

# **Bullying Prevention and Intervention Plan**

## **I. Priority Statement**

The Hudson Public School District expects that all members of the school community will treat each other in a civil manner and with respect for differences.

The Hudson Public School District is committed to providing all students with a safe learning environment that is free from bullying and cyberbullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

We 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, 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. The school or 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.

We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, 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 and 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, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school. We will investigate promptly all reports and complaints of bullying, cyberbullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. We will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

## **II. Purpose**

Hudson's Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and cyberbullying, 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, cyberbullying, and retaliation. The principal is responsible for the implementation and oversight of the Plan except when a reported bullying incident involves the principal or the assistant principal as the alleged

aggressor. In such cases, the Superintendent or designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim. If the Superintendent is the alleged aggressor, the School Committee, or its designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim.

### **III. 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. This training may be conducted online and staff will acknowledge receiving this information through electronic sign-off. 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;
  - Information on the incidence and nature of cyberbullying
  - Internet safety issues as they relate to cyberbullying
  - 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 school or district will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties and bullying of students by school staff in the school or district employee handbook, the district website and the code of conduct.

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

A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of

targets, student aggressors, families, and others are addressed. Hudson's Plan describes the strategies for providing supports and services necessary to meet these needs. In order to enhance the school's or district's capacity to prevent, intervene early, and respond effectively to bullying, available services reflect an understanding of the dynamics of bullying and provide approaches to address the needs of targets and student aggressors. The Plan includes a strategy for providing counseling or referral to appropriate services for student aggressors, targets, and family members of those students.

- A. Counseling and other services: Each of Hudson's six schools has a school psychologist and the middle school and high school have guidance counselors who will assist in identifying as well as providing resources for students involved in bullying and cyberbullying. School psychologists, nurses, guidance counselors, speech pathologists and special educators provide a range of therapeutic and skill-based services to students including emotional support, risk assessment, crisis intervention and help with community based counseling referrals when needed.
- B. 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.
- C. Referral to outside services. The District will use a referral protocol for referring students and families to outside services. Clear protocols will help students and families access appropriate and timely services. Referrals must comply with relevant laws and policies. Personnel who assist with such referrals may include administrators, psychologists, counselors, or clinicians.

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

The law requires each school or district to provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the school's or district's curricula. Curricula must be evidence-based. Effective instruction will include classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development, per guidelines published by the Department of Elementary and Secondary Education (DESE). The District considers the following suggested guidelines from the DESE:

### A. Specific bullying prevention approaches.

These bullying prevention curricula are 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 or school staff 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
- fostering the development of language skills and social awareness in young children to increase their self-advocacy competences

- engaging students in a safe, supportive school environment that is respectful of diversity and difference

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

## **VI. Policies and Procedures for Reporting and Responding to Bullying and Retaliation**

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 or to the superintendent or designee when the principal or assistant principal is the alleged aggressor or to the school committee or designee when the superintendent is the alleged aggressor, 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, with the understanding that no student shall be subject to discipline based solely on an anonymous report. The 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 email address, as well as the method for anonymous reporting through the District’s website. At the beginning of the school year, the District will communicate the availability of these tools and the policies for reporting via the student handbooks and on the District’s website.

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

A staff member will report immediately to the principal or designee or to the superintendent or designee when the principal or assistant principal is the alleged aggressor or to the school committee or designee when the superintendent is the alleged aggressor when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report as provided 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 principal or designee, or superintendent or designee when the principal or assistant principal is the alleged aggressor. 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, or superintendent or designee when the principal or assistant principal is the alleged aggressor.

B. Responding to a report of bullying or retaliation-Allegations of Bullying by a Student.

1. 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; 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.

2. Obligations to Notify Others

- 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 parents or guardians of the student 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 student aggressor.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

- C. Investigation. The principal or designee, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged student aggressor of bullying. The actions to be taken to prevent further acts of bullying shall be discussed.

The school principal or designee shall investigate promptly all reports of bullying, using a Bullying/Cyberbullying Report Form which may include interviewing the alleged target, alleged aggressor, staff members, students and/or witnesses. In the event the reported bullying involves the school principal or designee as the alleged aggressor, the Superintendent or designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged target. If the superintendent is the alleged aggressor, the School Committee, or its designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged target.

The principal or designee (or whoever is conducting the investigation) will remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation 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 counselor, 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.

