

HARASSMENT, INTIMIDATION OR BULLYING

Reflective of the Sayreville School District's core ethical values of caring, trustworthiness, respect, responsibility, fairness, and citizenship, and based on parent, student and community involvement which represents the composition of our schools and community, the Sayreville Board of Education ("Board") has established a policy prohibiting harassment intimidation and/or bullying of any student, staff member and/or volunteer/visitor. Pursuant to N.J.A.C.6A:16-7.1(a)3, this policy will be reviewed annually by the Affirmative Action Officer, with parent, community and student input and recommendations made for any necessary revisions and Board approval. Programs and services to prevent violations of this policy will be planned in consultation with parents, students and community members in accordance with the guidelines set forth in N.J.A.C. 6A:16-7.9(d)3i.

The Sayreville Board of Education acknowledges that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Harassment, intimidation, or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Since students learn by example, school administrators, staff members, and volunteers/visitor must demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate harassment, intimidation, or bullying. As a consequence, students are expected to exhibit behaviors toward all members of the school community that exemplify caring, trustworthiness, respect, responsibility, fairness, and citizenship.

DEFINITION OF HARASSMENT, INTIMIDATION OR BULLYING

The Board prohibits any student, staff member, volunteer or visitor from engaging in any act or behavior of harassment, intimidation, or bullying towards other students, staff members or volunteers/visitors on school property, at school-sponsored functions, on a school bus, or through any electronic communication or medium. Electronic communication or medium shall include, but is not limited to, telephones, cellular phones and camera phones, text messaging devices, computers, the internet, e-mail, and digital cameras.

Harassment, intimidation or bullying means any gesture, picture or any written, verbal, electronic or physical act that takes place on school property, at any school-sponsored function or on a school bus and included in N.J.S.A. 18A:37-15(3)(b)(2)and N.J.A.C.6A:16-7.9(a)2ii that:

- A. is motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability; or,
- B. by any other distinguishing characteristic; and

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- C. a reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a student, staff member or volunteer/visitor or damaging a student's, staff member's or volunteer's/visitor's property, or placing a student, staff member or volunteer/visitor in reasonable fear of harm to his/her person or damage to his/her property; or
- D. has the effect of insulting or demeaning any student, staff member, volunteer/visitor or group of students, in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

BEHAVIORAL EXPECTATIONS

The Board expects students, staff and volunteers/visitors to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with a proper regard for the rights and welfare of other students, staff members and volunteers/visitors. This expectation is consistent with the district's core ethical values, the Sayreville Code of Student Conduct (Policy R5131), and the district's standards of professional staff behavior. It will serve as the foundation of the educational purposes underlying all school activities, and the care of school facilities and equipment.

The Board believes that standards for student, staff and volunteer/visitor behavior must be set cooperatively through interaction among the students, parents/guardians, staff and community members, in order to produce an educational environment that encourages all members of the school community to grow in self-discipline. The development of this positive educational setting and atmosphere on the part of students, staff members, volunteers, visitors, and community members, requires respect for self and others, as well as respect for Board and/or community property.

REMEDIAL MEASURES

The Board is committed to a policy that identifies those students, staff members or volunteers/visitors who become involved in any act or behavior of harassment, intimidation, or bullying. Consequently, the Board requires its school administrators to implement procedures that ensure the appropriate remedial responses for students, staff and volunteers/visitors who commit one or more acts of harassment, intimidation or bullying. Appropriate remedial measures are those that are graded according to the severity of the offenses. The following factors, at a minimum, shall be given full consideration by the school administration in the appropriate remedial measures for each act of harassment, intimidation or bullying by students, staff members and volunteers/visitors: the developmental and maturity levels of the parties involved, performance, the levels of harm, the surrounding circumstances, the nature and severity of the behaviors, past incidences or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Remedial measures shall be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation or bullying.

FACTORS DETERMINING REMEDIAL MEASURES

Personal

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- Life skill deficiencies;
- Social relationships;
- Strengths;
- Talents;
- Traits;
- Interests;
- Hobbies;
- Extra-curricular activities;
- Classroom participation; and
- Academic and/or job performance.

Environmental

- School/work culture;
- School/work climate;
- Student-staff relationships and staff behavior toward the student;
- General staff management of classrooms or other educational environments;
- Staff ability to prevent and manage difficult or inflammatory situations;
- Social-emotional and behavioral supports;
- Social relationships;
- Community activities;
- Neighborhood situation; and
- Family situation.

