

The Education Cooperative Bullying Prevention & Intervention Plan

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

We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. 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. 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.

We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. TEC will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

Program Directors in conjunction with the Director of Student Services are responsible for the implementation and oversight of this plan.

Acts of bullying and cyberbullying are prohibited:

- I. on school grounds, property immediately adjacent to school grounds, at a school sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school, or through the use of technology or an electronic device owned, leased, or used by a school district and
- II. 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 a school district or school, if the acts create a hostile environment at school for the target, infringes on their rights at school, or materially and substantially disrupts the education process or the orderly operation of a school.

Retaliation against a person who reports bullying, who provides information during an investigation of bullying, or who witnesses or has reliable information about bullying shall be prohibited.

A. Definitions

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

Bullying, as defined in M.G.L. c.71, §370, is the repeated use by one or more students or a member of a school staff of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- I. causes physical or emotional harm to the target or damages the target's property;
- II. places the target in reasonable fear of harm or damage to his 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 orderly operation of a school.

Bullying may include conduct such as physical intimidation or assault, including: intimidating an individual into taking an action against his/her will; oral or written threats; teasing; putdowns; name-calling; stalking; threatening looks, gestures, or actions; cruel rumors; false accusations; and social isolation.

Cyber-Bullying, as defined in M.G.L. c. 71, §37O is 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. Cyberbullying shall also include:

- I. the creation of a web page or blog in which the creator assumes the identity of another person;
- 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; and
- III. 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.

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 so as to alter the conditions of the student's education.

Investigator TEC Administration staff member responsible for investigating reports of bullying, determining if the report is substantiated, and determining if disciplinary action is appropriate. The Investigator is most commonly the Program Director, but it could be the Director of Student Services, Executive Director, or TEC Board of Directors if the alleged aggressor is a member of TEC's Administration staff.

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

School Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Target is a student against whom bullying, cyberbullying, or retaliation has been perpetrated.

B. Annual Staff Training on the Plan

TEC will provide annual training on bullying prevention and intervention to all staff at the mandatory Orientation meeting held prior to the start of each school year. Annual training for all TEC staff on the Plan will include staff duties under the Plan, an overview of the steps that the Program Director or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. Staff members hired after the start of the school year will be trained by the Program Director or by a trained member of TEC.

C. Ongoing Professional Development

The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build

the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, §37O, the content of TEC professional development will be informed by research and will include information on:

- 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 also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individual Education Program (IEP)s, with particular focus on students with Autism Spectrum Disorder or whose disability affects social skills development. Program Directors, in conjunction with the Out-of-District Placement Coordinators, will ensure and be responsible to ensure this topic is addressed by the Team and changes are made to the Individual Education Program (IEP) as appropriate and in accordance with input from the IEP Team.

Additional areas identified by TEC for professional development include:

- I. The use of empirically-tested instructional principles to teach expected behavior outside the classroom to all students.
- II. The monitoring and acknowledgement of students for engaging in appropriate behavior outside the classroom.
- III. Specific instruction and pre-correction to prevent bullying behavior from being rewarded by targets or bystanders.
- IV. The correction of problem behaviors using a consistently administered continuum of consequences.
- V. The collection and use of information about student behavior to evaluate and guide decision-making.
- VI. The establishment of a team that develops, implements, and manages the Bully Prevention in Positive Behavior Support (BP-PBS) effort in a school.
- VII. Engaging staff and those responsible for the implementation and oversight of the Plan to distinguish between acceptable managerial behaviors designed to correct misconduct, instill accountability in the school setting, etc and bullying behaviors.

D. Written Notice to Staff

TEC will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties, and bullying of students by school staff in the school or district employee handbook and the code of conduct.

E. Access to Resources and Services

A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, student aggressors, families and others are addressed. If a student has been identified as a target or as an aggressor the following supports will be made available.

