



## **Bullying Prevention and Intervention Plan**

### **Policy**

#### **Statement of Purpose**

The New England Center for Children is committed to providing all students with a safe learning environment that is free from bullying and cyber 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. This plan is developed under the supervision of the NECC Executive Committee and represents their leadership in ensuring that NECC follows a comprehensive approach to bullying including prevention, intervention, training, and reporting. This plan intends to comply with all provisions of M.G.L. c. 71 § 370.

#### **Definitions**

This policy covers all elements of the M.G.L. c. 71 § 370 including these specific components defined by the law:

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:

- 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.

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

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.

As stated in the M.G.L. c. 71, § 370, the above mentioned specific components are prohibited in all NECC facilities and in all NECC activities:

Acts of bullying, which include cyberbullying and creating a hostile environment are prohibited (the term bullying with henceforth include all these elements):

- (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,

Last reviewed: November 2019

Reviewed by: Heather Morrison, Director of Administration

- 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.

This policy acknowledges that the student population at NECC consists of students who typically have moderate to severe cognitive impairments, moderate to severe communication deficits and exhibit profound deficits in most areas of social functioning. Many students placed at NECC also exhibit aggressive behavior towards themselves or others in close proximity. In most cases students at NECC who display aggressive behavior do so as a manifestation of their individual skill deficits. This aggressive behavior is not the result of intent to bully other students but rather occurs as a result of environmental conditions, and their behavioral profile; not as a social response.

This plan further recognizes that certain NECC students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability, or by association with a person who has or is perceived to have 1 or more of these characteristics. The protocols identified in this plan will support all NECC students and provide all students with the skills, knowledge and strategies they need to prevent or respond to bullying or harassment.

Students at NECC are closely supervised and those who exhibit aggressive behavior have specific goals and objectives in Individualized Behavior Plans which prescribe procedures to follow to reduce the likelihood of the occurrence of aberrant behavior, and safely apply consequences when aberrant behavior does occur. These features of the Individualized Behavior Plans minimize the possibility that bullying behavior would occur at NECC. Also, For the most part students at NECC do not have cell phones. Many students do use the internet but students do not have individual social networking pages (except in some cases with family members). Specific safety procedures for student access to electronic media are contained in the Policy of the Educational Use of Electronic Media. All student use of the internet/ computer/ cell phones/electronic devices at NECC occurs under adult supervision.

### **Protocols:**

#### **Assessing Needs and Resources**

The New England Center for Children follows an Applied Behavior Analysis model in all services for our students. As such NECC assesses student behavior and performance in all areas and provides interventions for all students to teach appropriate social behavior, communication skills /self-preservation behavior (seek help when needed), as well other community living skills.

#### **School Climate Survey**

Every four years beginning in the 2015- 2016 school year, or as directed by DESE, NECC will administer the DESE developed survey to assess school climate and the prevalence, nature, and severity of bullying in schools.

The New England Center for Children will offer services to support the creation of a positive school environment which focuses on teaching students positive social skills proactively, and to respond

Last reviewed: November 2019

Reviewed by: Heather Morrison, Director of Administration

effectively if bullied. This will be accomplished using individually identified curricula, and conducting social skills training with students, as appropriate. NECC will continue to develop and expand curricula as necessary to address bullying and responding to bullying.

The following curricula have been identified to use with our student population as specific bully prevention and responding to bullies:

1. Stop-Walk-Tell (Ross & Horner (2009). Bully prevention in positive behavior support. *Journal of Applied Behavior Analysis*, 42, 747-759). This curriculum teaches students and staff how to respond to other's unwanted behavior. This 3-step curriculum protocol will be implemented for appropriate students and will be reviewed in annual staff refreshers.
2. Model Me Kids': *Model Me Conversation Cues* and *Model Me Confidence and Bullying Prevention*.
3. Social Skill Builder: My Community. (Jacobs, L. & Jacobs, J. (2005). *Social skills in Neighborhood and Community Settings*. [Computer software]. Leesburg, VA: Social Skill Builder, Inc.). This software teaches students appropriate social behaviors, interactions, expectations and safety precautions in community settings. It will be incorporated into student's instruction when appropriate.
4. Individualized ACE® curricula that target the social and communication skills appropriate for each student that may include, but is not limited to: Using Assertive Language, Appropriate Refusals, Accept or Reject Items, Request termination, Request Help for Peer, Request Help, Problem Solving, Problem Solving (Community Related), Empathetic responses, Indicates and Names Emotion, Names Emotion and Causes (Using Context Clues); Respond to Stop, Social Distance, Identify False Information, Identify and Respond to Lying, Identify and Respond to Cheating, Apologies, Showing Compassion.

