



Ashland Public Schools

Bullying Prevention  
and  
Intervention Plan

On Monday, May 3, 2010, Governor Deval Patrick signed the much anticipated anti-bullying bill into law. The bill was passed unanimously by both the Senate and House of Representatives after it emerged from a joint conference committee. Massachusetts is now the forty-second state in the country to have anti-bullying legislation. The law is aimed at addressing the issue of bullying and cyber-bullying in schools. While Massachusetts lawmakers have been considering versions of this bill for quite some time, two recent bullying-related suicides in South Hadley and Springfield caused this legislation to receive top priority.

The law, which includes strict mandates for reporting all suspected incidents of bullying and cyber-bullying, is being heralded as one of the toughest anti-bullying laws in the country. Where school districts up until now have not had a clear blue print to follow when incidents of bullying and cyber-bullying were suspected, this new law will guide school districts in the identification, investigation and response to incidents as they arise. With the vast increase in the use of technology and social networking by students, much of which occurs off school grounds during non-school hours, administrators have rightly questioned the extent to which a school district has a right, and indeed an obligation, to intervene. This new law provides much needed guidance.

The new law requires all school districts, charter schools, non-public schools, approved private special education day or residential schools, and collaborative schools to develop and adopt bullying prevention and intervention plans. Plans must meet the requirements of the law and should follow local policies and procedures. Districts and schools must develop the Plan in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, and parents or guardians. Required consultation must include, at a minimum, notice and a public comment period.

As leaders and educators in Ashland Public Schools, we are committed to providing an educational climate that is conducive to student engagement and learning. Our roles and responsibilities as educators will continue to include (1) providing curriculum and programming that allow students the opportunity to develop social and behavior skills appropriate to a school environment and (2) when a student disrupts the educational environment for others, employing a wide range of interventions appropriate to the nature of the conduct and age of the student. There is no place for harassment and bullying within the Ashland Public Schools as these attacks on human dignity are antithetical to the healthy educational, social and emotional growth of students.

Each school presented to the School Committee on November 18, 2010 what they have begun to implement in their schools. A Public Comment period was held from November 10 – December 10, 2010. Once the public comment period was completed, these individual school plans were compiled into one district plan and shared with the School Committee at their December 16, 2010 meeting.

This plan was developed in consultation with administrators, teachers, professional support staff, law enforcement staff, students and parents. These constituents assessed the adequacy of current programs, reviewed current policies and procedures, reviewed available data on bullying and behavioral incidents, and assessed available resources including curricula, training programs, and behavioral health services. Based on findings, policies and procedures have been revised and/or developed; partnerships with community agencies, including law enforcement have been established, and priorities have been set.

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### **Appendix A: Bullying Prevention and Intervention Incident Reporting Forms**

## Overview:

Bullying, pursuant to M.G.L. c. 71, §37O, 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.

In Ashland students are expected to behave in a friendly and respectful manner. Our goal is to maintain a positive environment, which promotes learning and contributes to each child's social, emotional, academic and physical development.

## **I. Leadership**

Under the plan the building administrator is responsible for receiving and investigating reports of bullying behavior, for planning for on-going professional development that is required by law, for amending student and staff handbooks and codes of conduct, and for reviewing and updating the Plan each year. The building administrator (s), with assistance from other professional staff members such as the guidance counselor and school psychologist, is also responsible for collecting and analyzing building data on bullying to assess the present problem and to measure improved outcomes, for creating a process for recording and tracking incident reports, for planning supports that respond to the needs of targets and aggressors, for choosing and implementing the curricula that the school will use, for developing new or revising current policies and protocols under the Plan, including an Internet safety policy; and for planning family engagement efforts as well as drafting parent information materials.

### **A. Public Involvement in Developing the Plan**

This plan was developed in consultation with administrators, teachers, professional support staff, law enforcement staff, students and parents. These constituents assessed the adequacy of current programs, reviewed current policies and procedures, reviewed available data on bullying and behavioral incidents, and assessed available resources including curricula, training programs, and behavioral health services. Based on findings, policies and procedures have been revised and/or developed; partnerships with community agencies, including law enforcement have been established, and priorities have been set. Schools solicited comments from their respective school councils, ASHPAC, PTO and faculties. Community members were also invited to provide public comment relative to the proposed Plan before the Plan was adopted by the Ashland School Committee.

