

# *Our Lady of the Valley Regional School*

## MODEL BULLYING PREVENTION AND INTERVENTION PLAN

### I. Introduction.

*Our Lady of the Valley* (the “School”) acknowledges that its purpose for existence is rooted in the mission of the Church. In fulfilling its role within the educational mission of the Church, the School must share and live out, through Catholic Christian tradition, the message of Jesus Christ and be committed to providing an integrated Catholic educational environment that permeates all aspects of its daily life and operations. Each child must be challenged to reach his/her full potential by fostering in each child a love of learning and by providing an environment that also fosters respect and understanding of one another. In this regard, it is essential that a safe, positive and productive educational environment be established where students can attain the highest academic achievement and where no student shall be subjected to Bullying, Cyber-Bullying or Retaliation. Bullying, Cyber-Bullying or Retaliation or other similar disruptive or violent behaviors constitute conduct that disrupts both a student’s ability to learn and the School’s ability to educate its students in a safe and embracing environment. The School’s Staff is expected to demand that all students behave appropriately and treat others with civility and respect. Bullying, Cyber-Bullying and Retaliation are not to be tolerated.

Accordingly, the School hereby promulgates this Bullying Prevention and Intervention Plan (the “Plan”) as required by the Roman Catholic Bishop of Worcester Bullying Prevention Policy (the “RCBW Bullying Prevention Policy”).

### II. Definitions. For purposes of this Plan, the following definitions shall apply:

“Bullying” is the repeated use by one or more students or by a member of the school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a Victim that:

- causes physical or emotional harm to the Victim or damage to the Victim’s property;
- places the Victim in reasonable fear of harm to him/herself, or of damage to his/her property;
- creates a Hostile Environment at School for the Victim;
- infringes on the rights of the Victim at the School; or
- materially and substantially disrupts the education process or the orderly operation of the School.

By way of example only, Bullying may involve, but is not limited to:

- unwanted teasing
- threatening
- intimidating

- stalking
- Cyber-Stalking
- physical violence
- theft
- sexual, religious, racial or any other type of harassment
- public humiliation
- destruction of School or personal property
- social exclusion, including incitement and/or coercion
- rumor or spreading of falsehoods

*For the purpose of this Plan, whenever the term “Bullying” is used it shall include Cyber-Bullying (as defined below).–*

“Cyber-Bullying” means 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
- electromagnetics
- photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Cyber-Bullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of Bullying.

Cyber-Bullying 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 the definition of Bullying.

“Hostile Environment” 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.

“Perpetrator”, means a student or a member of the school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, and athletic coach, advisor to an extracurricular activity or paraprofessional who engages in Bullying or Retaliation.

“Retaliation” means any form of intimidation, reprisal, or harassment directed against a student who reports Bullying, provides information during an investigation of Bullying, or witnesses or has reliable information about Bullying.

“School Grounds” mean property on which a School building or facility is located or property that is owned, leased or used by a School for a School-sponsored activity, function, program, instruction or training.

“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, and paraprofessionals.

“Victim”, means a student against whom Bullying or Retaliation has been perpetrated.

### **III. Leadership.**

Leadership at all levels of the School community has played a critical role in developing and implementing this Plan in the context of other School and community efforts to promote a positive School climate. The Plan has been developed in consultation with Fr. Nicholas Desimone, the Consultative Board, teachers, School Staff, professional support personnel, School volunteers, administrators, community representatives, local law enforcement agencies, students, parents, guardians and any other stakeholders the Principal deemed advisable. Notice to and a public comment period for families of students currently attending the School was provided before the Plan was adopted by the School. We all have a primary role in teaching students to be civil to one another and promoting understanding of and respect for diversity and difference. The Principal and designated members of the Staff, working under the oversight of the Consultative Board, are collectively responsible for setting priorities and for staying up-to-date with current research on ways to prevent and effectively respond to Bullying. It is also the responsibility of the Principal and such designees to involve representatives from the greater School and local community in developing, implementing and periodically reviewing and updating the Plan. The Plan shall be reviewed and updated at least every two years, in consultation with other stakeholders as set forth above.

