Bullying Prevention and Intervention Plan

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I. LEADERSHIP

At all levels, leadership plays a critical role in developing and implementing an effective Bullying Prevention and Intervention Plan. In the Kennedy Day School, as a part of the Franciscan Hospital for Children, this is accomplished in partnership with the local communities we serve, in order to promote a positive climate for learning. The Kennedy Day School is dedicated to the promotion of understanding of, and respect for, diversity and difference. Diligent, collaboration among all constituencies is key to remaining current with both the evolving needs of the student population served and current research on ways to prevent and effectively respond to bullying.

Kennedy Day School recognizes the importance of promoting mutual understanding, respect, kindness, and civility in all aspects of the learning environment. Diversity serves to broaden and enrich learning opportunities. These values are fostered in a collaborative environment that celebrates each of us, inclusive of our differences and commonalities. The Kennedy Day School proudly serves boys and girls with complex, multiple special needs and challenges in the areas of health, cognition, physical/motor/mobility, communication, vision, hearing, sensory integration and social/interaction. Acute and chronic health care needs related to seizure disorder, respiratory impairment (severe asthma, tracheostomy, ventilator dependence), orthopedic, neurologic, metabolic/nutritional disorders and other congenital anomalies are supported. Students benefit from specialized and integrative support strategies, equipment and resources to promote learning, communication and meaningful interaction within the community.

Through instruction and the cultivation of an atmosphere of care and respect, every individual associated with the Kennedy Day School’s learning community is provided with a model and a message that decries bullying in any form and offers mechanisms to empower potential targets, along with their supporters and known associates, to identify and seek remedy to the affront. The Program Director of the Kennedy Day School works collaboratively with leadership from the Franciscan Hospital for Children to ensure the implementation of a comprehensive approach to prevention, intervention and response to any form of bullying, cyberbullying and/or retaliatory behavior. The Plan applies to all students and all members of the school staff, including, but not limited to educators, teaching assistants, administrators, nurses, specialists, therapists and support staff.

At the Kennedy Day School, specific curriculum components, as well as everyday activities, are designed to provide students with ongoing opportunities to enhance self-esteem, develop effective communication and interaction skills, explore feelings and empathy for others, focus on positive social skills, experience friendship and demonstrate kindness, respect and care. Interrelated social, behavioral, physical, neurological and mental health needs are supported through the collaborative efforts of members of the teaching faculty and specialized support services, in conjunction with families and identified community-based resources. Personal management and interpersonal considerations are examined to reduce risk and promote effective communication and safety for each student. Individualized Education Program (IEP) plans specify relevant student learning strategies, outcomes and supports.

A. Public involvement in developing the Bullying Prevention and Intervention Plan. As required by M.G.L. c. 71, § 37O, the Bullying Prevention and Intervention Plan has been developed and reviewed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians. Consultation has included both notice and a public comment period prior to adoption. Representatives from each of these constituencies are included in other aspects of Bullying Prevention and Intervention Plan development, with regard to needs assessments, working groups, task forces, and public meetings. The Bullying Prevention and Intervention Plan identifies the ways in which each of the various constituencies are involved on behalf of the entire learning community of the Kennedy Day School.

B. Assessing needs and resources. The Bullying Prevention and Intervention Plan is the Kennedy Day 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 and staff, assess the adequacy of current programs; review current policies and procedures; review available data on bullying and behavioral incidents; and assess available resources including curricula, training programs, and behavioral health services. This “mapping” process supports efforts to identify resource gaps and the most significant areas of need. Based on these findings, policies and procedures are revised or developed; partnerships with community agencies, including law enforcement have expanded and/or been reinforced; and current priorities are set.
At least every four years, beginning with the 2015-2016 school year, Kennedy Day School will administer a student survey, developed by the Department of Elementary and Secondary Education, to assess school climate and the prevalence, nature, and severity of bullying in our school. Additionally, Kennedy Day School will annually report bullying incident data to the Department.