Identifying Resources

TEC educational programs offer support to students in a protected environment with small class sizes (4-10 students) with a low student to teacher ratio. All staff members are highly trained to work with students with disabilities. In addition to teaching and therapy staff, students also have access to counseling through TEC's school adjustment counselors/social workers. Many students who attend TEC programs also receive services through outside private agencies. TEC staff

members routinely work with families to solicit releases to directly communicate with outside providers and with this authorization communication is established between the school program and outside providers. Should a student require additional counseling or agency resources, TEC staff members work closely with families to identify need, and to provide access to community resources. Also available to parents, through District request, are extensive home services offered through our Applied Behavior Analysis Home-Based Services program.

Counseling and Other Intervention Services

As indicated above, counseling and positive behavior support services are available for all students at TEC. Should behavioral incident reports or bullying incident reports indicate a need for further counseling supports, the Program Director will make an immediate referral to one of the TEC school adjustment counselors/social workers and/or behavior specialists. Additionally, positive behavioral support plans may be developed or modified based upon incident reporting through the intervention support of the Program Director. It is at the discretion of the Program Director, teaching staff, and school adjustment counselors/social workers as well as behavior specialists to develop a plan for involving and providing information to parents about bullying behaviors and steps they may take outside the school day.

F. Bullying and Retaliation Are Prohibited and Will Lead to Discipline

TEC absolutely prohibits bullying, cyberbullying, and retaliation as defined above. Students or School Staff who engage in bullying or retaliation will be subject to disciplinary action; however, disciplinary action taken for students must balance the need for accountability with the need to teach appropriate behavior. The range of disciplinary action for students includes, but is not limited to, one or more of the following: verbal warnings, written warnings, reprimands, detentions, short-term or long-term suspensions from school as determined by the school administration, subject to applicable procedural requirements. Nothing in this policy is intended to prevent the school administration from taking disciplinary action against a student for conduct that does not meet the definition of bullying or cyberbullying, as defined above, but nevertheless is inappropriate for the school environment.

G. Reporting Obligations

Reporting by Staff: It is TEC's expectation that TEC staff and the host school staff shall immediately report any instance of bullying or retaliation s/he has witnessed or become aware of to the Program Director or designee, or to the Director of Student Services or designee when the Program Director is the alleged aggressor, or to the Executive Director or designee when the Director of Student Services is the alleged aggressor, or to the TEC Board of Directors or designee when the Executive Director is the alleged aggressor. The Program Director or designee shall immediately inform the Director of Student Services. The Director of Student Services or designee shall immediately inform the School Principal or designee of the host school, and Special Education Administrator or designee from the sending school district.

Reporting by Students, Parents/Guardians, and Others: TEC expects students, parents/guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the Program Director or designee, or to the Director of Student Services or designee when the Program Director is the alleged aggressor, or to the Executive Director or designee when the Director of Student Services is the alleged aggressor, or to the TEC Board of Directors or designee when the Executive Director is the alleged aggressor. An individual may make an anonymous report of bullying or retaliation using the procedure at the host school or that of TEC. However, no disciplinary action may be taken against a student solely on the basis of an anonymous report. A student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action.

Reporting to Parents/Guardians: The Program Director or designee will notify the parent/guardian of the alleged target and the alleged student aggressor of a report of bullying or retaliation once a pre-investigation of events has been conducted. If either the alleged target or alleged aggressor attends or works at a host school, the Program Director or

designee will notify the School Principal of the host school, and Special Education Administrator or designee of the sending school district. If the alleged target and alleged student aggressor attend different schools, the Program Director or designee receiving the report shall inform the Program Director of the other program or Principal of the other student's school, who shall notify the student's parents of the report and procedures.

Reporting to Local Law Enforcement: At any point after the receipt of a report of bullying or retaliation, including during or after an investigation, if the Program Director or designee has a reasonable basis to believe that the incident may involve criminal conduct, the Program Director or designee will notify the local law enforcement agency. In addition, if an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in a local school district, charter school, non-public school, approved private day or residential school, or collaborative school, the Program Director or designee will notify local law enforcement if he/she believes that criminal charges may be pursued.