- A. Assessing needs and resources. The Plan is intended to be the School's blueprint for enhancing capacity to prevent and respond to issues of Bullying within the context of other healthy School climate initiatives. As part of the planning process, School leaders, with input from families, the Staff and others mentioned above, have 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. This “mapping” process has assisted the School in identifying resource gaps and the most significant areas of need. Based on these findings, the School has revised policies and procedures; and will establish partnerships with including Public School Community and the local law enforcement agency, and set priorities.

## B. Planning and oversight.

The Principal of the school is responsible for:

- surveying school community.
- receiving all reports on bullying from classroom teachers, ancillary staff, guidance counselor, parents, and students.
- maintaining a central log of Incident Reports. This log will be analyzed bi-annually at Staff Meetings, or as needed.
- collecting and analyzing school-wide data on bullying information garnered from Reports in order to track types of bullying, repeat offenders (Perpetrators), and Victims with multiple offenders.
- providing on-going Professional Development through District Attorney's Office, workshops, conferences, etc.
- incorporating Anti-bullying curriculum in classrooms through Religion classes and Values Teacher discussions and retreats.
- exploring Anti-Bullying Curriculums for use in classes.
- revising current policies in the area of Technology/Internet use, supervised by classroom teachers.
- implementing new Code of Conduct for students, coaches, and parents.
- providing a positive school-wide climate.
- amending student and staff handbooks to include Intervention Plan.
- update/revise Plan every June prior to summer dismissal.

## C. Priorities.

- The School expects that all members of the school community will treat each other in a civil manner and with respect for differences.
- The School is committed to providing all students with a safe learning environment that is free from Bullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of Bullying and other harmful and disruptive behavior that can impede the learning process.
- The School will take specific steps to create a safe, supportive environment for vulnerable populations in the School community, and provide all students with the skills, knowledge, and strategies to prevent or respond to Bullying.
- The School will not tolerate any unlawful or disruptive behavior, including any form of Bullying or Retaliation, in our School, on School Grounds, or in School-related activities. We will investigate promptly all reports and complaints of Bullying and Retaliation and take prompt action to end that behavior and restore the Victim'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. This Plan is a comprehensive approach to addressing Bullying, and the School 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 and Retaliation. The Principal, working under the oversight of the Consultative Board, is responsible for the implementation and oversight of the Plan

**This plan, per M.G.L. c. 71, sec. 37O as amended by Chapter 86 of the MA Acts of 2014, effective July 25, 2014** recognizes that certain students may be more vulnerable to becoming a Victim of bullying or harassment based on actual or perceived differentiating 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 1 or more of these characteristics. In addition to the measures mentioned above and below, the School shall take the following, specific steps to support vulnerable students and to provide all students with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment:

- **Stop the incident immediately**
- **Make sure everyone involved is safe**
- **Give a clear message that Bullying is unacceptable**
- **Prepare to follow-up after incident**
- **Support the Victim**
- **Investigate and document incident**
- **Consider consequences for Perpetrator**
- **Encourage bystanders to be pro-active in situations**

Nothing in this Plan alters the School's obligations to remediate any discrimination or harassment based on a person's membership in a legally protected category under local, Massachusetts or federal law.

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

Bullying is prohibited:

- On School Grounds owned, leased or used by a School;
- On property immediately adjacent to School Grounds;
- At any 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 any other vehicle owned, leased or used by the School; or,
- Through the use of technology or an electronic device owned, leased or used by the School;

Bullying is also prohibited at a location, activity, function or program that is not School-related or through the use of technology or an electronic device that is not owned, leased or used by the School if the act or acts in question:

- create a Hostile Environment at School for the Victim;
- infringe on the rights of the Victim at School; or
- materially and substantially disrupt the education process or the orderly operation of the School.

Retaliation against any person who reports Bullying or Retaliation, provides information during an investigation of Bullying or Retaliation, or witnesses or has reliable information about Bullying or Retaliation is also prohibited.