### **Professional Development**

All direct care, clinical and professional staff are trained in the NECC Bullying Prevention Policy. Additionally, these staff are trained in the dynamics of bullying including the following specific components:

1. Strategies to identify students at risk for bullying, strategies for intervention to stop bullying.
2. Interactions and power differential features of bullying for targets, aggressors and witnesses.
3. Research findings on bullying, including information about specific categories of vulnerable or at-risk students
4. Cyberbullying and internet safety as it relates to cyberbullying.

This training will be provided through annual trainings / refresher trainings. The following materials have been used to train at NECC or will be used in the future:

Ross, S & Horner, R. (2009). Bully Prevention in Positive Behavior Support. *Journal of Applied Behavior Analysis*, 42, 747-759.

Olweus, D., Limber, S. & Mihalic, S.F. (1999) *Bullying Prevention Program: Blueprints for Violence Prevention, Book Nine*. Blueprints for Violence Prevention Series (D.S. Elliott, Series Editor) Boulder, CO: Center for the Study and Prevention of Violence, Institute of Behavioral Science, University of Colorado.

### **Student IEPs**

Each student's IEP will include a statement describing his/her potential to be a victim or in some cases the aggressor in an incident that may be interpreted as "bullying". Each student's IEP will target goals related to minimizing this potential through behavior reduction procedures and the acquisition of pro-social skills commensurate with the student's abilities.

### **Counseling and Referrals to Outside Services:**

Last reviewed: November 2019

Reviewed by: Heather Morrison, Director of Administration

NECC works with a consulting psychiatrist and the full-time staff of NECC includes licensed psychologists, a licensed mental health counselor, school psychologist and licensed social worker, as well as many certified behavior analysts. These staff can work with a student's clinical team to assess a student's need for services beyond behavioral intervention. Although students at NECC often are not good candidates for traditional counseling services due to their limited communication skills, NECC can provide limited individual counseling sessions for student and/or refer students to outside resources for counseling. All counseling and referral services would be available for both targets and aggressors. The NECC Family Services Department has a resource of available services for families and would provide referral services for appropriate family members of the involved students.

### **Prevention**

In addition to the specific curricula and strategies mentioned above, NECC actively works to establish a safe, supportive school environment that is respectful of difference and diversity. The following approaches identified in the MA DESE Model Plan are in place at NECC:

- setting clear expectations for students and establishing school and classroom routines;
- creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- using appropriate and positive responses and reinforcement, implementing consequences for student behavior in a neutral, respectful manner
- using positive behavioral intervention;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- using positive approaches to behavioral health, including collaborative problem-solving, 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

### **Parent Education/ Collaboration with Families**

NECC will provide parents access to the anti-bullying curricula in use at NECC as requested. In addition, parents may be offered home training in the anti-bullying curricula as appropriate, based on parent interest. This training will include information about the dynamics of bullying and cyberbullying as well as strategies for internet safety. Parents are encouraged share any concerns for their child while at home or in community settings with family members. NECC will closely collaborate with families to insure their child's safety at home and in the community.

**Reporting Procedures:** Reports of bullying or retaliation may be made by staff, students, parents/guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing.

