

**UPPER CAPE COD REGIONAL TECHNICAL SCHOOL
VOCATIONAL TECHNICAL HIGH SCHOOL
BULLYING PREVENTION AND INTERVENTION PLAN**

The Department of Elementary and Secondary Education (Department) created the Model Bullying Prevention and Intervention Plan required under M.G.L., c.71, §370, in consultation with state agencies, school personnel, advocacy organizations and other interested parties.

Priority Statement

The UCT priority statement for communicating UCT's vision in creating and implementing its bullying prevention and intervention strategies, is as follows:

Upper Cape Cod Regional Technical School is committed to providing all students with a safe learning environment that is free from bullying and cyber-bullying. The 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. Central to the safe learning environment established at UCT is the understanding that it is everyone's responsibility to act respectfully, to model exemplary behaviors and to challenge offensive behaviors when they occur.

We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including a student's sexual orientation, mental, physical, and or developmental disabilities. Additional students are targeted via race, color, religion, ancestry, national origin, sex, socioeconomic, status, homelessness, academic status, pregnancy status, gender identity or expression, physical appearance, 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 will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

The Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and cyber-bullying. UCT is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this plan for preventing, intervening, and responding to incidents of bullying, cyber-bullying, and retaliation. The principal 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 the safety of the alleged victim.

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.

UCT has inserted the following paragraph to School District Program N1 letters:

The team discussed programs in place to address anti-bullying. These programs provide elements of the school-wide Bullying Intervention Plan that encompasses clear procedures for students, staff, parents, guardians and others to report bullying or retaliation; provisions for anonymous reporting; clear procedures for responding to and investigating reports of bullying or retaliation; and strategies for protecting from bullying or retaliation. This is in addition to any social skill goals/benchmarks that may have been deemed necessary by the Team and included in this IEP.

In addition, UCT has added bullying as a topic to Team meeting agendas, meeting notes, additional information and may be addressed in goals and services if applicable.

ACADEMIC AND NON-ACADEMIC ACTIVITIES

A. Specific Bullying Prevention Approaches

Bullying prevention curricula utilizes the 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 cyber-bullying, including the underlying power imbalance;
- Emphasizing cyber safety, including safe and appropriate use of electronic communication technologies;
- Enhancing students' skills for engaging in healthy relationships and respectful communications and;
- Engaging students in a safe, supportive school environment that is respectful of diversity and difference.

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, especially those students from state and federal legally protected classes;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;
- encouraging adults to develop positive relationships with students;
- modeling, teaching and rewarding pro-social, healthy and respectful behaviors;
- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork and positive behavioral supports that aid in social and emotional development;
- using the internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

To support efforts to respond promptly and effectively to bullying and retaliation, UCT has put in place policies and procedures for receiving and responding to reports of bullying or retaliation. These policies and procedures ensure that members of the school community—students, parents and school staff—know what will happen when incidents of bullying occur. UCT's plan details procedures for staff reporting of incidents, communicates to students and families reporting procedures (including anonymous reports) and the procedures to be followed by the principal or designee, or the Superintendent or designee when the Principal or assistant principal is the alleged aggressor, or the school committee or designee when the Superintendent is the alleged aggressor once a report is made.

A. Reporting Bullying or Retaliation

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 the 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 to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with UCT's policies and procedures for behavior management and discipline.

2. Reporting by Students, Parents or Guardians and Others

UCT 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/guardians and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe and private ways to report and discuss an incident of bullying with a

staff member, 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 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 victim; and altering the aggressor’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 communicates with Student Services to determine if the involved students fall within the federal or state legally protected classes to ensure that the school district is in compliance with the accommodations afforded to these students.

The principal or designee will implement appropriate strategies for protecting 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.