Initial and periodic needs assessments may include: 1) surveying students, staff, parents, and guardians on school climate and school safety issues; and 2) collecting and analyzing specific data on the prevalence and characteristics of bullying (e.g., focusing on identifying vulnerable populations and "hot spots" in school buildings, on school grounds, or on school buses). Similar tools to the student survey can be used with faculty, staff, and parents/guardians to assist in determining school climate needs. This information helps to identify patterns of behaviors and areas of concern, and informs decision-making for prevention strategies including, but not limited to, adult supervision, professional development, age-appropriate curricula, and in-school support services. The Bullying Prevention and Intervention Plan describes the methods the Kennedy Day School uses to conduct needs assessments, including timelines and leadership roles.

C. Planning and oversight. The Bullying Prevention and Intervention Plans identifies the school leaders responsible for the following tasks under the Bullying Prevention and Intervention Plan: 1) receiving reports on bullying; 2) collecting and analyzing building- and/or school-wide data on bullying to assess the present problem and to measure improved outcomes; 3) creating a process for recording and tracking incident reports, and for accessing information related to targets and aggressors; 4) planning for the ongoing professional development that is required by the law; 5) planning supports that respond to the needs of targets and aggressors; 6) choosing and implementing the curricula that the Kennedy Day School will use; 7) developing new or revising current policies and protocols under the Bullying Prevention and Intervention Plan, including an Internet safety policy, and designating key staff to be in charge of implementation of them; 8) amending student and staff handbooks and codes of conduct to, among other things, make clear that bullying of students by school staff or other students will not be tolerated; 9) leading the parent or family engagement efforts and drafting parent information materials; and 10) reviewing and updating the Bullying Prevention and Intervention Plan each year, or more frequently.

D. Developing priority statements. The following priority statements communicate the Kennedy Day School's vision in determining and implementing its bullying prevention and intervention strategies.

Kennedy Day School is dedicated to the promotion of understanding and respect for diversity and difference. Diligent collaboration among all clinical areas is key to remaining current with both the evolving needs of the student population served and current research on ways to prevent and effectively respond to bullying.

Kennedy Day School expects that all members of the school community will treat each other in a civil manner and with respect for differences.

Kennedy Day School 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.

Kennedy Day School recognizes 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 takes steps to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

While the School may establish separate discrimination or harassment policies that include these or other categories of students, nothing alters the Kennedy Day School's obligation and firm commitment to remediate any discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law.
Kennedy Day School does not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in school buildings, on school grounds, or in school-related activities. The School 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. The Kennedy Day School supports this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

The Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and cyberbullying, and the Kennedy Day 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, the School has established this Bullying Prevention and Intervention Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. The Program Director is responsible for the implementation and oversight of the Bullying Prevention and Intervention Plan, except in the event that a reported bullying incident involves the Program Director or Assistant Director as the alleged aggressor. In such cases, the Chief Executive Officer of the Franciscan Hospital for Children or designee is responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged target. In the event that the Chief Executive Officer of the Franciscan Hospital for Children is the alleged aggressor, the Board of Directors or its designee is responsible for investigating the report and other steps necessary to implement the Plan, including addressing the safety of the alleged victim.

II. TRAINING AND PROFESSIONAL DEVELOPMENT

The Bullying Prevention and Intervention Plan reflects the requirements under M.G.L. c. 71, § 370 to provide ongoing professional development for all staff, including but not limited to, educators, teaching assistants, administrators, nurses, therapists, specialists and support staff. The Bullying Prevention and Intervention Plan includes the content and frequency of faculty training and ongoing professional development as determined by the Kennedy Day School’s needs, and lists other topics to be included in these staff programs. Additional areas of training are determined by local constituents and are based on needs and concerns identified by faculty.

The first six professional development topics are those mandated by law. Additional topics reflect those identified by the School leadership in consideration of the unique needs of the school and/or community.