1. NECC staff members are required to report immediately to the Chief Executive Officer or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses.
2. Reports made by students, parents or guardians, or other individuals who are not NECC staff members, may be made anonymously. No discipline will be implemented based solely on anonymous reporting.
3. NECC will make a variety of reporting resources available to the school community including, but not limited to:
  - a. the NECC Incident Reporting Form,
  - b. dedicated mailing address (Incident Report , 33 Turnpike Rd Southborough, MA 01772)
  - c. email address (Incident report @necc.org)

Last reviewed: November 2019

Reviewed by: Heather Morrison, Director of Administration

4. Each year NECC will provide the school community, including administrators, staff, students, and parents or guardians, with a written copy of this policy for reporting acts of bullying and retaliation. This policy is also distributed to new families in the parent orientation manual.
5. The CEO or his designee is responsible to protect any students who have reported bullying or retaliation, and any witnesses or others who report information about bullying or retaliation. As with any report of an incident at NECC, NECC will interview, investigate, report and follow up confidentially with all involved parties.
6. Any staff or student who knowingly makes a false accusation concerning bullying or retaliation will be appropriately disciplined.
7. **Parent / Guardian notification:** When bullying or retaliation has occurred, the CEO or designee will promptly notify the parents or guardians of the target and the aggressor, 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. The NECC Director of Enrollment and Family Support 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.

Any parent wishing to file a claim/concern or seeking assistance outside of the district 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/pqa>, emails can be sent to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or individuals can call 781-338-3700. Hard copies of this information is also available at the Superintendent's office

8. **School District Notification:** NECC will notify the school district of the aggressor and the target. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.
9. **Notice to Law Enforcement:** At any point after receiving a report of bullying or retaliation, including after an investigation, if the CEO or designee has a reasonable basis to believe that criminal charges such as annoying phone calls, criminal harassment or stalking may be pursued against the aggressor, the CEO/designee will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00. NECC has a close working relationship with the local police department and will establish responding protocol for reporting bullying as needed.
10. **Annual Report to DESE:** Each year NECC will collect and report to the DESE:
  - a. The number of reported allegations of bullying or retaliation
  - b. The number and nature of substantiated incidents of bullying and relational
  - c. The number of students disciplined for engaging in bullying or retaliation
  - d. Other information required by the DESE
11. **Commitment to Bullying Prevention:** NECC will adopt an "anti-bullying seal" to represent its commitment to bullying prevention and intervention.

## **Responding to a Report of Bullying by School Staff**

Bullying Prevention and Intervention Plan applies to bullying of a student by a school staff including, but not limited to educators, administrators, school nurses, cafeteria workers, and maintenance staff. The reporting procedures are outlined above in Reporting Procedures. Any employee found to have engaged in bullying or retaliation will be subject to disciplinary action, up to and including termination from employment.

## **Investigation**

All reports of bullying/ retaliation will be promptly investigated. This investigation will include interviews with staff, witnesses and students involved as well as parents/guardians. The investigation will follow NECC standard protocol for internal investigations which includes a written investigation report. NECC investigation protocol specifies that all interviews, meetings, and reviews are conducted in strict confidence and all parties involved are notified of the need to maintain confidentiality throughout the process.

## **Consequences for bullying**

When it has been determined that bullying or retaliation has occurred, the law requires that NECC will 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).

### **1. Skill-building approaches** that may be considered include:

- offering individualized skill-building sessions based on the NECC anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral interventions 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;
- adapting behavior plans to include a focus on developing specific social skills; and
- making a referral for evaluation.

### **2. Disciplinary Action**

- If the CEO or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found in the investigation, 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 NECC's code of conduct.
- Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which are interpreted in cooperation with state laws regarding student discipline.
- If the CEO 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 CEO 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 may be considered is to increase the supervision at difficult times such as transition time, and in locations where bullying has occurred or may be more likely to occur.

Last reviewed: November 2019

Reviewed by: Heather Morrison, Director of Administration

- Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the CEO or designee will contact the target/target's guardian to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures and/or additional actions to prevent any further acts of bullying or retaliation are needed. NECC will also notify the parents/guardians of the aggressor as well to inform of additional actions to prevent further acts of bullying or retaliation. The CEO or designee will work with appropriate school staff to implement these further actions and supportive measures.

### **Relationship to other Laws**

Consistent with state and federal laws, and the policies NECC, no person shall be discriminated against in admission to NECC or in obtaining the advantages, privilege and courses of study of NECC on account of race, color, sex, religion, national origin, homelessness, or sexual orientation. Nothing in the Plan prevents NECC 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 Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

Developed by Judy Cunniff Serio, Director of Administration  
NECC Executive Committee Member

This plan is based on the MA DESE Model Bullying Prevention and Intervention Plan (August 2010)