UCT Safety Plan for Student Reporters, Witnesses and Targets

Once bullying has been determined:

- Principal and/or his designee meets with the target(s) and addresses logistics within the building in order to minimize contact between target(s) and aggressor(s).
- Principal and/or his designee communicates with teacher(s) /instructor(s) or other staff who are directly involved with the target(s) and aggressor(s) and requests a heightened sensitivity toward these student(s) and monitoring as needed.
- Principal and/or his designee communicates with targets’ school counselor(s) and/or school adjustment counselor (if applicable) to alert them to the current situation involving their student and to refer target(s) for available supports offered through Student Services.
- Principal and/or his designee advises target as to locations within the building that are designated safe zones. Target(s) are also advised what to do if approached by anyone regarding the specific bullying situation, as well as identifying a list of persons to contact.
- Principal and/or his designee addresses the bullying incident with the aggressor(s), requires aggressors to stay away from the target(s) and informs aggressors(s) of potential legal actions if aggression continues.
- Principal and/or his designee communicate with parents of both parties. All parties are requested to attend a meeting with the principal and/or his designee, select school personnel and the appropriate town school resource officer. Participation by the aggressor(s) and their parent(s)/guardians(s) is required.

- Target(s) is/are invited to participate in the Principal's Conference Room Discussion in an effort to empower said target(s) in the face of the aggressor, but their presence and that of their parent(s)/guardian(s) is strictly voluntary.
- Following the Principal's Conference Room Discussion, the principal and/or his designee and counselors conduct follow-up meetings with the Target(s).

2. Obligations to Notify Others

a. Notice to parents/guardians

Upon determining that bullying or retaliation occurred, the principal or designee will promptly notify the parents or guardians of the target and 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, 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 a criminal charge may be pursued against the aggressor, the principal will notify the Bourne Police Department. Notice will be consistent with the requirements of 603 C.M.R. 49.00 and the Memorandum of Understanding with the Bourne Police Department. 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 Bourne Police Department 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 consult with the School Resource Officer and other individuals the principal or designee deems appropriate.

C. Investigation

The principal or designee will promptly investigate all reports of bullying or retaliation and in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the principal or designee, will among other things, interview students, staff, witnesses, parents/guardians and others as necessary. The principal or designee (or whoever is conducting the investigation) will remind the alleged student aggressor, target and witnesses of the importance of the investigation, their obligation to be and truthful 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 and in consultation with Student Services 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 UCT policies and procedures for investigation. If necessary, the principal will consult with legal counsel 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 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 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 aggressor about the results of the investigation and if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notices to parents/guardians 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 unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.***

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

E. Responses to Bullying

1. Teaching Appropriate Behavior Through Skills-building

Upon the principal or designee determining that bullying or retaliation has occurred, UCT uses a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L., c.71, §370 (d)(v). Skill-building approaches that the principal or designee may consider include:

- offering individualized skill-building sessions based on the UCT 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 prosocial ways to achieve their goals;
- meeting with parents/guardians to engage parental support and to reinforce the anti-bullying curricula and social skills to building activities at home;
- making a referral for evaluation.

2. Taking Disciplinary Action

If the principal or designee decided 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 UCT's Student code of conduct. Any false accusation of bullying or retaliation shall be subject to disciplinary action.

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.

3. Promoting Safety for the victim and others

The principal or designee will consider what adjustment, 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 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

Investigation: The Superintendent and Principal will investigate all reports of bullying by school staff using guidelines contained within **Section V; C. Investigation** (above). At any point after receiving a report of bullying or retaliation, including after an investigation, if the Superintendent or Principal has a reasonable basis to believe that criminal charges may be pursued against the perpetrator, the Superintendent will notify the Bourne Police Department, results of investigation shall be submitted to Chairperson, Upper Cape Cod Regional Technical School Committee. When a report of bullying by the *Superintendent or Principal* has been submitted, both individuals shall recuse themselves. Contact shall be made with Massachusetts State Police Cape and Islands Detective Unit (508-790-5799) who shall initiate an investigation in accordance with guidelines contained within **Section V; C. Investigation** (above) results of investigation shall be submitted to Chairperson, Upper Cape Cod Regional Technical School.

PROHIBITION AGAINST BULLYING AND RETALIATION

The law requires each Plan to include a statement prohibiting bullying, cyber-bullying 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 describe the law's requirements for the prohibition of bullying.