A. Annual staff training on the Bullying Prevention and Intervention Plan. Annual training for all school staff on the Bullying Prevention and Intervention Plan includes staff duties under the Bullying Prevention and Intervention Plan, an overview of the steps that the Program Director or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula offered throughout 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 last two years.

B. Ongoing professional development. The goal of professional development is to establish a common understanding of the tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development builds the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 370, the content of schoolwide professional development is informed by research and includes 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; and
- Internet safety issues as they relate to cyberbullying.
Professional development also addresses 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 includes the needs of students with autism and students whose disabilities affect social skills development.

Additional areas identified by the Kennedy Day School for professional development include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- functional behavior analysis and effective behavior plan protocols;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- strategies for social skill development, incorporating positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making;
- maintaining a safe and caring classroom for all students; and
- engaging staff and those responsible for the implementation and oversight of the Plan to distinguish between bullying behaviors and acceptable managerial behaviors that are designed to correct misconduct, instill accountability in the school setting, and otherwise promote an atmosphere conducive to learning.

C. Written notice to staff. The Kennedy Day School provides all staff with an annual written notice of the Bullying Prevention and Intervention Plan by publishing information about it, including sections related to staff duties and bullying of students by school staff, in the School Handbook and the Code of Conduct.

III. 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. The Bullying Prevention and Intervention Plan describes the strategies for providing supports and services necessary to meet these needs. In order to enhance the Kennedy Day School’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 Bullying Prevention and Intervention Plan includes a strategy for providing counseling or referral to appropriate services for student aggressors, targets, and family members of those students.

A. Identifying resources. The Resource Care Team of the Kennedy Day School monitors the School's capacity to provide relevant services to students and their families, who may be aggressors or targets of bullying, cyberbullying or related retaliatory activity. A variety of local, national and international sources of support are considered, with an eye to effective collaboration to best meet the varying needs of students and families from numerous municipalities within the Commonwealth. The Program Director, Special Education Coordinator, Health Care Coordinator, School Psychologist and Family Resource Coordinator are core members of the Team. The Team convenes at least quarterly and reviews current staffing and programs that support and sustain a positive school environment by focusing on early interventions and intensive focused services, relevant to student safety, bullying prevention and related intervention. The School Psychologist and/or Family Resource Coordinator may additionally provide relevant consultation and/or direct services, as Individualized Education Plan (IEP) providers for students of the Kennedy Day School. The Kennedy Day School Resource Care Team works collaboratively within the Franciscan Hospital for Children to identify resources and needs, including quarterly Interdepartmental Clinical Coordinator meetings with regard to curriculum, student services, staff development and family resources. Resource Care Team members also represent the School within the Franciscan Hospital for Children's Safety Committee, Inservice Education Committee and Children at Risk Team, each of which additionally most often includes representation from the Hospital's Behavioral Health Department. The Parent Advisory Group provides ongoing support and is crucial to the provision of information related to their varying local and regional resources.
B. Counseling and other services: All students of the Kennedy Day School have Individualized Education Program (IEP) plans. In conjunction with the family and sending school district, service needs and resources are reviewed, with a focus on collaborative endeavor to maximize positive outcomes for the student. Direct and indirect services may include one or more of the following.

Special Education - The Homeroom Special Education Teacher is the student's educational team leader and is responsible for the overall coordination and implementation of services of the student's IEP. The Teacher is the parent's primary contact at the school, and close communication is maintained between home and school via the Teacher regarding all aspects of the student's school experience.

Family Resources/Social Worker Services - The Family Resource Coordinator assists families to identify and access community based services including after-school programs, summer camps, and support agencies. As school liaison to the Parent Advisory Group and service provider in student social skills development classes, Family Resources offers a unique perspective on both needs and resources and supports families in their endeavors to secure counseling and advocate for family friendly solutions to identified issues and concerns.

Health Care Services - The Health Care Coordinator and nurses work closely with school staff and parents to manage students' health needs. In addition to preventive health screenings, nurses monitor and provide care related to specific student health problems, as well as emergency and first aid treatment.