## **B. Assessing Needs and Resources**

In assessing and identifying needs and resources for the district, the Ashland Public Schools collected information from several sources: school climate surveys from the middle and high school, needs assessments from each school's site council, the RTI teams in each building, etc. The PTO generously donated money for training in the Responsive Classroom and Second Step programs. Parents and staff attended Train the Trainer workshops in the summer of 2010. A district wide Bullying Prevention Team was created and included parents and staff. This spring a survey will be administered to parents, students and staff to assess current perceptions about bullying in schools. Need is also identified and assessed through participation in the MetroWest Youth Risk Behavior Survey, which includes middle and high school students.

## **C. Planning and Oversight**

Under the plan the building administrator is responsible for receiving and investigating reports of bullying behavior, for planning for on-going professional development that is required by law, for amending student and staff handbooks and codes of conduct, and for reviewing and updating the Plan each year. The building administrator (s), with assistance from other professional staff members such as the guidance counselor and school psychologist, is also responsible for collecting and analyzing building data on bullying to assess the present problem and to measure improved outcomes, for creating a process for recording and tracking incident reports, for planning supports that respond to the needs of targets and aggressors, for choosing and implementing the curricula that the school will use, for developing new or revising current policies and protocols under the Plan, including an Internet safety policy; and for planning family engagement efforts as well as drafting parent information materials.

## **D. Priority Statement**

The Ashland Public Schools Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and cyber-bullying, and each school in 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, cyberbullying, and retaliation. The building administrator is responsible for the implementation and oversight of the Plan. Each school in the district expects that all members of the school community will treat each other in a civil manner and with respect for differences.

## **II. Training and 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. Ongoing professional development is intended to build the skills of staff members to prevent, identify, and respond to bullying. The content of such professional development will be informed by research and will include information on:

- (i) developmentally (or age-) appropriate strategies to prevent bullying;
- (ii) developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- (iv) 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 cyber bullying;
- (vi) internet safety issues as they relate to cyber bullying; and
- (vii) legal issues and responsibilities related to bullying.

Other additional areas of training based on needs and concerns identified by school and/or district staff may include:

- promoting and modeling the use of respectful language
- fostering an understanding of and respect for diversity and difference
- using positive behavioral intervention strategies

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. The principal or designee will oversee the professional development of staff members.

The Positive Behavior Strategies Program (PBS) in the Ashland Public Schools will continue educating the staff on practices that will help combat future bullying episodes in the school.

## **C. Written Notice to Staff**

The Ashland Public Schools 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 staff handbook, the district Employee Handbook, and through the Student Conduct Policy.

## **III. Access to Resources and Services**

The building administrator will regularly conduct a review of the current staffing and programs that support the creation of a positive school environment by focusing on early interventions and

intensive services. Once this review of resources is complete a school based team will be established to develop recommendations and action steps to fill resource and service gaps. Should culturally and linguistically appropriate services need to be developed the team will establish linkages with community based organizations, including Community Service Agencies for Medicaid eligible students. The guidance counselor, school psychologist or other professional staff may 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.

When the IEP Team determines a 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.

### **A. Identifying Resources**

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 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 at the beginning of each school year during a building assembly and/or during regularly scheduled classroom guidance lessons.

### **B. Counseling and Other Services**

The guidance counselor shall be responsible for helping to create and monitor the safe and supportive learning plan for target and/or aggressor of bullying/cyberbullying/retaliation. This will include monitoring referrals to counseling as needed to address underlying social, emotional, and behavioral difficulties that may contribute to the problem. Services provided may include referrals for outside individual and/or family counseling, development of a 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. Additional services may include: behavioral intervention plans, social skills groups, and individually focused curricula.

School counselors, nurses, school psychologists and special educators provide a variety of skill-based services to students within the educational setting that include on-going emotional support, risk assessment, crisis intervention, and help with community based counseling referrals when appropriate. School counselors meet with parents and teachers as needed to help address students' academic, emotional and behavioral concerns as collaboratively as possible. Parent workshops are conducted and parents are apprised of outside resources to enhance parenting skills and provide for the needs of the children.