#### **V. Training [and Professional Development].**

This will include:

- A. Annual Staff Training on the Plan. **[Required]** As required by M.G.L. c. 71, sec. 37O(e)(2), annual training on the Plan shall be provided for all School Staff; and, in the discretion of the Principal, for volunteers who have significant contact with students. Such training will include Staff duties under the Plan, an overview of the steps that the Principal or his or her designee will follow upon receipt of a report of Bullying or Retaliation, and an overview of any Bullying prevention curricula to be offered at the School. 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 immediately preceding two years.
- B. Written Notice to Staff. **[Required]** Pursuant to Mass. Gen. Laws Chapter 71, Sec. 37O(e)(2), at the beginning of each school year the Principal or his or her designee shall provide written notice to the School Staff of the RCBW Policy and the Plan. Relevant sections of the RCBW Policy and the Plan relating to the duties of School Staff shall be included in the School employee handbook.

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

- A. Identifying resources.  
Counseling and other services for Victims, Perpetrators and their families will be provided by the Values Teacher/Guidance Counselor and the pastors of the four

parishes that comprise the OLV community. The staff will provide a positive, supportive school environment by focusing on early intervention and supportive services. In the fall, the school will establish safety planning teams, comprised of teachers and ancillary staff members, who will identify outside agencies which can provide services. Explicit teaching of socially appropriate behavior will be provided by staff at every grade level and modeled by all adults.

- B. Counseling and other services. Currently, the school has access to a certified Values Teacher/Guidance Counselor who is a trusted member of the school community. In this role, the counselor will help to identify linkages with community based organizations to provide services for Victims, Perpetrators, and families as needed. As appropriate, the counselor will assist in the development of support plans for the Victim and refer parents and students to sources of community-based support. Additionally, the counselor will reinforce social skills by pre-teaching or re-teaching skills that need to be addressed. The counselor will also provide short-term individual and group counseling services to students
  
- C. Students with disabilities. Students with documented disabilities, affecting social skills development, will be looked at on an individual basis since these disabilities are far ranging on the autism spectrum. The school will implement all aspects of Individual Education Plans (IEP) when it indicates that a student's disability makes him or her vulnerable to bullying, harassment or teasing. The school will actively explore student programs that will educate students about tolerance for classmates with social skill disabilities.
  
- D. Referral to outside services. The school will work with families and research outside services to be utilized.

## **VII. 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 Staff member, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, is required to report immediately to the Principal or designee any instance of Bullying or Retaliation the Staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not School Staff members, may be made anonymously. The School will make a variety of reporting resources available to the School community including,

but not limited to, an Incident Reporting Form (a copy of which is attached to this Plan as **Exhibit A**), a voicemail box, a dedicated mailing address, and an email address.

Use of an Incident Reporting Form is not required as a condition of making a report. The School will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians, or advise them that such is available on the school web site; 2) make it available in the School's main office, the counseling office, the School nurse's office, and other locations determined by the Principal or designee; and 3) post it on the School's website. The Incident Reporting Form 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 will provide the School community, including administrators, Staff, students, and parents or guardians, with written notice of its policies and procedures for reporting acts of Bullying and Retaliation.

Pursuant to Mass. Gen. Laws Chapter 71, Sec. 37O(e)(1): Annual written notice of the relevant student-related sections of the Plan shall be included in the school handbook provided to students and their parents or guardians, in age-appropriate terms and in languages which are most prevalent among the students, parents or guardians.

Pursuant to Mass. Gen. Laws Chapter 71, Sec. 37O(e)(3): **The Plan shall be posted on the school's website.**

A description of the reporting procedures and resources, including the name and contact information of the Principal or designee, to the extent, if at all, not set forth in this Plan, will be incorporated in student and Staff handbooks, on the School website, and in other information about the Plan that is made available to parents and guardians.

1. Reporting by Staff

A Staff member, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, shall report immediately to the Principal or designee when he/she witnesses or becomes aware of conduct that may be Bullying or Retaliation. The requirement to report to the Principal or designee does not limit the authority of the Staff member to respond to behavioral or disciplinary incidents consistent with School policies and procedures for behavioral management and discipline.

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

The School 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. Reports may be made anonymously, but no disciplinary action will be taken against an alleged Perpetrator solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a Staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of Bullying with a Staff member, or with the Principal or designee.