Music Therapy - Most children are highly motivated by music. During music therapy groups, the Music Therapist elicits student responses to music to address communication, social, motor and cognitive skills. Special attention is given to the development of self-concept, esteem, expression and creativity. Activities include opportunities for singing/vocalizing, playing instruments, moving and listening.

Occupational Therapy - The Occupational Therapist provides interventions to develop the student's ability to accomplish functional skills important to learning and daily living skills. Therapy activities address motor, sensory and perceptual skills relevant to the student's educational program. For many students, focused attention on sensory integration can support endeavors to assist students in self-regulation and interaction with others in the environment.

Physical Therapy - The Physical Therapist assesses and treats problems related to posture, muscle strength, gross motor and functional skills. Areas addressed include ambulation, wheelchair mobility, environmental adaptations, positioning and use of adapted equipment and bracing. Mobility and access issues and concerns can have enormous social and emotional impact and significance and therefore should be considered within the holistic view of the learner.

Psychology - The School Psychologist provides counseling to students and consults regularly with the educational team and parents concerning cognitive development, behavior management, and mental health concerns. The School Psychologist leads classroom groups and small groups to enhance the development of social skills and help students address emotional concerns.

Speech-Language Services - The Speech Language Pathologist evaluates the student's communication skills, both in understanding and in the ability to express needs and ideas. The clinician provides interventions to enhance the student's communicative abilities in individual and group therapy sessions. Adapted communication methods are developed, using augmentative communication devices and other assistive technologies, to assist the student in experiencing greater success in communicating with others.

Linguistic & Cultural Services: The goal of Linguistic & Cultural Services is to ensure clear and accurate communication among students, parents/legal guardians, teachers and related service providers in any language needed, including American Sign Language. An interpreter can be requested 24 hours a day in person or over the phone. While office hours are Monday through Friday from 8:30 am to 5:00 pm., interpreters are available over the phone on weekends and at night. In-person interpreters are available outside normal business hours if the request is made in advance. Medical interpreters are trained in interpreting skills, ethics, and medical terminology, and have a professional commitment to confidentiality and objectivity.
Linguistic & Cultural Services is supportive of efforts to identify the availability of culturally and linguistically appropriate resources within the organization and beyond. As additional resources need to be developed, linkages with community-based organizations, including Community Service Agencies (CSAs) for Medicaid eligible students may be of assistance in addressing unmet needs. The Bullying Prevention and Intervention Plan identifies staff and service providers who assist schools in developing safety plans for students who have been targets of bullying or retaliation, providing social skills programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors. The Behavioral Health Department of the Franciscan Hospital for Children offers extensive information and expertise. Kennedy Day School additionally employs current tools including, but not limited to, behavioral intervention plans, social skills groups, and individually focused curricula.

C. **Students with disabilities.** As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team considers what should be included in the IEP to develop the student’s skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

D. **Referral to outside services.** In compliance with relevant laws and policies, Kennedy Day School works with families and sending school districts to help students and families access appropriate and timely services, which may include participation in referrals for outside services. The Resource Care Team reviews referral protocols, resources and outcomes on an ongoing basis in order to assess their relevance to the Bullying Prevention and Intervention Plan and to provide input for potential revisions, as needed.

IV. **ACADEMIC AND NON-ACADEMIC ACTIVITIES**

The law requires the provision of age-appropriate instruction on bullying prevention for all students, incorporated into the School’s evidence-based curricula. Effective instruction includes classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development. Curricula reflect resources currently available on the Department of Elementary & Secondary Education website at [http://www.doe.mass.edu/ssce/bullying/](http://www.doe.mass.edu/ssce/bullying/) including social and emotional learning guidelines. Using currently available resources, the Bullying Prevention and Intervention Plan is integrated into the School’s curricula and includes specific information about local priorities and approaches used.

A. **Specific bullying prevention approaches.** Bullying prevention curricula is 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 cybersafety, including safe and appropriate use of electronic communication technologies;
- enhancing students' skills for engaging in healthy relationships and respectful communications; and
- engaging students in a safe, supportive school environment that is respectful of diversity and difference.

