



*Nativity School of Worcester*

**BULLYING PREVENTION AND INTERVENTION PLAN**

**I. Introduction.**

*Nativity School of Worcester* is committed to providing an integrated Catholic educational environment where each child is challenged to reach his full potential. In this regard, it is essential that a safe, positive and productive educational environment be established where students can attain the highest academic achievement and where no student shall be subjected to Bullying, Cyber-Bullying or Retaliation.

Bullying, Cyber-Bullying or Retaliation or other similar disruptive or violent behaviors constitute conduct that disrupts both a student's ability to learn and Nativity's ability to educate its students in a safe and embracing environment. Our staff is expected to demand that all students behave appropriately and treat others with civility and respect. Bullying, Cyber-Bullying and Retaliation are not to be tolerated.

Accordingly, Nativity will implement this Bullying Prevention and Intervention Plan (the "Plan"), as of January 1, 2011 and as required by the Diocese of Worcester Bullying Prevention Policy.

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

"Aggressor", means a student who engages in Bullying or Retaliation.

"Bullying" is the repeated use by one or more students of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a Target that:

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

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

- unwanted teasing
- threatening
- intimidating
- stalking

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

*For the purpose of this Plan, whenever the term “Bullying” is used it is to denote either Bullying or Cyber-Bullying (as defined below).*

“Cyber-Bullying” means Bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- wire
- radio
- electromagnetics
- photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

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

“Cyber-Bullying” shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of Bullying.

“Hostile Environment” means a situation in which Bullying causes the School environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of the student’s education.

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

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

“Staff” includes, but is not limited to, educators, faculty, administrators, counselors, athletic coaches, advisors to extracurricular activities, support staff, and paraprofessionals.

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

### **III. Leadership.**

Notice and comment period by families of students currently attending Nativity was provided in December of 2010, before the Plan was adopted by our school. We all have a primary role in teaching students to be civil to one another and promoting understanding of and respect for diversity and difference.

The Principal, working under the oversight of the President and Board of Trustees, is responsible for setting priorities and for staying up-to-date with current research on ways to prevent and effectively respond to Bullying. It is also the responsibility of the Principal to involve representatives from the greater Nativity and local community in developing, implementing and periodically reviewing the Plan.

A. Assessing needs and resources. The Plan is intended to be Nativity’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 the staff, conducted formal and informal student and parent surveys (including the 2009-10 year-end Student Survey), assessed the adequacy of current programs and reviewed current policies and procedures. This “mapping” process has assisted Nativity in identifying resource gaps and the most significant areas of need. Based on these findings, the school has revised policies and procedures.

#### **B. Planning and Oversight**

The Principal, in consultation with the Nativity faculty, will be

- Receiving reports on Bullying;
- Collecting and analyzing building- and/or School-wide data on Bullying to assess the present problem and to measure improved outcomes;
- Creating a process for recording and tracking incident reports, and for accessing information related to Targets and Aggressors;
- Planning for ongoing professional development;
- Planning supports that respond to the needs of Targets and Aggressors;
- Choosing and implementing the curricula that the School will use;
- Developing new or revising current policies and protocols under the Plan, including an Internet safety policy, and designating key Staff to be in charge of implementation of them;
- Amending student and Staff handbooks and codes of conduct;
- Leading the parent or family engagement efforts and drafting parent information materials; and
- Reviewing and updating the Plan each year, or more frequently.

### **C. Priorities**

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

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

The School will take specific steps to create a safe, supportive environment for vulnerable populations in the School community, and provide all students with the skills, knowledge, and strategies to prevent or respond to Bullying.

We will not tolerate any unlawful or disruptive behavior, including any form of Bullying or Retaliation, in our School, on School Grounds, or in School-related activities. We will investigate promptly all reports and complaints of Bullying and Retaliation and take prompt action to end that behavior and restore the Target's sense of safety. We will support this commitment in all aspects of our School community, including curricula, instructional programs, Staff development, extracurricular activities, and parent or guardian involvement.

This Plan is a comprehensive approach to addressing Bullying, and the School is committed to working with students, Staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of Bullying and Retaliation. The Principal, working under the oversight of the President and the Board of Trustees, is responsible for the implementation and oversight of the Plan.

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

Bullying is prohibited:

- On School Grounds owned, leased or used by a School;
- On property immediately adjacent to School Grounds;
- At any School-sponsored or School-related activity, function or program whether on or off School Grounds;
- On a School bus or any other vehicle owned, leased or used by the School; or,
- Through the use of technology or an electronic device owned, leased or used by the School;

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

- create a Hostile Environment at School for the Target;
- infringe on the rights of the Target at School; or

- materially and substantially disrupt the education process or the orderly operation of the School.