EXAMPLES OF REMEDIAL MEASURES

Personal Remedial Measures for Students, Staff, and Volunteers/Visitors as Deemed Appropriate by a Principal or the Affirmative Action Officer

- Restitution and restoration;
- Mediation;
- Peer support group;
- Group counseling sessions for victims;
- Life Skills training for victims;
- Supportive 1- to -1 counseling for victims;
- Recommendations of a peer mediation or ethics council;
- Corrective instruction or other relevant learning or service experience;
- Supportive student interventions, including participation of the Intervention and Referral Services team, pursuant to N.J.A.C. 6A:16-8;
- Behavioral assessment or evaluation, including, but not limited to, a referral to the Child Study Team, as appropriate;
- Behavioral management plan, with benchmarks that are closely monitored;
- Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- Involvement of Vice Principal, Dean of Discipline and/or Student Assistance Counselor (SAC);
- Student/Staff/Volunteer/Visitor counseling;
- Parent conferences;
- Corrective Action Plan (CAP);
- Personalized or group training sessions;

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- Student/Staff/Volunteer/Visitor treatment; or
- Student/Staff/Volunteer/Visitor therapy.

CONSEQUENCES FOR VIOLATIONS OF THIS POLICY

Consequences and remedial measures for a student who commits one or more acts of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension, expulsion or removal to an alternative educational setting, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions., They are also set forth in the Board of Education's approved Code of Student Conduct (Policy R5131), pursuant to N.J.A.C. 6A:16-7.1. Consequences and remedial measures for a staff and volunteer/visitor range from an administrative reprimand to dismissal.

Appropriate consequences for a student, staff member volunteer/visitor who commits an act of harassment, intimidation or bullying are those that are graded according to the severity of the offenses. The following factors, at a minimum, shall be given full consideration by the school administration in determining the consequences and remedial measures for each act of harassment, intimidation or bullying by students, staff members and volunteers/visitors: the developmental and maturity levels of the parties involved, performance, the levels of harm, the surrounding circumstances, the nature and severity of the behaviors, past incidences or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. All consequences must be consistent with the Board of Education's Code of Student Conduct and N.J.A.C. 6A:16-7, Student Conduct and the district's standards of professional staff behavior. The consequences and remedial measures may include, but are not limited to, the examples listed below:

EXAMPLES OF CONSEQUENCES

Consequences for Students

- Admonishment;
- Group counseling sessions for victims;
- Life Skills training for victim;
- Supportive 1- to -1 counseling for victim;
- Life skills training for offenders;
- Temporary removal from the classroom;
- Deprivation of privileges;
- Teacher or Administrative detention;
- Referral to a Vice Principal or the Dean of Discipline;
- In-school suspension during the school week or on the weekend;
- After-school programs;
- Out-of-school suspension (short-term or long-term);
- Removal to an alternative educational setting/expulsion;
- Any and all consequences included in the Code of Student Conduct; and
- Legal action.

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Consequences for Staff Members and/or Volunteers/Visitors

- Admonishment;
- Letter of reprimand in personnel file;
- Corrective Action Plan;
- Referral to Counselor/Medical Doctor
- Required harassment, bullying or intimidation group or individual training;
- Temporary/permanent removal from the school/classroom;
- Suspension with and/or without pay;
- Increment withholding;
- Dismissal; and
- Legal action.

INSTITUTIONAL AND ENVIRONMENTAL REMEDIAL ACTIONS

Although the Board recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school officials respond appropriately to the individuals committing the acts, other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom, school building or school district levels or by law enforcement officials. Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions. Consequences and appropriate remedial actions for staff members and volunteers/visitor may range from an administrative reprimand up to and including dismissal. In considering whether a response beyond the individual is appropriate, the administrator shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. The following are examples of institutional and environmental responses, beyond individual remedial measures to acts of harassment, intimidation or bullying, that may be implemented:

Institutional (Classroom, School Building or School District) Remedial Measures for Students, Staff, Volunteers/Visitors as Deemed Appropriate by a Principal or the Affirmative Action Officer

- School and community surveys;
- Mailings;
- Focus groups;
- Adoption of research-based bullying prevention program models;
- Training for certificated and non-certificated staff;
- Participation of parents and other community members and organizations;
- Small or large group presentations for fully addressing the actions; ,
- A school's response to the actions in the context of the acceptable student/staff member behavior, and the consequences of such actions; and
- Involvement of law enforcement officers, including school resource officers.