Initiatives also teach students about the student-related sections of the Bullying Prevention and Intervention Plan, including Kennedy Day School’s annual review of the Bullying Prevention and Intervention Plan with students by faculty in homeroom.

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 Kennedy Day School’s 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, regardless of actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, living environment/homelessness, academic status, age, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental and/or sensory disability, special educational needs, health care needs and supports, learning strategies, personal care, access and mobility aids, communication method and/or by association with a person who has or is perceived to have one or more of these characteristics.

• 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.

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

To support efforts to respond promptly and effectively to any act of bullying or retaliation, Kennedy Day School has put into place policies and procedures for receiving and responding to reports of these activities. These policies and procedures are designed to ensure that members of the school community, including students, parents, and staff, know what will happen if incidents of bullying occur. Included are detailed procedures for staff reporting of incidents, processes for communicating to students and families the manner in which reports can be made (including anonymous reports), and procedures to be followed by the Program Director or designee, or the Chief Executive Officer of the Franciscan Hospital for Children or designee in the event that the School’s Program Director or Assistant Director is the alleged aggressor, or the Board of Directors in the event that the Chief Executive Officer is the alleged aggressor, once a report is made. The review and investigation of reports of bullying by students and by school staff differ procedurally, but maintain the same vigilance of purpose and intent regarding bullying prevention and intervention and the obligation and firm commitment to remediate any discrimination or harassment based on a person’s membership in a legally protected category under local, state or federal law.

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 will be recorded in writing. A Kennedy Day School faculty member is required to report immediately to the Program Director or designee or to the Chief Executive Officer of the Franciscan Hospital for Children or designee in the event that the Program Director or Assistant Director is the alleged aggressor or to the Board of Directors or its designee in the event that the Chief Executive Officer 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 faculty members, may be made anonymously. The Kennedy Day School provides a variety of reporting resources to the school community including, but not limited to, an Incident Reporting Form; a voicemail box at extension 6160, mailings marked ‘confidential’ to Kennedy Day School Program Director, Kennedy Day School Health Care Coordinator or Chief Executive Officer of the Franciscan Hospital for Children and email at bpaulino@fhfc.org, psmith@fhfc.org or jnash@fhfc.org.

Although use of an Incident Reporting Form is not required as a condition of making a report, Kennedy Day School includes a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians. This form is also available through the Kennedy Day School Office, Health Care Center, Special Education Student Record Office, Office of the School Psychologist and/or Family Resource Office and is posted 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.

1 See Appendix for Sample Incident Reporting Form.
At the beginning of each school year, Kennedy Day School provides the school community, including, but not limited to, educators, teaching assistants, administrators, nurses, therapists, specialists, support staff, students and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the Program Director or designee and the Chief Executive Officer of the Franciscan Hospital for Children or designee in the event that the Program Director or Assistant Director is the alleged aggressor, is incorporated in student and staff handbooks, on the school website, and in information about the Bullying Prevention and Intervention Plan that is made available to parents or guardians.

1. Reporting by Staff

A staff member will report immediately to the Program Director or designee, or to the Chief Executive Officer of the Franciscan Hospital for Children or designee in the event that the Program Director or Assistant Director is the alleged aggressor, or to the Board of Directors or its designee in the event that the Chief Executive Officer is the alleged aggressor, when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the Program Director 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 behavior management and discipline.

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

Kennedy Day 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 Program Director or designee, or to the Chief Executive Officer of the Franciscan Hospital for Children or designee in the event that the Program Director or Assistant Director 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 Program Director or designee, or with the Chief Executive Officer of the Franciscan Hospital for Children or designee in the event that the Program Director or Assistant Director is the alleged aggressor.