Reporting to Administrator of Another School District or School: If an incident of bullying or retaliation involves students from more than one school district and TEC is the first to be informed of the bullying or retaliation, then the Program Director or designee must, consistent with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action.

H. Responding to a Report of Bullying or Retaliation

Before fully investigating the allegations of bullying or retaliation, the Investigator 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 student aggressor in the classroom, at lunch, or on the bus; and identifying a staff member who will act as a "safe person" for the target.

The Investigator will take additional steps to promote safety during the course of and after the investigation, as necessary. Additionally, the Investigator 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.

I. Investigation

The Investigator in collaboration with host school administration, as warranted, shall investigate promptly a report of bullying or retaliation, giving consideration to all circumstances at hand, including the nature of the allegations and the ages of the students involved. The following are general guidelines for responding to a report of bullying or retaliation. The guidelines will be adapted as necessary to respond appropriately to the complaint.

Pre-Investigation: Even before fully investigating allegations of bullying or retaliation, TEC personnel in collaboration with host school administration will consider whether there is a need to take immediate steps to support the alleged target and/or protect the alleged target from further potential incidents of concern. In taking any such action, however, the rights of both the alleged target and alleged aggressor must be considered.

Written Statement of the Complaint: The Investigator will seek to determine the basis of the complaint, gathering information from the complainant, including such matters as: what specifically happened, who committed the alleged acts, who was present or may have information about the events, when the events occurred (date, time of day), and where the events occurred. It is helpful to have these facts in writing. If age appropriate, the complainant may be asked to put the complaint in writing and to sign and date it. If the complainant cannot or chooses not to write a complaint, the Investigator

will record the allegations, read them to the complainant to confirm accuracy, and ask the complainant to sign the document. If the complainant cannot or chooses not to sign, the Investigator may sign and date the document her/himself.

Interviews: Once the allegations of the complainant are established, the Investigator will gather other evidence, which often involves interviews of students, staff, witnesses, parents or guardians, and others as necessary. If appropriate, the Investigator should remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

Confidentiality: The Investigator will promptly notify the parents or guardians of the target and the student aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the Investigator 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.

J. Determination

The Investigator will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the Investigator 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 Investigator 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 Investigator may choose to consult with the students' teacher(s) and/or school counselor, and the target's or student aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The Investigator 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.

K. Response to Bullying

Teaching Appropriate Behavior through Skills-Building: Upon the Investigator determining that bullying or retaliation has occurred, the law requires that the school or district 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 Investigator may consider include:

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

Taking Disciplinary Action: If the Investigator decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Investigator, 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 of a student will be consistent with the Plan and with the student's individual behavior plan and/or Individual Education Program (IEP).

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

If the Investigator determines that a student knowingly made a false allegation of bullying or retaliation, that student shall be subject to disciplinary action.

If the Investigator determines that disciplinary action is appropriate for a staff member, the Investigator will assess all available options, up to and including dismissal of the staff member from his/her position.

Promoting Safety for the Target and Others: The Investigator 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 Investigator 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 Investigator 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 Investigator will work with appropriate school staff to implement them immediately.

L. Students with Disabilities

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

M. Age Appropriate Instruction

TEC has identified current programs in place throughout the organization that address the social and behavioral wellbeing of our students. Current programs identified include: *CPI, Safety-Care, Positive Behavioral Interventions and Supports (PBIS), and Social Skills Training.*

Specific Bullying Prevention Approaches

Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:

- using scripts and role plays to develop skills;
- empowering students to take action by knowing what to do when they witness other students or school staff engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance;
- emphasizing cyber-safety, including safe and appropriate use of electronic communication technologies;

- enhancing students' skills for engaging in healthy relationships and respectful communications; and
- engaging students in a safe, supportive school environment that is respectful of diversity and difference

TEC initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan. The Plan will be reviewed annually with all students in September.

