

HARASSMENT, INTIMIDATION AND BULLYING

The Old Tappan Board of Education prohibits acts of harassment, intimidation, or bullying of a student. The Board has determined 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 in a safe environment. Since students learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying.

Definitions:

"Harassment, intimidation, or bullying" means any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents that takes place on school property, at any school sponsored function, going to and/or from school, on a school bus or off school grounds as provided for in N.J.S.A. 18A:37-15.3 that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

- A. Is reasonably perceived to be motivated by an actual or perceived characteristic, including but not limited to race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, a mental, physical or sensory disability; or by any other distinguishing characteristic; and
- B. A reasonable person should know, under the circumstances, that the act(s) will have the effect of *physically or emotionally* harming a student or damaging a student's property, or placing a student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
- C. Involves persistent and blatant exclusion from peer groups during school hours or during school-related activities; or
- D. Has the effect of insulting or demeaning any student or group of students; or
- E. Creates a hostile educational environment for the student by interfering with the student's education or by severely or pervasively causing physical or emotional harm to the student.
- F. "Electronic Communication" means a communication transmitted by means of an electronic device, including but not limited to a telephone, cellular phone, or pager.

Acts of harassment, intimidation, or bullying may also involve a student exercising power and control over another student, in either isolated incidents (e.g., intimidation, harassment) or patterns of harassing or intimidating behavior (e.g., bullying).

Policy adoption and distribution

A policy on harassment, intimidation and bullying shall be adopted through a process that includes representation of parents/guardians, school employees, volunteers, students, administrators and community representatives. It shall be posted on the District's website as well as the website of each school with direct links on the school and District home pages to the

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policy. The policy shall be reviewed annually and shall be distributed annually to all school employees, contracted service providers who have contact with students, school volunteers, students and parents who have children enrolled in a school in the School District, along with a statement explaining that the policy applies to all acts of harassment, intimidation and bullying, that occur on school property, at school-sponsored functions or on a school bus and, as appropriate, acts that occur off school grounds.

Notice of the District's policy shall appear in the student handbook and all other publications of the School District that set forth the comprehensive rules, procedures and standards for schools within the School District.

The name, school phone number, school address and school email address of the District Anti-Bullying Coordinator shall be listed on the home page of the District's website. Each school's website home page shall list the name, school phone number, school address and school email address of the school anti-bullying specialist and the District's Anti-Bullying Coordinator. The information concerning the District Anti-Bullying Coordinator and the school anti-bullying specialists shall also be maintained on the Department of Education's website.

A copy of the policy on harassment, intimidation and bullying shall be transmitted to the Executive County Superintendent no later than September 1, 2011.

Training

The Superintendent and the Principals shall provide training on the School District's harassment, intimidation, or bullying policies to school employees, contracted service providers and volunteers who have significant contact with students. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in the statutes and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation or bullying. The School District's employee training program shall include information regarding the School District policy against harassment, intimidation or bullying, which shall be provided to full-time and part-time staff, contracted service providers and school volunteers who have significant contact with students.

The Superintendent shall develop and implement a process for annually discussing the School District policy on harassment, intimidation and bullying with students. The Superintendent and the Principals shall annually conduct a re-evaluation, reassessment, and review of the harassment, intimidation and bullying policy, with input from the school anti-bullying specialists, and recommend revisions and additions to the policy as well as to harassment, intimidation and bullying prevention programs and approaches based on the findings from the evaluation, reassessment, and review. All policy revisions shall be transmitted to the Executive County Superintendent.

Expected Behavior

Consistent with their levels of development, maturity and demonstrated capabilities, students are expected to conduct themselves with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment, consistent with the student code of conduct.

Standards for student behavior must be set cooperatively through interaction among the legal guardians, school administrators, school employees, school volunteers, and community members, to produce an atmosphere that encourages student growth in self-discipline. The

HARASSMENT, INTIMIDATION AND BULLYING (continued)Expected Behavior (continued)

development of this atmosphere requires respect for self and others, as well as for School District and community property on the part of students, staff, and community members.

Students are expected to behave in a manner that creates a supportive learning environment for themselves and others. The Board believes the best discipline is self-imposed, and it is the responsibility of School District staff to use instances of violation of the Code of Student Conduct as opportunities to help students learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with students shall apply the best practices designed to prevent discipline problems and to encourage students' abilities to grow in self-discipline.

General guidelines for student conduct will be developed by the Superintendent, in conjunction with school staff, volunteers, and appropriate community organizations and approved by the Board. These guidelines will be developed based on accepted core ethical values from broad community involvement with input from parent(s) or legal guardian(s) and other community representatives, school employees, volunteers, students and administrators. These guidelines for student conduct will be suited to the age level of the students and the mission and physical facilities of the individual schools in the District. This policy requires all students in the District to adhere to these rules and guidelines and to submit to such disciplinary measures as are appropriately assigned for infraction of these rules and guidelines. The District prohibits active and passive support of harassment, intimidation, or bullying. Students are encouraged to:

- A. Walk away from acts of harassment, intimidation and bullying when they see them and report the acts to a responsible adult;
- B. Constructively attempt to stop acts of harassment, intimidation and bullying;
- C. Provide support to students who have been subjected to harassment, intimidation and bullying; and
- D. Report acts of harassment, intimidation and bullying to the designated school staff.