B. Responding to a report of bullying or retaliation – Allegation of Bullying by a Student

1. Safety

Before fully investigating the allegations of bullying or retaliation, the Program Director 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 scheduled activity locations and access to the target. The Program Director or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The Program Director or designee will implement appropriate strategies for protecting from bullying or retaliation, any student who has witnessed and/or reported bullying or retaliation, has provided information during an investigation and/or has reliable information about a reported act of bullying or retaliation. This is implemented through ongoing supervision during on and off campus Kennedy Day School student activities and collaborative planning with families, sending school districts and the transportation providers with whom they contract for services.

2. Obligations to Notify Others

a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the Program Director or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the Program Director 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 Program Director, principal or designee of the first informed of the incident will promptly notify by telephone the Program Director, 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 Program Director or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Program Director 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 the Kennedy Day School, the Program Director 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 Program Director will, consistent with the Bullying Prevention and Intervention Plan and with applicable Franciscan Hospital for Children policies and procedures, consult with the Franciscan Hospital for Children’s Chief Operating Officer and/or Compliance Officers and other individuals the Program Director or designee deems appropriate.

C. Investigation. The Program Director 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 and special educational needs of the students involved.

During the investigation, the Program Director or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The Program Director or designee (or whoever is conducting the investigation) will remind the alleged 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 Program Director or designee, other staff members as determined by the Program Director or designee, and in consultation with the School Psychologist, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the Program Director or designee will maintain confidentiality during the investigative process. The Program Director or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with Kennedy Day School and/or Franciscan Hospital for Children policies and procedures for investigations. If necessary, the Program Director or designee and/or Hospital Chief Operating Officer will consult with legal counsel about the investigation.

D. Determinations. The Program Director or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the Program Director 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 Program Director 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 Program Director or designee may choose to consult with the students’ teacher(s) and/or School Psychologist, 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 Program Director 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. 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 Program Director 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.

The Program Director 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. The Kennedy Day School employs the following strategies for building students’ skills and providing individualized responsive interventions for remediation and/or to prevent further bullying and retaliation.

1. Teaching Appropriate Behavior Through Skills-building

Upon the Program Director or designee determining that bullying or retaliation has occurred, the law requires that the Kennedy Day School 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 Program Director 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 the School Psychologist, Family Resource Coordinator and/or 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
- assisting families in seeking inpatient or outpatient evaluation services for the student.

2. Taking Disciplinary Action

If the Program Director or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Program Director 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 Bullying Prevention and Intervention Plan and with the Kennedy Day School’s code of conduct.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline. Actions taken may include loss of privileges, detention, STEP referral, suspension, community service, education and/or behavior plan development, review and/or revision.

If the Program Director 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 Program Director 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 Program Director 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 Program Director or designee will contact the target and others, including individual(s) providing supervision to the target, to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed for the target, aggressor and others, including reporters and witnesses. If so, the Program Director or designee will work with appropriate school staff to implement them immediately.
F. Responding to a Report of Bullying by School Staff. Kennedy Day School and the Franciscan Hospital for Children have policies and procedures that address how the Organization will respond to and resolve a report of bullying of a student by a school staff. The policies and procedures address safety planning, notification to parents or guardians and others, investigation, and response – areas that are addressed when a student is alleged to have bullied another student in Section V. B-E above. The Organization consults with counsel, as appropriate, in developing policies and procedures. These emphasize the importance of the investigation, the need for the aggressor, target, and witnesses 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.

The Program Director or designee is the Responsible Responder to a report of bullying by a school staff member, except as follows.

The Chief Executive Officer of the Franciscan Hospital for Children or designee is the Responsible Responder to a report of bullying by the School’s Program Director or Assistant Director.

The Board of Directors of the Franciscan Hospital for Children or its designee is the Responsible for Responder to a report of bullying by the Chief Executive Officer of the Franciscan Hospital for Children.

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

The Responsible Responder or designee will implement appropriate strategies for protecting from bullying or retaliation, anyone who has witnessed and/or reported bullying or retaliation, has provided information during an investigation and/or has reliable information about a reported act of bullying or retaliation.