Below is a list highlighting activities offered at various schools that, put all together, create a seamless and comprehensive approach to building a healthy and respectful culture:

- One on one and small group counseling
- Case management services
- Crisis intervention
- Social Competency Program (Second Step, Life Skills)
- Class Meetings
- School counseling curriculum on issues of respect, sexual harassment and student success skills
- Peer Leadership groups
- G.R.E.A.T. Program
- Social Skills groups
- Study Skills groups
- Parent-teacher conferences
- Parent workshops
- Transition Planning
- Parent Guidance
- Behavioral plan development
- Best Buddies
- Circle of Friends
- Peer tutoring
- Grade level Team meetings
- Response to Intervention teams
- Professional Learning teams

### **C. 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.

### **D. Referral to Outside Services**

When a referral to an outside agency is appropriate, or when it is determined that outpatient counseling would benefit the target, aggressor or bystander, information regarding access to

outside counselors can be obtained from guidance counselors, social workers, school psychologists and the school nurse. A comprehensive list of outside services has been distributed throughout the district.

#### **IV. Academic and Non-Academic Activities**

The Ashland Public School's objective is to enhance and sustain a safe and healthy environment in part by reducing the reported incidence of bullying in our school and through the delivery of a multi-tiered approach to intervention (Response to Intervention) that includes prevention and intervention. Once a determination has been made by the Principal or designee that bullying or retaliation has occurred, the law requires that the school use a range of responses that balance the need for accountability with the need to teach appropriate behaviors (M.G.L. c. 71§37O(d)(v)). The individual needs of the student will be considered and the Principal or designee may consider one or more of the following approaches:

- Individualized skill-building lessons based on the school's anti-bullying curricula
- Providing relevant educational activities for individual students or groups of students with supports from guidance and/or other appropriate school personnel
- Meeting with parents/guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home
- Developing a behavior plan or contract to include a focus on developing specific social skills
- Initiating a Functional Behavioral Assessment and resulting behavior plan to reinforce pro-social behaviors
- Making a referral for any further evaluations as appropriate

##### **A. Specific Bullying Prevention Approaches**

The Ashland Public School's will provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the schools' evidence-based curricula. Effective instruction includes classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development. We will continue to offer evidence based social/emotional learning instruction to all students including Second Steps, Life Skills, the G.R.E.A.T. program and assemblies such as Rachel's Challenge, programs from MARC, etc.

##### **B. General Teaching Approaches that Support Bullying Prevention Efforts**

General teaching approaches that support bullying prevention efforts include, but are not limited to the following:

- setting clear expectations for students and establishing school and classroom routines;
- 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.

The Ashland Public Schools will continue to implement PBIS (Positive Behavioral Intervention Strategies) across the district.

#### **V. Policies and Procedures for Reporting and Responding To Bullying and Retaliation**

It is the responsibility of the building Principal or his/her designee to make clear to students and staff that bullying or harassment in the school building, on school grounds, on our school busses or school sanctioned transportation, or at school sponsored function will not be tolerated. The Principal or his/her designee shall be responsible for the implementation of bullying prevention and intervention procedures, including investigating all charges of bullying, cyberbullying, and retaliation. Please refer to Appendix A which includes a draft district wide process, draft forms, and procedures to support the reporting, response and investigation.

- Reporting bullying or retaliation: The Ashland Public School Staff members are required to immediately report to the Principal or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses.
- Reports of bullying or retaliation may be made by staff, students, parents, or guardians, or others. This can be in oral or written form, face to face, via telephone or by email when he/she witnesses or becomes aware of conduct that may be bullying or retaliation.

The requirement to report an incident of bullying or retaliation to the Principal or designee does not preclude the staff member from responding and/or intervening to behavioral or disciplinary incidents pursuant to the Ashland Public School's disciplinary procedures.

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.

Anonymous reporting – students, parents/guardians and others will be able to make anonymous bullying reports by telephone or by mail. The anonymous report must be managed by the Principal or designee and include at least the following information:

- Date, time and location of the incident
- Individuals involved and their roles (e.g. target, aggressor, bystander)
- Any knowledge of prior incidents that were reported or not and to whom they were reported (if known)

- The connection of the reporter to the incident (e.g. witness first hand, third party report)

Upon receipt of an anonymous report the Principal will initiate a preliminary investigation. If the anonymous allegation is found to have some merit an Incident Reporting Form must be completed by the Principal or designee and the investigation process will continue.

No disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. However, if there is insufficient evidence of bullying but there is a fear for the target's safety, a precautionary safety plan should be developed.

### **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 building administrator any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. Reporting resources include an Incident Report Form available in the school office as well as a phone call and/or email to the building administrator. A copy of the Incident Report Form will be included in the beginning of the year packet for students and parents or guardians. It will also be available in the guidance office and the nurse's office. The form will be posted on the school's website and will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each school year, the school and/or district will provide the school community, including administrators, staff, students, and parents or guardians with written notice of its policies for reporting acts of bullying or retaliation. A description of the reporting procedures and resources, including the name and contact information of the building administrator will be incorporated in student and staff handbooks and on the school or district website.

#### **1. Reporting by Staff**

A staff member will report immediately to the building administrator or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the building administrator 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 or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the building administrator 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 building administrator or designee.

## **B. Responding to a Report of Bullying or Retaliation.**

### 1. Safety

Before fully investigating the allegations of bullying or retaliation, the building administrator 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; 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 building administrator or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The building administrator 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 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 building administrator 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 building administrator or designee contacts parents or guardians prior to any investigation.
- 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 building administrator 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.
- c. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the building administrator or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the administrator 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 building administrator 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 building administrator may, consult with the school resource officer, if any, and other individuals the building administrator or designee deems appropriate.

### **C. Investigation.**

The building administrator or 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 building administrator or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The building administrator 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 building administrator or designee, other staff members as determined by the administrator or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the building administrator or designee will maintain confidentiality during the investigative process. The building administrator 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 building administrator or designee may consult with legal counsel about the investigation.

The requirement to report an incident of bullying or retaliation to the Principal or designee does not preclude the staff member from responding and/or intervening to behavioral or disciplinary incidents pursuant to the school's disciplinary procedures.

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.

### **D. Determinations.**

The building administrator or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the building administrator 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 building administrator or 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 building administrator or designee may choose to consult with the students' teacher(s) and/or school counselor, 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.

If the Principal or designee determines that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Principal or designee. The degree of discipline to be imposed by the Principal or designee will be in proportion to the severity of the behavior of a particular student and will take into account the student's discipline history, the age of the student(s) and other relevant factors. The Principal or designee will follow Ashland Student Discipline Handbook. The level of discipline imposed shall be based on the severity of the misbehavior and the need to balance accountability with the teaching of appropriate behavior(s).

#### **E. Responses to Bullying.**

The building administrator or 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. Because of the legal requirements regarding the confidentiality of student records, the building administrator 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.

##### **1. Teaching Appropriate Behavior Through Skills-building**

Upon the building administrator or 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, § 37O(d)(v). Skill-building approaches that the building administrator or designee may consider include:

- offering individualized skill-building sessions based on the school's/district's anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- 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

The Ashland Public School's objective is to enhance and sustain a safe and healthy environment. If the building administrator or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the building administrator 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. When it is necessary to impose discipline, school administrators and teachers will follow a progressive discipline model (see Appendix A). The degree of discipline to be imposed by school officials will be in proportion to the severity of the behavior of a particular student and will take into account the student's discipline history, the age of the student and other relevant factors. This progressive discipline model is divided into levels. Each level represents progressively more serious misbehavior and consequences. The level of discipline imposed shall be based on the severity of the misbehavior.

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 building administrator or 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 building administrator or 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 building administrator or 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 building administrator or 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 building administrator or designee will work with appropriate school staff to implement them immediately.

Upon investigation and determination that bullying or retaliation has occurred, the Principal or designee shall promptly notify the parents of the target and the aggressor of the determination and the school district or school's procedures for responding to the bullying or retaliation. The principal shall inform the target's parent of actions that school officials will take to prevent further acts of bullying or retaliation. Nothing in 603 CMR 49.05 prohibits the principal from contacting a parent of a target or aggressor about a report of bullying or retaliation prior to a determination that bullying or retaliation has occurred.