Students are required to conform to reasonable standards of socially acceptable behavior, respect the person, property and rights of others, obey constituted authority, and respond to School District teaching, support, and administrative staff. The Old Tappan Board of Education expects individuals to treat each other with civility and respect, and will not tolerate acts of harassment, intimidation or bullying, including threats sent by or acts committed by electronic communication. Each School Principal will develop and provide a school-based program for appropriate recognition of positive reinforcement for good conduct, self-discipline, good citizenship and academic success.

The Superintendent will provide annually to students and their parent(s) or legal guardian(s) the rules of the District regarding student conduct, students' due process and other rights. Sanctions and due process for violations of the Code of Student Conduct will also be distributed annually to students and their parent(s) or legal guardians(s). This policy will appear in all publications of the School District's comprehensive rules, procedures, and standards of conduct for schools within the District, including student handbooks. Provisions will be made for informing parent(s) or legal guardian(s) whose primary language is other than English.

HARASSMENT, INTIMIDATION AND BULLYING (continued)**Consequences and Appropriate Remedial Action for a Person Who Commits an Act of Harassment, Intimidation or Bullying**

The Old Tappan Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for students who commit one or more acts of harassment, intimidation or bullying, consistent with the Code of Student Conduct, and the consequences and remedial responses for staff members who commit one or more acts of harassment, intimidation or bullying. The following factors, at a minimum, shall be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation or bullying by students. Appropriate consequences and remedial actions are those that are graded according to the severity of the offenses, consider the developmental ages of the student offenders and students' histories of inappropriate behaviors, per the Code of Student Conduct and N.J.A.C. 6A:16-7.14.

Factors for Determining Consequences:

1. Age, developmental and maturity levels of the parties involved and their relationship to the District;
2. Degrees of harm;
3. Surrounding circumstances;
4. Nature and severity of the behaviors;
5. Incidences of past or continuing patterns of behavior;
6. Relationships between the parties involved; and
7. Context in which the alleged incidents occurred.

Factors for Determining Remedial Measures:

Personal and environmental factors are as follows:

Personal:

1. Life skill deficiencies;
2. Social relationships;
3. Strengths;
4. Talents;
5. Traits;
6. Interests;
7. Hobbies;
8. Extra-curricular activities;
9. Classroom participation;
10. Academic performance; and
11. Relationship to students and the District.

Environmental:

1. School culture;
2. School climate;
3. Student-staff relationships and staff behavior toward the student;
4. General staff management of classrooms or other educational environments;
5. Staff ability to prevent and manage difficult or inflammatory situations;
6. Social-emotional and behavioral supports;
7. Community activities;
8. Social relationships;
9. Neighborhood situation; and
10. Family situation.

HARASSMENT, INTIMIDATION AND BULLYING (continued)**Examples of Consequences and Appropriate Remedial Measures:**

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion of students, as set forth in the Board's approved Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a student who commits an act of harassment, intimidation or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and must be consistent with the Board's approved Code of Student Conduct and N.J.A.C. 6A:16-7. 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.

The consequences and remedial measures may include, but are not limited to, the examples listed below:

Examples of Consequences:

1. Admonishment;
2. Temporary removal from the classroom;
3. Deprivation of privileges;
4. Classroom or administrative detention;
5. Referral to disciplinarian;
6. In-school suspension during the school week or the weekend;
7. After-school programs;
8. Out-of-school suspension (short-term or long-term);
9. Reports to law enforcement or other legal action;
10. Expulsion; and
11. Bans from providing services, participating in school-District sponsored programs or being in school buildings or on school grounds.

Examples of Remedial Measures:

Personal and environmental remedial measures may include, but are not limited to:

Personal:

1. Restitution and restoration;
2. Peer support group;
3. Recommendations of a student behavior or ethics council;
4. Corrective instruction or other relevant learning or service experience;
5. Supportive student interventions, including participation of the Intervention and Referral Services team pursuant to N.J.A.C. 6A:16-8;
6. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
7. Behavioral management plan, with benchmarks that are closely monitored;
8. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
9. Involvement of school "disciplinarian;"
10. Student counseling;
11. Parent conferences;
12. Alternative placements (e.g., alternative education programs);
13. Student treatment; or
14. Student therapy.

