



**MILTON ACADEMY**  
**BULLYING PREVENTION AND INTERVENTION**  
**PLAN**



## **MILTON ACADEMY BULLYING PREVENTION AND INTERVENTION PLAN**

**DEAN OF STUDENTS, MIDDLE AND LOWER SCHOOL PRINCIPALS' OFFICES**

### **Milton Academy Bullying Prevention and Intervention Plan**

Milton Academy (“School” or “Academy”) expects its students, faculty and staff to uphold the rights and well-being of others. Impinging on the well-being of others or violating the rights of others is therefore unacceptable. As a school community, Milton Academy prohibits bullying, physical or verbal assault, hazing, abuse, cruelty, or any sort of harassment and regards such acts as serious disciplinary offenses, as set forth in more detail in this Milton Academy Bullying Prevention and Intervention Plan (“Plan”). Students or Academy Staff (as defined below) knowingly in the presence of these rule violations add support by their presence and will also be held accountable.

#### **Prohibitions**

Bullying and cyber-bullying are prohibited in School buildings, on School grounds, on property immediately adjacent to School grounds, and at School-related or School-sponsored activities, functions or programs, whether on or off School grounds. Bullying and cyber-bullying are also prohibited at School bus stops, on School buses and other vehicles owned, leased or used by the School, and through the use of technology or an electronic device owned, leased, or used by the School.

In addition, bullying and cyber-bullying are prohibited at a location, activity, function or program that is not School related, in a vehicle that is not owned, leased or used by the School, and through the use of technology or an electronic device that is not owned, leased, or used by the School, if the bullying creates a hostile environment at School for a targeted student; infringes on the rights or well-being of a targeted student at School; or materially and substantially disrupts the educational process or the orderly operation of the School.

The School also prohibits retaliation against any person who reports bullying, provides information during an investigation of bullying, witnesses or has reliable information about bullying, or otherwise assists in the enforcement of this Plan.

The prohibitions set forth above apply regardless of the medium, in direct personal interactions, in any electronic or voice communication, and on blogs, social networking sites, Web forums or other online sites.

#### **Definitions of Bullying and Retaliation**

For purposes of this Plan, and consistent with Massachusetts Anti-Bullying Law (M.G.L. c. 71, §370), “bullying” shall mean:



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*"the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school." Bullying includes cyber-bullying (defined below).*

**"Cyber-bullying" shall mean:**

*"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, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying shall also include (i) the creation of a Web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include the 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 clauses (i) to (v), inclusive, of the definition of bullying."*

**A "hostile environment" shall mean:**

*"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" shall mean:**

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

### **Reporting Bullying or Retaliation; Confidentiality; Assistance and Support**



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***Students:*** Any student who feels that he or she or any other student has been the victim of an act of bullying or retaliation is strongly encouraged to report the matter promptly to the Dean of Students, Lower School or Middle School Principal. Student reports of bullying may be made orally or in writing, and/or anonymously, although the School is prohibited from taking any disciplinary action against a student solely on the basis of an anonymous report. A student who knowingly makes a false accusation of bullying or retaliation will be subject to disciplinary action, up to and including dismissal.

***Parents/Guardians:*** The School urges the parents or guardians of a student who is the target of bullying or retaliation or of a student who has witnessed or otherwise has relevant information about bullying or retaliation to promptly notify the Dean of Students, Lower School or Middle School Principal. Furthermore, any parent or guardian who has witnessed or otherwise has relevant information about bullying or retaliation or feels that any student has been the victim of an act of bullying or retaliation is strongly encouraged to report the matter promptly to the Dean of Students, Lower School or Middle School Principal. Such reports of bullying or retaliation may be made orally or in writing and/or anonymously, although the School is prohibited from taking any disciplinary action against a student solely on the basis of an anonymous report.

***Faculty and Staff:*** Every person who is employed by the School in any capacity, including for example and without limitation, an educator, administrator, School nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional (collectively referred to in this Policy as "Academy Staff"), must immediately report any act of bullying or retaliation that the person witnesses or otherwise becomes aware of to the Dean of Students, Lower School or Middle School Principal. Reports of bullying or retaliation may be made orally or in writing, but Academy Staff may not make reports under this Plan anonymously. An Academy Staff member who knowingly makes a false accusation of bullying or retaliation or who fails to immediately report an instance of bullying or retaliation of which he or she is aware will be subject to disciplinary action, up to and including dismissal.