The exercise of great care should be taken when a release of information is made, such as documents concerning statements made by the perpetrator to the alleged victim or the sharing of

statements made during the course of the investigation. The regulation authorizes release of information during the investigatory phase **not** once the investigation is completed. Additional care should be taken in matters which are at the core of individual privacy concerns, such as information relating to sexual orientation or sexual behaviors.

### **Issues of Confidentiality:**

- A Principal or designee may not disclose information from a student record of a target or aggressor to a parent unless the information is about the parent's own child.
- A Principal may disclose determination of bullying or retaliation to a local law enforcement agency under 603 CMR 49.06 without the consent of a student or his/her parent. The Principal shall communicate with law enforcement officials in a manner that protects the privacy of targets, student witnesses, and aggressors to the extent practicable under the circumstances.
- A Principal may disclose student record information about a target or aggressor to appropriate parties in addition to law enforcement in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individual is limited to instances in which the Principal has determined there is an immediate and significant threat to the health or safety of the student or other individuals. It is limited to the period of emergency and does not allow for blanket disclosure of student record information. The Principal must document the disclosures and the reasons that the Principal determined that a health or safety emergency exists.

## **VI. Collaboration with Families**

### **A. Parent education and resources.**

The school or district 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 Councils, Special Education Parent Advisory Council, 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 cyber bullying and online safety. The school or district will send parents written notice each year about the student-related sections of the Bullying Prevention and Intervention 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 school or district will post the Bullying Prevention and Intervention Plan and related information on its website.

## **VII. Prohibition Against Bullying and Retaliation**

Bullying, cyberbullying, and retaliation are prohibited on school grounds, 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. Bullying 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 a school district or school, shall be prohibited if the bullying:

- (a) creates a hostile environment at school for the target;
- (b) infringes on the rights of the target at school; or
- (c) materially and substantially disrupts the education process or the orderly operation of a school.

Acts of bullying, which include cyber bullying, are prohibited:

- (i) 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
- (ii) 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, § 37O, nothing in the school Bullying Prevention and Intervention Plan requires the district or school to staff any non-school related activities, functions, or programs.

### **Promoting Safety for the Target and others**

Upon the completion of the investigation, the Principal or designee will consider what adjustments, if any, are needed in the school environment to improve the target's sense of safety and the sense of safety for others as well. A counselor and/or other appropriate school personnel will be assigned to provide periodic check-ins to ensure that the target is feeling relatively safe and that there has been no recurrence of the infraction. The counselor and/or other appropriate school personnel will provide updates to the Principal or designee and be responsible for immediately reporting to the Principal or designee if a recurrence of the behavior(s) takes place in which case additional supportive measures may be necessary and/or additional disciplinary action.

## **VIII. Definition and Terms**

**Aggressor** means perpetrator of bullying or retaliation as defined in M.G.L. c. 71, §370.

**Bullying**, pursuant to M.G.L. c. 71, §370, 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.

**Collaborative school**, pursuant to M.G.L. c. 71, §370, means a school operated by an educational collaborative established pursuant to M.G.L. c. 40, §4E.

**Cyberbullying**, pursuant to M.G.L. c. 71, §370, 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 603 CMR 49.03: 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 603 CMR 49.03: Bullying(a) through (e).

**Hostile environment**, pursuant to M.G.L. c. 71, §370, means 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.

**Local law enforcement agency** means a local police department.

**Local plan** means the bullying prevention and intervention plan required to be developed under M.G.L. c. 71, §370.

**Parent** means a student's father or mother, or guardian.

**Principal** means the administrative leader of a public school, charter school, collaborative school, or approved private day or residential school, or his or her designee for the purposes of implementing the school's bullying prevention and intervention plan.

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

**School** means an approved private day or residential school, collaborative school, or charter school.

**School district**, pursuant to M.G.L. c. 71, §37O, means the school department of a city or town, a regional school district or a county agricultural 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.