Upon determining that bullying or retaliation has occurred, the Responsible Responder or designee will promptly notify the parents or guardians of the target and of the procedures for responding to it. There may be circumstances in which the Responsible Responder or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

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 Responsible Responder of the first agency informed of the incident will promptly notify by telephone the director, principal or superintendent 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.

The Responsible Responder or designee will investigate promptly all reports of bullying or retaliation by a staff and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages and special educational needs of the student(s) involved.

During the investigation, the Responsible Responder or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The Responsible Responder or designee (or whoever is conducting the investigation) will remind the alleged 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 Responsible Responder or designee or by others determined by the Responsible Responder or designee. To the extent practicable, and given his/her obligation to investigate and address the matter, the Responsible Responder or designee will maintain confidentiality during the investigative process and will document the investigation.

Franciscan Hospital for Children’s policy and procedure on rules of conduct guide the investigation of reports of bullying and/or retaliation by an alleged staff aggressor and the disciplinary actions based on findings. The Responsible Responder or designee consults with legal counsel about the investigation and follow-up. Criminal charges may be pursued against the staff aggressor.
The Responsible Responder or designee will promptly notify the parents or guardians of the target(s) 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 comply with applicable state and federal privacy laws and regulations.

The Responsible Responder 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 Responsible Responder 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. Appropriate education and curricular resources will be applied.

The Responsible Responder 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.

If the Responsible Responder or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may 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. The student's age and special educational needs are given due consideration.

VI. COLLABORATION WITH FAMILIES

Effective Bullying Prevention and Intervention Plans include strategies to engage and collaborate with students' families in order to increase the capacity of the Kennedy Day School to prevent and respond to bullying. Resources for families and communication with them are essential aspects of effective collaboration. The law requires the Kennedy Day School Bullying Prevention and Intervention Plan to include provisions for informing parents or guardians about the bullying prevention and intervention curricula used by the School including: (i) how parents and guardians can reinforce the curricula at home and support the Kennedy Day School plan; (ii) the dynamics of bullying; and (iii) online safety and cyberbullying. Parents and guardians are notified in writing each year about the student-related sections of the Bullying Prevention and Intervention Bullying Prevention and Intervention Plan, in the language(s) most prevalent among the parents or guardians. School approaches to collaboration must take into account age, climate, socio-economic factors, linguistic, and cultural make-up of both students and parents in order to promote positive outcomes for all students. Parents will continue to be notified of the resource and information networks with which the Kennedy Day School collaborates on behalf of students.

A. Parent education and resources. Kennedy Day School offers education programs for parents and guardians that are focused on the parental components of the School's anti-bullying and social skills curricula. These programs are offered in collaboration with the Parent Advisory Group and delve into the dynamics of bullying, while reinforcing the linkages between curricula and other anti-bullying plan initiatives. Parents and guardians explore bullying prevention and intervention curricular tools in use and examine ways that they can reinforce the curricula at home and support Kennedy Day School plan initiatives in this area. Online safety and cyberbullying issues are addressed, as well as the importance of family-school partnership in promoting understanding, respect, safety and kindness in a positive learning environment.

B. Notification requirements. Each year the Kennedy Day School informs parents or guardians of enrolled students about the anti-bullying curricula that are being used and how parents and guardians can reinforce the curricula at home and support the Kennedy Day School Bullying Prevention and Intervention Plan. This notice includes information about the dynamics of bullying, including cyberbullying and online safety. The Kennedy Day School sends parents written notice each year about the student-related sections of the Bullying Prevention and Intervention Plan, including cyberbullying and online safety. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. The Kennedy Day School posts the Bullying Prevention and Intervention Plan and related information on its website.
VII. PROHIBITION AGAINST BULLYING AND RETALIATION

The law requires that Bullying Prevention and Intervention Plans include a statement prohibiting bullying, cyberbullying, and retaliation. The statement must be included in the Bullying Prevention and Intervention 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, § 37O(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 Bullying Prevention and Intervention Plan requires the district or school to staff any non-school related activities, functions, or programs.