***Alternative Outlets; Assistance/Support in Reporting:*** Any student, parent or Academy staff member who does not feel comfortable reporting bullying or retaliation to the Middle or Lower School Principal for any reason, may make his/her report to the Head of School, Academy Counsel or Chief Human Resources Officer instead. The same reporting procedures and limitations described above, apply to any such report made. In addition, counselors are available in the upper school to assist anyone needing support in reporting any prohibited activity under this Policy.

***Confidentiality:*** Because information must be shared in order to conduct effective investigations under this Plan, the School cannot promise strict confidentiality to individuals



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reporting allegations of violations of this Plan. However, the School will only release information concerning complaints of bullying, cyber-bullying and retaliation on a legitimate need to know basis.

#### **Vulnerable Populations**

The School recognizes that certain 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 one or more of these characteristics.

The School shall take steps to support these vulnerable students and to provide all students with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment, such as, without limitation, setting clear expectations for students; creating safe School and classroom environments for all students, including students in vulnerable populations; using appropriate and positive responses and reinforcement, even when students require discipline; encouraging adults to develop positive relationships with students; and supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

#### **School Response to Allegations of Bullying or Retaliation**

**Investigation:** Once any complaint of bullying or retaliation is received, the Dean of Students, Lower or Middle School Principal or designee will promptly conduct an impartial investigation of the complaint. The nature and extent of the investigation will depend upon the circumstances of the complaint and may include, without limitation, interviews with: the person who made the complaint; the student who was the target of the alleged bullying or retaliation; the person or persons against whom the complaint was made; any students, Academy Staff or other person who witnessed or who may otherwise have relevant information about the alleged incident or the involved student(s); and the School's mental health professionals.

Whenever possible, complaints of bullying and retaliation shall be investigated and handled in accordance with the normal processes and channels followed by Milton Academy for a violation of Academy rules and policies, as outlined in the Academy handbooks.

**Protection of Victim and Persons Reporting Bullying:** Upon receipt of allegations of bullying or retaliation and before fully investigating the allegations, the Dean of Students, Lower or Middle School Principal or designee will promptly take the following actions:



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Assess the victim's need for protection and take appropriate steps as necessary to restore a sense of safety for that student and/or to protect him or her from possible further incidents. Where applicable, also assess the need for protection and take appropriate steps to protect from bullying or retaliation the person who reported the bullying, provided information during an investigation of bullying or witnessed or has reliable information about an act of bullying. Responses to promote safety of the above individuals may include for example and without limitation, creating a personal safety plan; pre-determining seating arrangements for the target and perpetrator in the classroom, at lunch or on the bus; identifying an Academy Staff member who will act as a "safe person" for the target; and altering the aggressor's schedule and access to the target.

***Required Notifications:*** If the investigation determines that the bullying or retaliation did occur, the Dean of Students, Lower or Middle School Principal or designee will take the following actions:

Promptly notify the parents or guardians of the victim of the determination and, to the extent consistent with state and federal law, of any action taken to prevent any further acts of bullying or retaliation.

Promptly notify the parents or guardians of the alleged perpetrator(s) of the determination.

Immediately notify local law enforcement, if the Dean of Students, Lower or Middle School Principal has a reasonable basis to believe that criminal charges may be pursued against a perpetrator. Depending on the nature of the conduct, bullying may involve, for example, crimes related to stalking; making threats; harassment; or making harassing, annoying or molesting electronic communications. Retaliation or threats of retaliation may involve, for example, the crime of witness intimidation.

Promptly notify (via telephone) the appropriate administrator of another school if an incident of bullying or retaliation involves a student from that school. All communications shall be in accordance with applicable state and federal privacy laws and regulations.

Promptly notify law enforcement if an incident of bullying or retaliation which occurs on School grounds involves a former Academy student under the age of 21 who is no longer enrolled at the School.