**Student record** has the meaning set forth in the Massachusetts Student Records Regulations, 603 CMR 23.02.

**Target** means a student victim of bullying or retaliation as defined in M.G.L. c. 71, §37O.

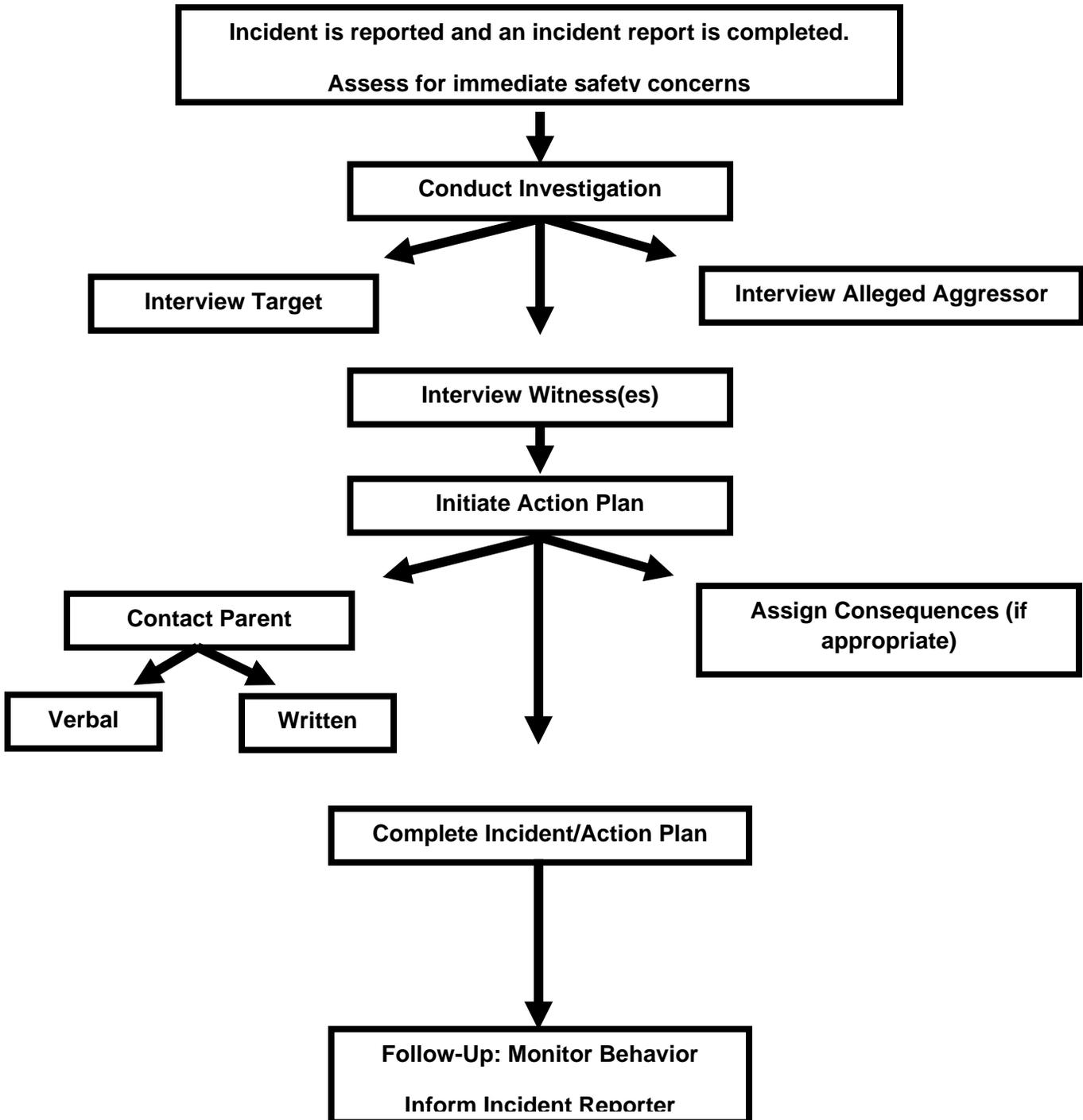
## **IX. Relationship to Other Laws**

Consistent with state and federal laws, and the policies of the Ashland Public Schools, no person shall be discriminated against in admission to the Ashland Public Schools in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the school Bullying Prevention and Intervention 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 school's Bullying Prevention and Intervention Plan is designed or intended to limit the authority of the Ashland Public School District to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the school's Bullying Prevention and Intervention Plan covers the behavior.