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

## **V. Training.**

- Annual Staff Training on the Plan.** Annual training on the Plan for all School Staff, and, in the discretion of the Principal, volunteers who have significant contact with students, will include Staff duties under the Plan, an overview of the steps that the Principal or his or her designee will follow upon receipt of a report of Bullying or Retaliation, and an overview of any Bullying prevention curricula to be offered at the School. Staff members hired after the start of the School year will be 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.
- Written Notice to Staff.** At the beginning of each School year, the Principal or his or her designee shall provide written notice to the School Staff of this Policy and the Plan. Relevant sections of this Policy and the Plan relating to the duties of School Staff shall be included in the School employee handbook.

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

- Identifying resources.** Nativity shall provide counseling and other services for Targets, Aggressors, and their families. The school will also explore – in the spring of 2011 – the adoption of new curricula, reorganizing of Staff, establishing safety planning teams, and identifying other agencies that can provide services.
- Counseling and other services.** The Plan should identify the availability of culturally and linguistically appropriate resources within the School . If resources need to be developed, the Plan should identify linkages with community based organizations, including Community Service Agencies (CSAs) for Medicaid eligible students. In addition, the Plan should identify 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 School may consider current tools including, but not limited to, behavioral intervention plans, social skills groups, and individually focused curricula.
- Students with disabilities.** When the School determines that the student has a disability that affects social skills development or that the student may participate in or is vulnerable to Bullying, harassment, or teasing because of his/her disability, the School should consider what reasonable accommodations should be undertaken with a view toward developing the student's skills and proficiencies so as to avoid and respond to Bullying.

- D. Referral to outside services. The School should establish a referral protocol for referring students and families to outside services. Clear protocols will help students and families access appropriate and timely services. Referrals must comply with relevant laws and policies. Current local referral protocols should be evaluated to assess their relevance to the Plan, and revised as needed.]

**VII. Policies and Procedures for Reporting and Responding to Bullying and Retaliation.**

- A. Reporting Bullying or Retaliation. Reports of Bullying or Retaliation may be made by Staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a Staff member shall be recorded in writing. A School Staff member is required to report immediately to the Principal or designee any instance of Bullying or Retaliation the Staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not School Staff members, may be made anonymously. The School will make a variety of reporting resources available to the School community including, but not limited to, an Incident Reporting Form (a copy of which is attached to this Plan as **Exhibit A**), a voicemail box, a dedicated mailing address, and an email address.

Use of an Incident Reporting Form is not required as a condition of making a report. The School will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the School's main office, the counseling office, the School nurse's office, and other locations determined by the Principal or designee; and 3) post it on the School's website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each School year, the School will provide the School community, including administrators, Staff, students, and parents or guardians, with written notice of its policies for reporting acts of Bullying and Retaliation. A description of the reporting procedures and resources, including the name and contact information of the Principal or designee, will be incorporated in student and Staff handbooks, on the School website, and in information about the Plan that is made available to parents or guardians.

1. Reporting by Staff

A Staff member will report immediately to the Principal or designee when he/she witnesses or becomes aware of conduct that may be Bullying or Retaliation. The requirement to report to the Principal or designee does not limit the authority of the Staff member to respond to behavioral or disciplinary incidents consistent with School policies and procedures for behavior management and discipline.

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

The School expects students, parents or guardians, and others who witness or become aware of an instance of Bullying or Retaliation involving a student to report it to the Principal or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged

Aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a Staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of Bullying with a Staff member, or with the Principal or designee.

B. Responding to a report of Bullying or Retaliation.

1. Safety

Before fully investigating the allegations of Bullying or Retaliation, the Principal or designee will take steps to assess the need to restore a sense of safety to the alleged 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. The Principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The Principal or designee will implement appropriate strategies for protecting from Bullying or Retaliation a student who has reported Bullying or Retaliation, a student who has witnessed Bullying or Retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of Bullying or Retaliation. In such matters, the school will follow established student safety planning policies and procedures.

2. Obligations to Notify Others

- a. Notice to parents or guardians. Upon determining that Bullying or Retaliation has occurred, the Principal or designee will promptly notify the parents or guardians of the Target and the 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. If the reported incident involves students from more than one School district, charter School, non-public School, approved private special education day or residential School, or collaborative School, the Principal or designee first informed of the incident will promptly notify by telephone the Principal or designee of the other School(s) of the incident so that each School may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.
- c. Notice to Law Enforcement. At any point after receiving a report of Bullying or Retaliation, including after an investigation, if the Principal or designee has a reasonable basis to believe that criminal charges may be pursued against the Aggressor, the Principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on

School grounds and involves a former student under the age of 21 who is no longer enrolled in School, the Principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the Aggressor.

In making this determination, the Principal will, consistent with the Plan and with applicable School policies and procedures, consult with the School resource officer, if any, and other individuals the Principal or designee deems appropriate (including, but not limited to, the Office of the General Counsel of the Archdiocese).

- C. Investigation. The Principal or designee will investigate promptly all reports of Bullying or Retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

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

Interviews may be conducted by the Principal or designee, other Staff members as determined by the Principal or designee, and in consultation with the School counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the Principal or designee will maintain confidentiality during the investigative process. The Principal or designee will maintain a written record of the investigation.

Procedures for investigating reports of Bullying and Retaliation will be consistent with School policies and procedures for investigations.