Within a reasonable period of time following the determination of bullying or retaliation and the implementation of the remedial and/or disciplinary action, and periodically thereafter throughout the remainder of the year, the Dean of Students, Lower or Middle School Principal or designee shall check-in with the victim to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If additional



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supportive measures are needed, the Dean of Students, Lower or Middle School Principal or designee will work with appropriate school staff to implement those measures immediately.

***Determination and Disciplinary Response:*** If the Dean of Students, Lower or Middle School Principal or designee determines that bullying or retaliation has occurred, that any other element of this Plan has been violated, or that any other School rule has been violated, the Dean of Students, Lower or Middle School Principal or designee will make a recommendation to the Head of School regarding what disciplinary action and/or other remedial action is appropriate and how it should be implemented. The Head of School may follow this recommendation and direct the Dean of Students, Lower or Middle School Principal or designee to implement the recommended action, or determine that a different disciplinary action and/or remedial action is more appropriate and direct the Dean of Students, Lower or Middle School Principal or designee to implement that different action.\* Disciplinary action imposed for bullying or retaliation may include any form of discipline that the School imposes for other violations of its rules and policies, up to and including dismissal, provided that it balances the need for accountability with the need to teach appropriate behavior.

\*The Head of School retains final authority over all disciplinary matters at Milton Academy and may, in his or her discretion, make all final decisions regarding discipline, including the decision in any instance and for any reason to exercise jurisdiction over a disciplinary matter rather than referring the matter to the Academy's normal disciplinary channels, or any committee or person.

When the School determines it is necessary, the School, in consultation with the School's counseling staff, may provide the perpetrators, victims or family members of such students with counseling or other services that it determines would be helpful, or a referral to such services.

It is important to note that students at Milton Academy may be held to standards of behavior under Milton Academy's Major School Rules or other codes of conduct which are actually stricter than those set forth in this Plan. Because of these standards, conduct which may not necessarily qualify as "bullying" as it is defined under this Plan may still be subject to discipline. For example, although the Plan (consistent with state law) defines bullying as "repeated use" of certain expressions, acts, and/or gestures, the School reserves the right to apply disciplinary measures or other remedial action following a single act of those expressions, acts and/or gestures, if the School determines that act is of sufficient severity to warrant the disciplinary measures or other remedial action under the Academy's Major School Rules or other rules of conduct.

***Record Keeping:*** For all reports of bullying or retaliation, the Dean of Students for the upper school, the Middle School Principal for the middle school and the lower School Principal for the



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lower school, will keep a file of the report, the investigation, and any steps taken in response to a finding of bullying or retaliation.

#### **Notification of Plan and Training on Plan**

The School will provide written notice of this Plan to students and parents/guardians at least annually. Relevant student-related portions of the Plan will be included in the Student Handbook.

The School will post the entire Plan on its Web site.

The School will provide written notice of, and training on, this Plan for all faculty and staff at least annually. The training at a minimum will include a review of the reporting obligations for all faculty and staff and the processes that the School will follow in response to a report of bullying or retaliation.

The Plan, or those portions relating to the duties of faculty and staff, will be included in the Employee Handbook.

The School will inform parents and guardians about the School's bullying prevention and intervention curricula, including without limitation: (1) how parents and guardians can reinforce the curriculum at home and support the School's Plan; (2) the dynamics of bullying; and (3) online safety and cyber-bullying.

#### **Reviewing and Updating the Plan; Consultation**

The Plan will be updated at least once every two years. In connection with that update, the Dean of Students, Lower or Middle School Principal or designee will be responsible for reviewing the Plan, reviewing the file of reported incidents of bullying or retaliation in at least the preceding two years, and undertaking such other steps as may be appropriate to evaluate the effectiveness of the Plan and the School's compliance with the Plan and any laws or regulations relating thereto. In addition, prior to each biennial update of the Plan, the Dean of Students, Lower or Middle School Principal or designee shall consult with families that have a child attending the School regarding the proposed Plan update by providing those families with notice of the proposed Plan update and a comment period on the same.

#### **Conclusion**

This Plan is intended to: (1) prevent bullying or retaliation among Academy students; (2) encourage students and their parents to have confidence in the School's procedures and to come forward promptly whenever a student is subject to conduct that is prohibited by this Plan or





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any other School policy; and (3) implement appropriate discipline and other corrective measures which are found to be warranted.