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Environmental (Classroom, School Building or School District) Remedial Measures for Students, Staff, Volunteers/Visitors as Deemed Appropriate by a Principal or the Affirmative Action Officer

- School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- School culture change;
- School climate improvement;
- Adoption of research-based, systemic bullying prevention programs;
- School policy and procedures revisions;
- Modifications of schedules;
- Adjustments in hallway traffic;
- Modifications in student/staff/volunteer/visitor routes or patterns traveling to and from school;
- Supervision of student before and after school, including school transportation;
- Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
- Teacher aides;
- Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- Supportive institutional interventions, including participation of the Intervention and Referral Services team, pursuant to N.J.A.C. 6A:16-8;
- Parent conferences;
- Family counseling;
- Involvement of parent-teacher organizations;
- Involvement of community-based organizations;
- Development of a general bullying response plan;
- Recommendations of a student behavior or ethics council;
- Peer support groups;
- General professional development programs for certificated and non-certificated staff;
- Professional development plans for involved staff;
- Disciplinary action for school staff who contributed to the problem;
- Suspensions with and/or without pay for staff;
- School transfers for employees;
- Withholding increments;
- School transfers; and
- Law enforcement involvement (e.g. school resource officer, juvenile officer)

REPORTING AN INCIDENT OF HARASSMENT, INTIMIDATION OR BULLYING

The Board requires the principal and/or the principal's designee at each school to be responsible for receiving complaints alleging violations of this policy. They, in turn, must report all confirmed violations of this policy to the Affirmative Action Officer, who will inform the Board of Education in accordance with the provisions of N.J.S.A. 18A:37-15(3)(b)(5) and N.J.A.C. 6A:16-7.9(a)2vii.

Any student, school employee or volunteer/visitor who has witnessed harassment, intimidation, or bullying, or has reliable information that a student, staff member volunteer/visitor has been subject to harassment, intimidation or bullying, **must** promptly report the incident to the building principal or the principal's designee. Other members of the school community, including students, parents, are encouraged to immediately report alleged violations of this policy to the

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building principal. A bullying complaint form will be made available in each school building in the principal's office and at the Board of Education building in the Affirmative Action Office. While submission of the report form is not required, the reporting party is encouraged to use the district's report form. The reporting party may also contact the principal, principal's designee or Affirmative Action Officer through the district website where email addresses and phone numbers are listed. Official reports and complaints include, but are not limited to, those that are oral, written or electronic. Although reports may be made anonymously, no formal action for violations may be based solely on the basis of an anonymous report.

Any school official shall immediately notify the designated law enforcement official whenever any school employee in the course of his or her employment develops reason to believe that a student, staff member or volunteer/visitor has threatened, is planning or otherwise intends to cause death, serious bodily injury, significant bodily injury to another person, or criminal sexual conduct under circumstances in which a reasonable person would believe that the individual genuinely intends at some time in the future to commit the violent act or carry out the threat.

The Board requires the principal or principal's designee to be responsible for determining whether an alleged act constitutes a violation of this policy. In the case of an allegation of harassment, intimidation or bullying, not involving a student but one or more district employees, the Affirmative Action Officer will conduct the investigation and make a determination. The principal, principal's designee and/or Affirmative Action shall conduct a prompt, thorough and complete investigation of all alleged violations, complaints or incidents reported by a student, staff member, volunteer/visitor, parent or member of the community.

Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. It is only after meaningful consideration of these factors that an appropriate consequence should be determined, consistent with case law, Federal and State statutes and regulations, as well as Board and district policies/procedures.

REPRISAL OR RETALIATION PROHIBITED

The Board prohibits and will not tolerate any reprisal or retaliation against any person who reports such acts or behaviors covered under this policy. School employees, students, and volunteers/visitors must not engage in reprisal and retaliation against a victim, witness, or an individual with reliable information about an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the appropriate administrator after consideration of the nature, severity and circumstances of the act, in accordance with case law, Federal and State statutes and regulations, as well as Board and district policies/procedures, and as required under N.J.S.A. 18A:37-15(3)(b)(8) and N.J.A.C. 6A:16-7.9(a)2x.