# Procedures and Processes for An Act Relative to Bullying in Schools

## Process for Responding to a Report of Bullying Flow Chart



### **Step One: Complete Incident Report Form (Staff Members/Administrators)**

If a staff member or other adult witnesses or reports incident:

- **Staff member** completes incident report (**green**) and gives to designated administrative staff member (Assistant Principal/Coordinator/Dean or designee)

If a student reports incident to staff member:

- **Staff member** acknowledges student's feelings (reference 4 A's Response form attached)
- Determine if there are safety issues that must be addressed immediately
- **Administrator** interview's student involved and/or student immediately completes incident report and gives to designated administrative staff member (Assistant Principal/Coordinator/Dean or Designee)

### **Step Two: Conduct Investigation (Administrator):**

Interview Target of bullying:

- Interview the target first, then the alleged aggressor
- Target and alleged aggressor should be separated
- Do not ask to see target in the alleged aggressor's presence
- Mediation should not be used with bullying situations
- Encourage target to report any additional incidents with the alleged aggressor

Interview the student accused of bullying:

- Identify the problem
- Focus on the alleged aggressor's behavior, protecting the target's confidentiality
- In case of denial or if further information is needed, interview witnesses.
- Document the witness account through interview and/or by having witness fill out incident report form
- Make the alleged aggressor aware of consequences of retaliation against target and reporter

### **Contact parent of target and alleged aggressor**

### **Step Three: Assign Consequences if needed (Administrator):**

- Assign appropriate consequences
- If the alleged aggressor denies the incident and there is insufficient evidence, tell the alleged aggressor that you hope she/he is right and that nothing happened, but you will continue to monitor behavior
- Monitor safety of target

### **Step Four: Document Incident and Consequences/ Follow-up (Administrator)**

- Document outcome of investigation on the Incident Report Form/Action Plan Form
- Follow up: provide updates to appropriate staff member(s) i.e.; Administration, Special Ed Liaison, Guidance Councilors, Extended Day Program and/or Champions
- Monitor student's behavior
- Notify teachers who have contact with target and aggressor
- Notify all parents of students involved in incident remembering to protect student confidentiality of all parties

Ashland Public Schools  
Bullying Incident Procedure

Incident Report Form

Bullying is defined as a verbal, written, or electronic action, or incident or other direct or indirect behavior that is cruel and repetitive. Bullying is characterized by an imbalance of physical, psychological or emotional power.

Person Completing Form \_\_\_\_\_

Date and Time of Incident \_\_\_\_\_

Who Reported Incident \_\_\_\_\_

Child/Children Involved \_\_\_\_\_

\_\_\_\_\_

Details of Incident \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

To your knowledge has this occurred before? Yes \_\_\_\_\_ No \_\_\_\_\_

Are there immediate safety or transportation concerns? Yes \_\_\_\_\_ No \_\_\_\_\_

If needed, describe incident or concerns in more detail \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Action Plan (To be completed by Assistant Principal/Coordinator/Dean or Designee)

Action	Details	Date
Interviewed Target Name		
Interviewed Accused Aggressor Name		
Interviewed Witness(es) Name(s)		
Targeted Student on IEP?		
Accused Aggressor on IEP?		
Resource Officer Contacted		
Name(s) of Parents contacted		

**Completed Copy of this form must be provided to Classroom Teacher(s)**

Ashland Public Schools  
Bullying Incident Procedure  
**Bullying/Harassment/Intimidation Investigation Form**

<b>Target #1</b> _____ (Name)
<b>Interview Date:</b> _____ <b>Relationship between the students:</b> _____
<b>Description of Incident:</b> _____ _____ _____
<b>Explanation/Rationale of Incident:</b> _____ _____ _____ _____

Ashland Public Schools  
Bullying Incident Procedure  
**Bullying/Harassment/Intimidation Investigation Form**

**Target #2** \_\_\_\_\_  
(Name)

**Interview Date:** \_\_\_\_\_ **Relationship between the students:** \_\_\_\_\_

**Description of Incident:**

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**Explanation/Rationale of Incident:**

