content of school-wide and district-wide professional development will be informed by research and will include:

- developmental appropriate strategies to prevent bullying;
- developmental 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;
- information on the incidence and nature of cyber-bullying;
- internet safety issues as they relate to cyber-bullying;
- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making; and
- maintaining a safe and caring classroom for all students.

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.

C. Written Notice to Staff.

The District will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties, in the school or District employee handbook and the code of conduct.

VI. ACCESS TO RESOURCES AND SERVICES

The Superintendent, in collaboration with the Anti-bullying Subcommittee will be responsible for researching, reviewing and adopting appropriate curriculum and instructional materials for use in the schools. This work will require consultation with other appropriate district and town resources. The curriculum must be:

- Developmental appropriate
- Evidence based - based on research, or field tested

- Evaluated for effectiveness

The resources will be evaluated on documented success rate, design that is engaging to students and in keeping with our core values and philosophies of pedagogy. Curriculum should have creative presentation and should encourage students to find solutions and use critical thinking skills.

A. Identifying Resources.

Resources for targets, aggressors, and their families may include, but are not limited to: adopting new curricula, establishing safety planning teams, and identifying other agencies that can provide services.

The Anti-bullying Subcommittee will be responsible for creating and posting a bibliography of anti-bullying resources including, but not limited to:

- the District Bullying Prevention Policy;
- the District Anti-Bullying Prevention and Instructional guides and materials;
- research articles and materials on the prevalence and characteristics of bullying;
- relevant and useful websites; and
- community resources and related services.

B. Counseling and Other Services.

The District has a variety of appropriate resources within the district. The District utilizes adjustment counselors and school psychologists who assist in developing safety plans for students who have been targets of bullying or retaliation, providing social skills programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors. The District utilizes a variety of tools including, but not limited to, behavioral intervention plans, social skills groups, and individually focused curricula. Translators are provided as are translations of materials for Hamilton-Wenham families as needed.

C. Students with Disabilities.

As required by M.G.L. c. 7 IB, § 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. All special education Administrators and faculty members were trained on this requirement in September 2010.

D. Referral to Outside Services.

The District has a referral protocol for referring students and families to access appropriate services. Referrals comply with relevant laws and policies. Current local referral protocols will be evaluated to assess their relevance to the Plan, and revised as needed.

VII. ACADEMIC AND NON-ACADEMIC ACTIVITIES

A. Specific Bullying Prevention Approaches.

Bullying prevention curricula 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 cyber-bullying, 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; and
- 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 Plan. The District will review the Plan with students by October 1st of each school year.

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 the District 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; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

VIII. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

A. Reporting Potential Bullying or Retaliation.

Reports of potential 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 documented in an age appropriate manner by the Principal or his/her designee. A school district Staff member is required to report promptly to the Principal or his/her designee any instance of bullying or retaliation the Staff member becomes aware of or witnesses. Reports made by students, parents or guardian, or other individuals who are not school or district Staff members, may be made anonymously. The District will make a variety of reporting resources available to the school community including an anonymous electronic option.

Use of a written form is not required as a condition of making a report. The District will: 1) take all reported incidents either verbal or written and will record necessary information to document the information as reported, 2) provide information on how to report incidents on both the website for each school, as well as in the handbook.

At the beginning of each school year, the Superintendent 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 his/her 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 Faculty and Staff

Faculty or Staff member will report immediately to the Principal or his/her designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the Principal or his/her 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.

B. Responding to a Report of Bullying or Retaliation.

1. Safety

Before fully investigating the allegations of bullying or retaliation, the Principal or his/her 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; 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 his/her designee will take additional steps to promote safety during the course of and after the investigation, as necessary for all parties involved.

The Principal or his/her 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.

2. Obligations to Notify Others

a. Notice to Parents or Guardians Upon, determining that bullying or retaliation has occurred, the Principal or his/her 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 his/her 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 his/her designee first informed of the incident will promptly notify by telephone the Principal or his/her 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 his/her designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Principal or his/her designee will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00. 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 his/her 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 or his/her designee will, consistent with the Plan and with applicable District policies and procedures, consult with the school resource officer, if any, and the Superintendent.

C. Investigation.

The Principal or his/her designee will investigate promptly 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 his/her designee will, among other things, interview students, Staff, witnesses, parents or guardians, and others as necessary. The Principal or his/her 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 his/her designee, other Staff members as determined by the Principal or his/her designee, and in consultation with the school counselor, may conduct interviews. To the extent practicable, and given his/her obligation to investigate and address the matter, the Principal or his/her designee will maintain confidentiality during the investigative process. The Principal or his/her designee will maintain a written record of the investigation, including the preservation of all email and text communications.

Procedures for investigating reports of bullying and retaliation will be consistent with the District policies and procedures for investigations. If necessary, the Principal or his/her designee and the Superintendent will consult with legal counsel about the investigation.

D. Determinations.

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

Depending upon the circumstances, the Principal or his/her designee may choose to consult with the students' teachers and/or counselors, and the targets 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 his/her designee will promptly notify the parents or 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. 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 his/her 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.

The principal or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

E. Responses to Bullying.

1. Teaching Appropriate Behavior Through Skills-Building

Upon the Principal or his/her designee determining that bullying or retaliation has occurred, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. C.71, § 370(d) (v). Skill-building approaches that the Principal or his/her designee may consider include:

- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;

- offering individualized skill-building sessions based on the school's/districts anti-bullying curricula;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social 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 social skills; and
- making a referral for evaluation.

2. Taking Disciplinary Action

If the Principal or his/her designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Principal or his/her 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 with the school's or District's code of conduct.

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 his/her designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

3. Promoting Safety for the Target and Others

The Principal or his/her 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. One strategy that the Principal or his/her designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

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

F. COLLABORATION WITH FAMILIES

A. Parent Education and Resources.

The District in collaboration with parent associations 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.

B. Notification Requirements.

Each year the 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's 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 District will post the Plan and related information on its website.

C. Problem Resolution System.

Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to compliance@doe.mass.edu or individuals can call 781-338-3700. Hard copies of this information is also available at the Superintendent's office.