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

- (i) On UCT school grounds and property immediately adjacent to UCT school grounds, at school-sponsored or school-related activities, functions or programs whether on or off UCT school grounds, at a UCT school bus stop, on a UCT school bus or other vehicle owned, leased or used by UCT, or through the use of Technology or an electronic device owned, leased or used by UCT; and**
- (ii) At a location, activity, function or program that is not UCT school-related through the use of technology or an electronic device that is not owned, leased or used by UCT, if the acts create a hostile environment at UCT for the target or witnesses, infringe on their rights at UCT or materially and substantially disrupt the education process or the orderly operation of UCT.**

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

As stated in M.G.L., c.71, §370, nothing in the plan requires UCT to staff any UCT non-school related activities, functions or programs.

Definitions

Several of the following definitions are copied directly from M.G.L., c.71, §370, as noted Not altered their meaning or scope. The UCT Plan also includes additional definitions that are Aligned with UCT policies and procedures.

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

Bullying, as defined in M.G.L., c.71 §370, is the repeated use by one or more students or a member of a school staff including, but not limited to an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional 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 victim or damage to the victim'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 victim;
- (iv) infringes on the rights of the victim at school; or
- (v) materially and substantially disrupts the education process or the orderly operation of a school.

Criminal harassment is defined in M.G.L., c.265, §43A, as whomever willingly and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person, which seriously alarms that person and would cause a reasonable person to suffer substantial emotional distress.

Cyber-bullying 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. Cyber-bullying 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, of the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include 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.

Department, the Department of Elementary and Secondary Education.

Harassment at UCT *is synonymous with the definition of bullying from M.G.L., c.71, §370, for the purposes of disciplinary action with the exception of sexual and criminal harassment which are governed by state and federal law.*

Hostile environment, as defined in M.G.L., c.71, §370, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

Intimidating Behavior at UCT is 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 another student, that makes that student feel behavior as contained within the UCT Student Handbook is intended to identify behavior that goes beyond student on student disrespect and suggests that the behavior has the potential to fall into the category of bullying. For the purposes of the UCT Student Handbook, three or more incidents of intimidating behavior equate to bullying as defined in M.G.L., c.71, §370.

Plan, a bullying prevention and intervention plan established to subsection (d).

Perpetrator, a student or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying or retaliation.

Progressive Discipline is a behavioral management approach which utilizes a system of levels of predetermined consequences for specific offenses to maintain a safe and secure school environment. The hallmark of progressive discipline at UCT is a balance of preventative measures, respect and common sense disciplinary values. UCT administrators and staff strive to maintain a disciplinary process which is both fair and consistent and protects the rights of all members of the UCT school community. Central to the UCT progressive discipline approach is the understanding that the disciplinary process is a dimension of the learning environment within our school. It is everyone's responsibility to act respectfully, to model exemplary behaviors and to challenge offensive behaviors when they occur.

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

Principal's Conference Room Discussions are gatherings of target(s), aggressor(s) and their parents/guardians with the principal and/or his designee, select school personnel and the school resource officer to address bullying and cyberbullying incidents with the purpose of de-escalation of the situation and prevention of further incidents. Participation by target(s) is voluntary.

School district, the school department of a city or town, a regional school district or a county agricultural school.

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

School grounds, property on which a school building or facility is located or property that is owned, leased or used by a school district, for a school –sponsored activity, function, program, instruction or training.

Student on Student Disrespect is a single incident of disrespect (e.g. name calling, using profanity, pushing/shoving) that occurs between two or more students. This type of repeated incidents of student on student disrespect between the same students could be deemed as bullying.

Victim, a student against whom bullying or retaliation has been perpetrated.

- APPENDIX A: Bullying Prevention and Intervention Report**
- APPENDIX B: Bullying Incident Reporting Process (flow chart)**
- APPENDIX C: Bullying Prevention/Intervention Sp Ed**
- APPENDIX D: 603 CMR 49.00 Notification Regulations**
- APPENDIX E: 603 CMR 53.00 Student Discipline**