VIII. 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:

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

VIII. DEFINITIONS

Several of the following definitions are copied directly from M.G.L. c. 71, § 37O, as noted below.

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

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or a member of the 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.
Cyberbullying, is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

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 student 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.

IX. RELATIONSHIP TO OTHER LAWS

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

In addition, nothing in the Bullying Prevention and Intervention 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 37H 1/2, M.G.L. c. 71, §§ 41 and 42, M.G.L. c. 76 § 5, or other applicable laws, or local school or district policies, or collective bargaining agreements, in response to violent, harmful, or disruptive behavior, regardless of whether the Bullying Prevention and Intervention Plan covers the behavior.
Kennedy Day School
Franciscan Hospital for Children

BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM

1. Name of Reporter/Person Filing the Report: ____________________________
   (Note: Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.)

2. Check whether you are the:  
   □ Target of the behavior  
   □ Reporter (not the target)  

3. Check whether you are a:  
   □ Student  
   □ Staff member (specify role) ________________________________  
   □ Parent  
   □ Administrator  
   □ Other (specify) ________________________________  
   Your contact information/telephone number: ________________________________

4. If student, state your school: ____________________________  Grade: ____________

5. If staff member, state your school or work site: ____________________________

6. Information about the Incident:
   Name of Target (of behavior): __________________________________________
   Name of Aggressor (Person who engaged in the behavior): __________________________
   Date(s) of Incident(s): __________________________________________
   Time When Incident(s) Occurred: __________________________________________
   Location of Incident(s) (Be as specific as possible): __________________________

7. Witnesses (List people who saw the incident or have information about it):
   Name: ____________________________  □ Student □ Staff □ Other ____________________________
   Name: ____________________________  □ Student □ Staff □ Other ____________________________
   Name: ____________________________  □ Student □ Staff □ Other ____________________________

8. Describe the details of the incident (including names of people involved, what occurred, and what each person did and said, including specific words used). Please use additional space on back if necessary.

FOR ADMINISTRATIVE USE ONLY

9. Signature of Person Filing this Report: ____________________________  Date: ____________
   (Note: Reports may be filed anonymously.)

10. Form Given to: ____________________________  Position: ____________________________  Date: ____________
   Signature: ____________________________  Date Received: ____________
II. INVESTIGATION

1. Investigator(s): ___________________________________________ Position(s): __________________________

2. Interviews:
   - Interviewed aggressor
     Name: ___________________________ Date: ______________
   - Interviewed target
     Name: ___________________________ Date: ______________
   - Interviewed witnesses
     Name: ___________________________ Date: ______________
     Name: ___________________________ Date: ______________

3. Any prior documented Incidents by the aggressor? □ Yes □ No
   - If yes, have incidents involved target or target group previously? □ Yes □ No
   - Any previous incidents with findings of BULLYING, RETALIATION □ Yes □ No

Summary of Investigation:

III. CONCLUSIONS FROM THE INVESTIGATION

1. Finding of bullying or retaliation:
   - □ YES □ NO
     - Bullying
     - Retaliation
     - Incident documented as _____________________________
     - Discipline referral only _____________________________

2. Contacts:
   - Target's parent/guardian Date: ____________ Aggressor’s parent/guardian Date: ____________
   - Target’s LEA/ETL Date: ________________ Aggressor's LEA/ETL Date: ________________
   - Law Enforcement Date: __________________

3. Action Taken:
   - □ Loss of Privileges □ Detention □ STEP referral □ Suspension □ Behavior Plan Development/Review/Revision
   - □ Community Service □ Education □ Other _____________________________

4. Describe Safety Planning: _____________________________
   - Follow-up with Target: scheduled for ______________ Initial and date when completed: ______
   - Follow-up with Aggressor: scheduled for ______________ Initial and date when completed: ______

Report forwarded to Program Director: Date ____________ Other (specify): __________________________
(If Program Director/Responsible Responder was not the investigator)
Other (specify): __________________________

Signature and Title: ___________________________ Date: ___________________________