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Ashland Public Schools  
Bullying Incident Procedure  
**Bullying/Harassment/Intimidation Investigation Form**

**Alleged Aggressor #1** \_\_\_\_\_  
(Name)

**Interview Date:** \_\_\_\_\_ **Relationship between the students:** \_\_\_\_\_

**Description of Incident:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Explanation/Rationale of Incident:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Alleged Aggressor #2** \_\_\_\_\_  
(Name)

**Interview Date:** \_\_\_\_\_ **Relationship between the students:** \_\_\_\_\_

**Description of Incident:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Explanation/Rationale of Incident:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Ashland Public Schools  
Bullying Incident Procedure  
**Bullying/Harassment/Intimidation Investigation & Determination Form**

**Witness #1**

\_\_\_\_\_  
(Name)

**Interview Date:**

\_\_\_\_\_  
Description of  
Incident

\_\_\_\_\_  
How frequently do incidents occur? (Times and places):

\_\_\_\_\_  
Did this student play an active role in the incident?  Yes  No

\_\_\_\_\_  
If yes, re-identify the student as Alleged Aggressor. Please return to the previous page and use one of the sections labeled Alleged Aggressor. Print additional sheets as necessary, staple to this form.

**Witness #2**

\_\_\_\_\_  
(Name)

**Interview Date:**

\_\_\_\_\_  
Description of  
Incident

\_\_\_\_\_  
How frequently do incidents occur? (Times and places):

\_\_\_\_\_  
Did this student play an active role in the incident?  Yes  No

\_\_\_\_\_  
If yes, re-identify the student as Alleged Aggressor. Please return to the previous page and use one of the sections labeled Alleged Aggressor. Print additional sheets as necessary, staple to this form

Ashland Public Schools  
Bullying Incident Procedure  
**Bullying/Harassment/Intimidation Investigation & Determination Form**

**ADMINISTRATIVE FINDINGS**

1.  Yes  No Is there physical or emotional harm to the target or damage to the target's property?
2.  Yes  No Is the target in reasonable fear for themselves or their property?
3.  Yes  No Is there a hostile environment for the target?
4.  Yes  No Are the rights of the target being infringed upon?
5.  Yes  No Is the orderly operation of school being disrupted?

- 
1.  Yes  No Is the behavior repeated?
  2.  Yes  No Is this behavior an act of retaliation?

**BHI FINDINGS**

- Yes  No BHI determined - complete safety/consequences write up and file BHI Report and forms in student discipline file.
- Yes  No BHI not determined – other actions taken?

Describe: \_\_\_\_\_

**ACTIONS**

1.       Safety Plan                       Consequences                       Not Applicable

If Safety Plan needed briefly describe below (or see attached):

\_\_\_\_\_

\_\_\_\_\_

If Consequences given briefly describe below (or see attached):

\_\_\_\_\_

\_\_\_\_\_

- |   |             |
|---|-------------|
| <input type="checkbox"/> Resource Officer Contacted                   | Date: _____ |
| <input type="checkbox"/> Contact target's parent/guardian             | Date: _____ |
| <input type="checkbox"/> Contact aggressor's (1) parent/guardian      | Date: _____ |
| <input type="checkbox"/> Contact aggressor's (2) parent/guardian      | Date: _____ |
| <input type="checkbox"/> Contact witness (1) parent/guardian          | Date: _____ |
| <input type="checkbox"/> Contact witness (2) parent/guardian          | Date: _____ |
| <input type="checkbox"/> Contact Special Ed. Team Chair if applicable | Date: _____ |
| <input type="checkbox"/> Other contact                                | Date: _____ |

\_\_\_\_\_

Administrative Designee Signature

\_\_\_\_\_

Date

Ashland Public Schools  
Parent Communication Form

Date:

Dear

Your student was involved in an incident in school today. We believe it is important to share this information with you.

**What was reported:**

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The incident has been investigated and will be monitored. Due to reasons of confidentiality, students' names and disciplinary actions can not be revealed.

Please sign and return this letter to school in the enclosed envelope as soon as possible. Please don't hesitate to contact me if you have any questions or concerns.

Sincerely,

\_\_\_\_\_  
Assistant Principal/Coordinator/Dean or designee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date