- D. Determination and Notification. 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 action is necessary.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or student 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 or guardians of the target and the student 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. The investigation shall be completed within twenty (20) working days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including where the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the principal or designee shall contact the parents or guardians as to the status of the investigation on a weekly basis. All notices 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. School personnel may, however, share information with the family of the target regarding the process that was followed to investigate and determine whether bullying occurred; what general measures are being taken to protect the target from further acts of bullying or retaliation; and what is being done to ensure that the target is reassured, receives help, and is provided with appropriate ways to communicate ongoing concerns.

## E. Responses to Bullying

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

Upon the principal 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 principal 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
- making a referral for evaluation

### 2. Taking Disciplinary Action

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 with the school's or district's student discipline's code of conduct, but ranges from detention to suspension to expulsion.

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.

### 3. Promoting Safety for the Target and Others

The principal 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 principal 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 principal 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 principal or designee will work with appropriate school staff to implement them immediately.

#### F. Responding to a Report of Bullying by School Staff

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. Retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action. If necessary, the principal or designee will consult with legal counsel about the investigation.

Staff who have committed an act of bullying or retaliation are subject to discipline in accordance with the district's personnel policy.

## **VII. Collaboration with Families**

- A. Parent education and resources. The school or district will offer education programs for parents and guardians that are focused ways that families can support bullying prevention and intervention efforts related to school-based bullying as well as cyberbullying. The programs may be offered in collaboration with the Home and School organization, School Councils, Special Education Parent Advisory Council, Athletics, or Guidance Departments at the middle and high schools, local law enforcement agencies, the Middlesex District Attorney's Office and any other appropriate organization.
- B. Notification requirements. Every year, each of Hudson's schools 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. 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 English, Portuguese and Spanish. The school or district will post the Plan and related information on its website. Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

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

The law requires each Plan to include a statement prohibiting bullying, cyberbullying, and retaliation. The statement must be included in the Plan and included in the student code of conduct, the student handbook, and the staff handbook. The following statement is incorporated directly from M.G.L. c. 71, § 370(b), and

describes the law's requirements for the prohibition of bullying.

Acts of bullying, which include cyberbullying, are prohibited:

- (i) on school 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 this Plan requires the Hudson district or a school to staff any non-school related activities, functions, or programs.

## **IX. Problem Resolution System**

Chapter 86 of the Acts of 2014 amended Section 37O of chapter 71 of the General Laws to include (g) (v): The Plan shall inform parents or guardians of the target about the Department's problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. This information will be made available in both hard copy and electronic formats:

Complaints regarding a school or district not responding appropriately to bullying allegations may be investigated through the Department of Elementary and Secondary Education's Program Quality Assurance (PQA) Services: Problem Resolution System. Parents/guardians may send emails to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or individuals can call 781-338-3700. Hard copies of this information is also available at the Superintendent's office.

## **X. Definitions**

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

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or 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:

- i. causes physical or emotional harm to the target or damage to the target's property;
- ii. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school; or
- v. materially and substantially disrupts the education process or the orderly operation of a school.

Elementary Definition: Bullying is a serious and hurtful situation that will not be tolerated in our schools. Bullying occurs when more than one time, a student (s) say, write or use physical acts or gestures that are hurtful and target another student. Bullying occurs when those words, acts, gestures in any combination cause physical or emotional harm to the targeted student or that student's property. Bullying occurs when the targeted student has reason to be afraid of harm to him/herself or of damage to his/her property. Bullying also occurs when the repeated behaviors create a hostile environment in school for the targeted student or when that student's rights are violated. Bullying occurs when the repeated acts disrupt learning and the regular school day in a major way. Bullying also includes cyberbullying which is bullying through the use of technology or any electronic communication (for example: emails, mobile phone texting, instant messaging, creating websites, distribution of inappropriate pictures, text, or video, and social networking pages).

Cyberbullying is bullying through the use of technology or any electronic communication, which shall include, but shall 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 (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) 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. 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 enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

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

Retaliation is any form of intimidation, reprisal, or harassment directed against a person 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, cyberbullying, or retaliation has been perpetrated.

## **XI. Relationship to Other Policies and 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, gender identity or expression, homelessness, disability, religion, national origin, or sexual orientation. Nothing in the Hudson Anti-Bullying 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 Hudson's Anti-Bullying 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 37H½, M.G.L. §§ 41 and 42 c.71 other applicable laws, or local school or district policies, or collective bargaining agreements in response to violent, harmful, or disruptive behavior, regardless of whether Hudson's Anti-Bullying Plan covers the behavior.

The Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400 et seq. and its implementing regulations, 34 C.F.R. § 300 et seq., provide eligible students with certain procedural rights and protections in the context of student discipline. Any discipline of students with disabilities must be in accordance with associated statutes and regulations.