B. Responding to a report of Bullying or Retaliation.

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 Victim and/or to protect the alleged Victim 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 Victim and/or the alleged Perpetrator in the classroom, at lunch, or on the bus; identifying a Staff member who will act as a “safe person” for the Victim; and altering the Perpetrator’s schedule and access to the Victim. 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. (Meetings between Principal and all students to discuss consequences of such action

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 Victim and the Perpetrator 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 and with the Massachusetts Student Records Regulations, 603 CMR 23.00, and the Federal Family Educational Rights and Privacy Act Regulations, 34 CFR Part 99, as set forth in 603 CMR 49.07, to the extent applicable to a Catholic, non-public school.
- b. Notice to Another School. 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 of the school 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 Perpetrator, 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 Perpetrator.

In making this determination, the Principal will, consistent with the Plan and with applicable School policies and procedures, consult with the School resource officer, if any, and other individuals the Principal or designee deems appropriate (including, but not limited to, the Superintendent of Diocesan Schools, and if the Superintendent deems advisable, legal counsel for the Diocese).

- C. Investigation. The Principal 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 Principal or designee will, among other things, interview students, Staff, witnesses, parents or guardians, and others as necessary. The Principal or designee (or whoever is conducting the investigation) will remind the alleged Perpetrator, Victim, and witnesses that Retaliation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the Principal or designee, other Staff members as determined by the Principal or designee, and in consultation with the School 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 policies and procedures for investigations. If necessary, the Principal or designee will consult with Superintendent of Diocesan Schools, and if the

Superintendent deems advisable, legal counsel for the Diocese, about the investigation.

D. Determinations. The Principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, Bullying or Retaliation is substantiated, the Principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the Victim 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 Victim's or Perpetrator'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 Victim and the Perpetrator about the results of the investigation and, if Bullying or Retaliation is found, what action is being taken to prevent further acts of Bullying or Retaliation. All notice to parents must comply with applicable Massachusetts and federal privacy laws and regulations, including the Massachusetts Student Records Regulations, 603 CMR 23.00, and the Federal Family Educational Rights and Privacy Act Regulations, 34 CFR Part 99, as set forth in 603 CMR 49.07, to the extent applicable to a Catholic, non-public school. Because of the legal requirements regarding the confidentiality of student records, the Principal or designee cannot report specific information to the Victim's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the Victim must be aware of in order to report violations.

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 use a range of responses that balance the need for accountability with the need to teach appropriate behavior. Mass. Gen. Laws. Ch. 71, Section 37O (d)(v). Skill-building approaches that the Principal or designee may consider include:

- offering individualized skill-building sessions based on the School'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

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 code of conduct.

Disciplinary procedures for students with disabilities may be governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in conjunction with Massachusetts laws regarding student discipline, to the extent either is applicable to a Catholic, non-public school.

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 Victim and Others

The Principal or designee will consider what adjustments, if any, are needed in the School environment to enhance the Victim'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 Victim 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.

### **E. Collaboration with Families.**

**A. Parent education and resources.** The School will offer educational 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 School. The programs will be offered in collaboration with the Parent Guild, District Attorney's Office, and the

Consultative Board. The Principal explore any trainings that might be offered by the local law enforcement agency.

**F. Notification requirements.** The School will send parents/guardians written notice each year about the student-related sections of the Plan and the School's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy or in electronic format on the school web site, provided notice of such availability on the web site is given by hard copy, and will be available in the language(s) most prevalent among parents or guardians.

**The School will post the Plan and related information on its website as mandated by Mass. Gen. Laws Chapter 71, Sec. 37O(e)(3).**

**G. Relationship to Other Laws.**

Consistent with Massachusetts and federal laws, and the policies of the School, nothing in the Plan prevents the School from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, Massachusetts, or federal law, or School policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the School to take disciplinary action or other action in accordance with the School's contract with the parents, guardians and students and/or under applicable law or the School's policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior, subject to Mass. Gen. Laws Chapter 71, Section 37O (d)(v)'s provision that such disciplinary actions shall balance the need for accountability with the need to teach appropriate behavior.

***In no event should the Plan be construed in any way so as to limit or modify the obligation of mandated reporters to timely make required so-called 51A Reports where required by M.G.L. Chapter 119, Section 51A et seq. as same may be amended from time to time or any successor statute to same.***