

The Whitney Academy

Bullying Prevention and Intervention Plan

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I. LEADERSHIP

The Whitney Academy is committed to providing all of its students with a safe learning and living environment that is free from bullying, cyberbullying and retaliation. This commitment is an integral part of our comprehensive efforts to promote a therapeutic environment and to prevent all forms of bullying at Whitney Academy, given that it negatively affects our students' sense of self, sense of safety and their ability to progress.

We recognize that certain individuals 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, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

The Whitney Academy further recognizes that, based on the characteristics of its student population, many of its students may be vulnerable to become targets or aggressors of bullying, harassment, or teasing. The Whitney Academy will provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

This document describes Whitney Academy's Plan for preventing, intervening and responding to incidents of bullying, cyberbullying and retaliation. The plan has been developed in consultation with our teachers, clinical staff, and administrators, after an assessment of procedures, safeguards and instructional components already in place. It is fully supported by the leadership of Whitney Academy, which includes the Board of Directors, Executive Committee and Department Heads. The leadership is committed to our students, staff, and parents/guardians having a role to play in the plan's ongoing assessment and implementation through annual surveys, biannual data collection and analysis. The Plan in its entirety will be reassessed annually. The Plan reflects leadership's requirement that all aspects of our program support this commitment to promote a safe and therapeutic environment at Whitney Academy including instructional programs for students, the level system of privileges, staff development, parent/guardian involvement, psychoeducational curricula, and leadership support and oversight.

At least once every four years, beginning with 2015/16 school year, the Whitney Academy will administer a Department of Elementary and Secondary Education-developed student survey to assess school climate and the prevalence, nature, and severity of bullying and/or perceived bullying in our school. This information, regardless of the number of actual reported and/or confirmed incidents of bullying, cyberbullying and retaliation, will be used in the Academy's assessment of our Bullying Prevention and Intervention Plan. Additionally, the Whitney Academy will annually report bullying incident data to the Department.

The listed Whitney Academy leaders are responsible for the following tasks under the Plan: 1) receiving reports on bullying; Director of Program Services 2) collecting and analyzing agency-wide data on bullying to assess the present problem and to measure improved outcomes; Coordinator of Clinical Services 3) creating a process for recording and tracking incident reports, and for accessing information related to targets and aggressors; Coordinator of Clinical Services 4) planning for the ongoing professional development that is required by the law; Director of Staff Development 5) planning supports that respond to the needs of targets and aggressors; Coordinator of Clinical Services 6) choosing and implementing the curricula that the Whitney Academy will use; Director of Education and Coordinator of Clinical Services 7) developing new or revising current policies and protocols under the Plan, and designating key

staff to be in charge of implementation of them; Director of Program Services 8) amending student handbooks, personnel policies and procedures and staff code of conduct; Director of Residential Services and Business Officer 9) leading the parent or family engagement efforts and drafting parent information materials; Director of Family Services and 10) reviewing and updating the Plan each year; Director of Program Services.

II. TRAINING and PROFESSIONAL DEVELOPMENT

- A. Annual Staff Training. Annually, training about the Plan for all Whitney direct service and administrative staff will be conducted. The training will include staff duties under the Plan, an overview of the steps that the Director of Program Services or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention instruction to be offered in the school setting and in psychoeducational groups.
- B. Professional Development. Professional Development will build the skills of staff members to prevent, identify, and respond to bullying. Two staff members will be trained through outside resources to become trainers to address information sharing and discussion with Whitney Academy education, clinical and residential staff on the following areas:
- (i) developmentally (or age-) appropriate strategies to prevent bullying;
 - (ii) developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
 - (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
 - (iv) 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;
 - (v) information on the incidence and nature of cyberbullying; and
 - (vi) Internet safety issues as they relate to cyberbullying.

Professional development will address ways to prevent and respond to bullying or retaliation for students with disabilities or students whose disability affects social skills development, both characteristics of the students at Whitney Academy.

- C. Written notice to staff. Whitney Academy will provide all staff with an annual written notice of the Plan by providing, sections related to the definition of bullying and to staff duties, as well as the code of conduct at the annual inservice training devoted to reviewing pertinent policies and procedures.

III. ACCESS TO RESOURCES and SERVICES

Identifying resources: Whitney Academy is fortunate to have on its staff a number of clinically experienced professionals, who provide group and individual therapy to our student population (including social skills group), oversee the behavior level system of privileges, and have regular contact with the parents/guardians of our students. The student-assigned therapist and social worker will be responsible to provide counseling and interventions to our students who become targets or aggressors, and to offer guidance and identification of additional resources to their families.

IV. ACADEMIC and NON-ACADEMIC ACTIVITIES

Whitney Academy will provide bullying prevention instruction to its students in a manner that is age and developmentally appropriate. This instruction will occur within the school program led by our special education teachers and during social skills groups led by our social workers.

A. Specific bullying prevention approaches. The instruction will include the following

- using scripts and role plays to develop skills;
- empowering students to take action by knowing what to do when they witness other students 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.

Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan.

B. General teaching approaches that support bullying prevention efforts. The following approaches are integral to establishing a safe and supportive environment. These underscore the importance of our bullying intervention and prevention initiatives and have always and will continue to be universally utilized at Whitney Academy:

- setting clear expectations for students and establishing routines;
- creating safe school and living environments for all students, including those students with significant disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;
- expectation of staff to develop positive relationships with students;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- using the Internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.
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V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

A. The Whitney Academy will in no way tolerate bullying or retaliation and it is the expectation that any individual who suspects such behavior is or has taken place, will report such to the Program Director or designee immediately.