- 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 notice to parents must comply with applicable Massachusetts and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the Principal or designee cannot report specific information to the Target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the Target must be aware of in order to report violations.



## E. Responses to Bullying.

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

Upon the Principal or designee determining that Bullying or Retaliation has occurred, the law requires that the School use a range of responses that balance the need for accountability with the need to teach appropriate behavior. Mass. Gen. Laws. Ch. 71, Section 37O (d)(v).

Skill-building approaches that the Principal or designee may consider include:

- offering individualized skill-building sessions based on the School's anti-Bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate School personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting with parents and guardians to engage parental support and to reinforce the anti-Bullying curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills; and
- making a referral for evaluation.

### 2. Taking Disciplinary Action

If the Principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the School's code of conduct.

Discipline procedures for students with disabilities may be governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with Massachusetts laws regarding student discipline.

If the Principal or designee determines that a student knowingly made a false allegation of Bullying or Retaliation, that student may be subject to disciplinary action.

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

The Principal or designee will consider what adjustments, if any, are needed in the School environment to enhance the Target's sense of safety and that of others as well. One strategy that the Principal or designee may use is to increase adult supervision at transition times and in locations where Bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the Principal or designee will contact the Target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the Principal or designee will work with appropriate School Staff to implement them immediately.

### **VIII. Collaboration with Families.**

- A. Parent education and resources. The School hopes to offer education programs for parents and guardians that are focused on the parental components of the anti-Bullying curricula and any social competency curricula used by the School. The programs will be offered in collaboration with the [PTO, PTA, School Councils, Special Education Parent Advisory Council], or similar organizations.
  
- C. Notification requirements. Each year the School will inform parents or guardians of enrolled students about the anti-Bullying curricula that are being used. This notice will include information about the dynamics of Bullying, including Cyber-Bullying and online safety. The School will send parents written notice each year about the student-related sections of the Plan and the School's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. The School will post the Plan and related information on its website.

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

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

In addition, nothing in the Plan is designed or intended to limit the authority of the School to take disciplinary action or other action under Mass. Gen. Laws. Ch. 71, Section 37O (d)(v), other applicable laws, or local School policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

In no event should the Plan be construed in any way so as to limit or modify the obligation of mandated reporters to timely make required so-called 51A Reports where appropriate.

## 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/Guardian  Administrator  Other (specify) \_\_\_\_\_

**Your contact information/telephone number:**  
\_\_\_\_\_

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**4. 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):  
\_\_\_\_\_

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**5. Witnesses** (List people who saw the incident or have information about it):

**Name:** \_\_\_\_\_  Student  Staff  Other \_\_\_\_\_

**Name:** \_\_\_\_\_  Student  Staff  Other \_\_\_\_\_

**Name:** \_\_\_\_\_  Student  Staff  Other \_\_\_\_\_

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**6. 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 sheets of paper if necessary and attach them to this document.**

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FOR ADMINISTRATIVE USE ONLY

7. **Signature of Person Filing this Report:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
(Note: Reports may be filed anonymously.)

8. **Form Given to:** \_\_\_\_\_ **Position:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date Received:** \_\_\_\_\_

**II. INVESTIGATION**

1. **Investigator(s):** \_\_\_\_\_  
**Position(s):** \_\_\_\_\_

2. **Interviews:**

- |  |                    |                    |
|--|--------------------|--------------------|
| <input type="checkbox"/> Interviewed Aggressor | <b>Name:</b> _____ | <b>Date:</b> _____ |
| <input type="checkbox"/> Interviewed Target    | <b>Name:</b> _____ | <b>Date:</b> _____ |
| <input type="checkbox"/> Interviewed witnesses | <b>Name:</b> _____ | <b>Date:</b> _____ |
|  | <b>Name:</b> _____ | <b>Date:</b> _____ |

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:**

(Please use additional sheets of paper and attach to this document as needed)

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**III. CONCLUSIONS FROM THE INVESTIGATION**

1. **Finding of bullying or retaliation:**

- |   |  |
|---|--|
| <input type="checkbox"/> <b>YES</b>         | <input type="checkbox"/> <b>NO</b>                             |
| <input type="checkbox"/> <b>Bullying</b>    | <input type="checkbox"/> <b>Incident documented as</b> _____   |
| <input type="checkbox"/> <b>Retaliation</b> | <input type="checkbox"/> <b>Discipline referral only</b> _____ |

**2. Contacts:**

- Target's parent/guardian    Date: \_\_\_\_\_     Aggressor's parent/guardian    Date: \_\_\_\_\_  
 Law Enforcement    Date: \_\_\_\_\_

**3. Action Taken:**

- Loss of Privileges     Detention     Referral     Suspension  
 Community Service     Education     Other \_\_\_\_\_

**4. Describe Safety Planning:**

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**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 Principal: Date** \_\_\_\_\_

(If principal was not the investigator)

**Signature and Title:** \_\_\_\_\_    **Date:** \_\_\_\_\_