FALSE ACCUSATIONS

The Board prohibits any person from falsely accusing another as a means of harassment, intimidation or bullying. School employees, students, and volunteers/visitors must not engage in false accusations against a victim, witness, or an individual with reliable information about an act of harassment, intimidation or bullying. Consequences and appropriate remedial actions for a student, staff member or volunteer/visitor found to have falsely accused another as a means of harassment, intimidation or bullying shall include but are not limited to the following, as required by N.J.S.A. 18A:37-15(3)(b)(9) and N.J.A.C. 6A:16-7.9(a)2xi:

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- A. Students – The consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term suspensions, N.J.A.C. 6A:16-7., Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.
- B. Staff Members – Consequences and appropriate remedial action for a school staff member found to have falsely accused another as a means of harassment, intimidation or bullying shall be disciplined in accordance with district policies, procedures and agreements.
- C. Visitors or Volunteers – Consequences and appropriate remedial action for a visitor or volunteer, found to have falsely accused another as a means of harassment, intimidation or bullying shall be determined by the school administrator after consideration of the nature, severity and circumstances of the act, including reports to appropriate law enforcement officials.

ANNUAL POLICY DISSEMINATION and WEBSITE POSTING

The Board requires school officials to annually disseminate the policy to all school staff, students and parents, along with a statement explaining that it applies to all applicable acts of harassment, intimidation and bullying that occur on school property, at school-sponsored functions or on a school bus. The Superintendent shall post the policy on the school district's website as well as annually notify students and parents that the policy is available on the district's website. Parents and students will annually attest in writing that they have reviewed and understand this policy. The Superintendent shall develop and implement a process for annually discussing the school district policy on harassment, intimidation and bullying with students.

ANNUAL EMPLOYEE TRAINING PROGRAM

Information regarding this policy shall be incorporated into the Board's annual employee training program. Principals will annually review Policy 5131.1 with all building staff. Directors and Supervisors of non-certificated staff will conduct an annual review of this policy with their respective departments/employees. Notice of the Board's policy will appear in any Board publication that sets forth the comprehensive rules, procedures, and standards of conduct for schools within the school district and in any student handbook.

ANNUAL POLICY REVIEW

The Affirmative Action Officer will annually report to the Board of Education, at a public meeting, the number of Harassment, Intimidation or Bullying incidents reported to the Department of Education through the EVVRS. Prior to that report, he/she will solicit input from administrative, parent, staff, and student representatives to annually evaluate policy effectiveness and training needs of district staff. Based on that review, which will include the extent and characteristics of HIB incidents in each building, locally determined staff training needs and programmatic responses will be implemented, as appropriate and in accordance with the provisions of N.J.A.C. 6A:16-7.9(d)3. Any updates and/or revisions of this policy will be coordinated with and reflected in the Code of Student Conduct Policy R5131.

BULLYING PREVENTION PROGRAMS

The Superintendent may, in his or her discretion, establish bullying prevention programs, and

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other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement, and community members.

Pursuant to N.J.S.A. 37-17(5)(b), the Board may, and if funds are appropriated for these purposes must:

- A. provide training on the Board's harassment, intimidation and bullying policies to school employees and volunteers who have significant contact with students; and
- B. develop a process for discussing the Board's harassment, intimidation and bullying policies with students.

Possible

<u>Cross References:</u>	3541.33	Transportation safety
	5114	Suspension and expulsion
	5124	Reporting to parents/guardians
	5131	Conduct/Discipline, Code of Student Conduct
	R5131	Student Behavior on School Bus
	5131.5	Vandalism/violence
	5131.7	Weapons and dangerous instruments
	5145.4	Equal educational opportunity
	5145.6	Student grievance procedure
	5145.11	Questioning and apprehension
	5145.12	Search and seizure
	6145	Extracurricular activities
	6164.4	Child study team
	6171.4	Special education
	6172	Alternative educational programs

Key Words

Code of Student Conduct, Discipline, Student Conduct, Student Behavior on School Bus, Bullying, Intimidation, Harassment, Non-Discrimination/Affirmative Action, Bus Driver, Weapons and Dangerous Instruments

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Rationale: Policy has been strengthened as required by new state regulations prohibiting harassment, intimidation and bullying.