1. Reporting by staff members: Every staff member is responsible for responding to bullying and retaliation and is considered a mandated reporter. A staff member will immediately report to the Program Director or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation.

The requirement to report bullying or retaliation does not limit, in any way, the authority or responsibility of the staff member to respond to the behavior consistent with Whitney Academy's Behavior Management Program.

2. Reporting by Students, Parents or Guardians, and Others: The Whitney Academy expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student while under the care and supervision of Whitney Academy to report it to the Program Director or designee. Reports may be oral or in writing, and may be made anonymously. Anonymous complaints will be investigated but no disciplinary action will be taken on anonymous complaints unless verified by clear and convincing evidence.

Whitney Academy has made a Bullying Reporting Form (Appendix A) available at the main school building, the business office annex, all four residences, and on its website. A copy will also be provided to the parent or guardian as part of the Admission Packet and at the beginning of each school year.

Whitney Academy 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 Education Director, Residential Director, Clinical Coordinator, Director of Family Services and the Program Director will be included.

B. Responding to a report of bullying or retaliation.

1. Safety

Before and during investigations 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 creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or in Whitney or staff vehicles; and altering the aggressor's schedule and access to the target. Strategies may include placing the aggressor on 'Arm's Length' or 'One-to One' Restriction Status.

The Program Director or designee will also implement appropriate strategies for protecting from bullying or retaliation, any student who reports, witnesses, or provides information on bullying or retaliation.

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 including the action being taken to prevent further acts of bullying or retaliation. There may be circumstances in which parents or guardians are notified 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 a school or program other than Whitney Academy, the principal or designee of the other school(s)/program(s) will be notified of the incident so that appropriate action can be taken. (All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.)

- c. Notice to Law Enforcement. If at any point after receiving a report of bullying or retaliation, including after an investigation, there is reasonable basis to believe that criminal charges should be pursued against the aggressor, the Executive Director will notify the local law enforcement agency. (Notice will be consistent with the requirements of 603 CMR 49.00)

- 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 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 alleged aggressor, target, and witnesses will be reminded that retaliation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the Program Director or designee, or other staff members, and in consultation with clinical staff members, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, confidentiality will be maintained during the investigative process. A written record will be maintained of 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, appropriate steps will be taken 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.

In addition, the students' Interdisciplinary Team will be consulted to identify any underlying issue(s) (social/emotional, psychological, etc.) that may have contributed to the bullying behavior and to assess the level of need for additional interventions.

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

- E. Responses to Bullying.

- 1. Teaching Appropriate Behavior Through Skills-building

Upon determining that bullying or retaliation has occurred, the Program Director or designee 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).

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

- offering individualized skill-building sessions based on Whitney Academy’s anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with clinical staff members;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- talking with parents or guardians to engage support and to reinforce the anti-bullying curricula and social skills building activities; and
- modifying individual behavioral plans to address specific social skills or behaviors related to the incident;

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. At a minimum, all acts of bullying or retaliation will result in the aggressor being placed on Loss of Privilege Status for a minimum of 10 days. Discipline will be consistent with this Plan and with Whitney Academy’s Behavior Management Program.

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 staff supervision at transition or recreational times and in locations where bullying is known to have occurred or is most 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 to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the Program Director or designee will work with appropriate school staff to implement them immediately.

VI. COLLABORATION WITH FAMILIES

- A. Parent education and resources. The Whitney Academy will provide, as part of the ongoing parent/guardian contact by the social worker, a user friendly definition of bullying, cyberbullying, and retaliation; steps parents can take to reduce risk of their child being bullied at home; and general information about Whitney Academy’s Bullying Prevention and Intervention Plan.
- B. Notification requirements. Each year the Whitney Academy 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 cyberbullying and online safety. The Whitney Academy will send parents written notice each year about the student-related

sections of this Plan. The Whitney Academy will post the Plan and related information on its website.

VII. PROHIBITION AGAINST BULLYING AND RETALIATION

The Whitney Academy expects that all members of the school community will treat each other in a civil manner and with respect for differences. Unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation will not be tolerated. We 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. All students will be afforded the same protections regardless of their status under the law.

We will support this commitment in all aspects of the Whitney Academy community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

Acts of bullying, which include cyberbullying, are prohibited:

- (i) on Whitney Academy grounds and property immediately adjacent to school grounds, at a Whitney-sponsored activity, function, or program whether on or off Whitney Academy grounds, on a vehicle owned, leased, or used by a school district or school or on-duty Whitney Academy staff member; 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.

VIII. PROBLEM RESOLUTION SYSTEM:

Any parent wishing to file a claim/concern or seeking assistance outside of the Whitney Academy 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 or individuals can call 781-338-3700. Hard copies of this information are also available at the Program Director's office.

IX. DEFINITIONS

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

Bullying, as defined in M.G.L. c. 71, § 37O, 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. 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, 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 Whitney Academy, no person shall be discriminated against in admission based on race, color, religion, national origin, or sexual orientation. Nothing in the Plan prevents The Whitney Academy 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 Whitney Academy to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, or other applicable laws in response to violent, harmful, or disruptive behavior.