General Teaching Approaches that Support Bullying Prevention Efforts

- 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, even when students require discipline;
- using positive behavioral supports;
- encouraging adults to develop positive relationships with students;
- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the Internet safely, and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength

N. Parent Education and Resources

TEC parents will be eligible to attend local trainings through their sending districts as sponsored by the local PTO, PTA, School Councils, Special Education Parent Advisory Council, or similar organizations. In addition, TEC parents will be notified by classroom teachers when students are receiving curriculum instructions around this topic. Parent trainings will also be offered by TEC and individual parent trainings will be provided by TEC on a case specific basis.

O. Notification Requirements

Each year at the beginning of the school year either through the registration packet or the student handbook, TEC 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, as well as the student-related sections of the Plan and TEC's Internet and Network Acceptable Use Policy. TEC will post the Plan and related information on its website.

Consistent with state and federal laws, and the policies of TEC, no person shall be discriminated against in admission to a public school or any town or in obtaining the advantages, privilege, and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents TEC 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 TEC to take disciplinary action or other action under M.G. L. C. 71, §§ 37H or 37H ½, M.G.L. c. 71, §§41 and 42, M.G.L.c 76 § 5, 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.

At least once every four years beginning with 2015-2016 school year, TEC will administer a Department of Elementary and Secondary Education-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools. Additionally, TEC will annually report bullying incident data to the Department.



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P. Problem Resolution System

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 or individuals can call 781-338-3700. Hard copies of this information are also available at the Executive Director's office.

Legal References

- M.G.L. c. 71, § 37O
- 603 CMR 49.00 Notification of Bullying or Retaliation Regulation

BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM

1. Name of Reporter/Person Filing the Report: _____

(Note: Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.)

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

3. Check whether you are a:

Student Staff member (specify role) _____
 Parent Administrator Other (specify) _____

Your contact information/telephone number: _____

4. If student, state your school/TEC Program: _____ **Grade:** _____

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

6. Information about the Incident:

Name of Target (of behavior): _____

Name of Aggressor (Person who engaged in the behavior) _____

Date(s) of Incident(s): _____

Time When Incident(s) Occurred: _____

Location of Incident(s) (Be as specific as possible) _____

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

Name: _____ Student Staff Other _____

Name: _____ Student Staff Other _____

Name: _____ Student Staff Other _____

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

FOR ADMINISTRATIVE USE ONLY

9. Signature of Person Filing this Report:

(Note: Reports may be filed anonymously.) _____ **Date:** _____

10: Form Given to: _____ **Position:** _____ **Date:** _____

Signature: _____ **Date Received:** _____

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I. INVESTIGATION

1. Investigator(s): _____ **Position(s):** _____

2. Interviews:

Interviewed aggressor **Name:** _____ **Date:** _____
 Interviewed target **Name:** _____ **Date:** _____
 Interviewed witnesses **Name:** _____ **Date:** _____

3. Any prior documented incidents by the aggressor? Yes No

If yes, have incidents involved target or target group previously? Yes No

Any previous incidents with findings of BULLYING, RETALIATION Yes No

Summary of Investigation:

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

II. CONCLUSIONS FROM THE INVESTIGATION

1. Finding of bullying or retaliation:

YES **NO**
 Bullying **Incident documented as** _____
 Retaliation **Discipline referral only** _____

2. Contacts:

Target's parent/guardian **Date:** _____ **Aggressor's parent/guardian** **Date:** _____
 District Contact **Name** _____ **Position** _____ **Date:** _____
 Law Enforcement **Date:** _____

3. Action Taken:

4. Describe Safety Planning: _____

Follow-up with Target: scheduled for _____ **Initial and date when completed:** _____

Follow-up with Aggressor: scheduled for _____ **Initial and date when completed:** _____

Report forwarded to Program Director
(If program director was not the investigator) **Date:** _____

Report forwarded to Director of Student Services **Date:** _____

Investigator Signature: _____ **Date:** _____