Environmental (Classroom, School Building or School District):

1. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;

HARASSMENT, INTIMIDATION AND BULLYING (continued)Examples of Consequences and Appropriate Remedial Measures: (continued)

2. School culture change;
3. School climate improvement;
4. Adoption of research-based, systemic bullying prevention programs;
5. School policy and procedures revisions;
6. Modifications of schedules;
7. Adjustments in hallway traffic;
8. Modifications in student routes or patterns traveling to and from school;
9. Supervision of student before and after school, including school transportation;
10. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
11. Teacher aides;
12. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
13. General professional development programs for certificated and non-certificated staff;
14. Professional development plans for involved staff;
15. Disciplinary action for school staff who contributed to the problem;
16. Supportive institutional interventions, including participation of the Intervention and Referral Services team pursuant to N.J.A.C. 6A:16-8;
17. Parent conferences;
18. Family counseling;
19. Involvement of parent-teacher organizations;
20. Involvement of community-based organizations;
21. Development of a general bullying response plan;
22. Recommendations of a student behavior or ethics council;
23. Peer support groups;
24. Alternative placements (e.g., alternative education programs);
25. School transfers; and
26. Law enforcement (e.g., safe schools resource officer, juvenile officer) involvement or other legal action.

Since bystander reaction toward harassment, intimidation or bullying can support or discourage these behaviors, the Old Tappan Board of Education prohibits active or inactive support for harassment, intimidation or bullying. The Board encourages students to walk away from these acts when they see them occur, and/or to support fellow students who constructively attempt to stop these acts and/or report them to the designated school authority.

Anti-Bullying Personnel

Existing personnel and resources shall be used to fill these positions whenever possible.

The Superintendent shall appoint an Anti-Bullying Coordinator who shall:

- A. Be responsible for coordinating and strengthening the School District's policies to prevent, identify, and address harassment, intimidation, and bullying of students;
- B. Collaborate with District school anti-bullying specialists, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, and bullying of students in the District;
- C. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, and bullying of students;

HARASSMENT, INTIMIDATION AND BULLYING (continued)Anti-Bullying Personnel (continued)

- D. Meet at least twice annually with the individual school's anti-bullying specialists to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation and bullying in the District.
- E. Execute such other duties related to school harassment, intimidation, and bullying as requested by the Superintendent.

The Principal in each school shall appoint a school anti-bullying specialist. When a school guidance counselor, school psychologist, or another individual similarly trained is currently employed in the school, the Principal shall appoint that individual to be the school anti-bullying specialist. If no such individual exists, the Principal shall appoint a school anti-bullying specialist from currently employed school personnel.

The school anti-bullying specialist shall:

- A. Chair the school safety team;
- B. Lead the investigation of incidents of harassment, intimidation, and bullying in the school; and
- C. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, and bullying in the school.

School Safety Teams

A District shall form a school safety team in each school to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school and to address school climate issues such as harassment, intimidation, or bullying. A school safety team shall meet at least twice a year and shall consist of the Principal/designee who, if possible, shall be a senior administrator in the school and the following Principal appointees:

- A. A teacher in the school;
- B. A school anti-bullying specialist;
- C. A parent of a student in the school; and
- D. Other members to be determined by the Principal.

The school anti-bullying specialist shall serve as the chair of the school safety team. The school safety team shall:

- A. Receive any complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;
- B. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;
- C. Identify and address patterns of harassment, intimidation, or bullying of students in the school;
- D. Review and strengthen school climate and the policies of the school in order to prevent and/or address harassment, intimidation, or bullying of students;

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- E. Educate the community, including students, teachers, administrative staff, and parents, to prevent and/or address harassment, intimidation, or bullying of students;
- F. Participate in the required training and other training which the Principal or the Anti-Bullying Coordinator may request;
- G. Collaborate with the District Anti-Bullying Coordinator in the collection of District-wide data and in the development of District policies to prevent and address harassment, intimidation, or bullying of students; and
- H. Execute such other duties related to harassment, intimidation, and bullying as requested by the Principal or the Anti-Bullying Coordinator.

The members of a school safety team shall be provided professional development opportunities that address effective practices of successful school climate programs or approaches.

A parent who is a member of the school safety team shall not participate in any activities of the team which may compromise the confidentiality of a student.

Reporting

The Old Tappan Board of Education requires the principal at each school to be responsible for receiving all complaints alleging violations of this policy. All Board of Education members, school employees, and volunteers and contracted service providers who have contact with students, are required to verbally report alleged violations of this policy to the principal or the principal's designee on the same day when the individual witnessed or received reliable information regarding any such incident. All Board of Education members, school employees, and volunteers and contracted service providers who have contact with students, also shall submit a report in writing to the school principal within two school days of the verbal report. The principal is required to inform the parents of all students involved in alleged incidents and, as appropriate, may discuss the availability of counseling and other intervention services.

Students, parents, and visitors are encouraged to report alleged violations of this policy to the principal on the same day when the individual witnessed or received reliable information regarding any such incident. Students, parents, and visitors may report an act of harassment, intimidation, or bullying anonymously. Formal action for violations of the Code of Student Conduct may not be taken solely on the basis of an anonymous report.

A member of a board of education or a school employee who promptly reports an incident of harassment, intimidation or bullying, to the appropriate school official designated by the School District's policy, or to any school administrator or safe schools resource officer, and who makes this report in compliance with the procedures in the District's policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

Investigation

The Old Tappan Board of Education requires a thorough and complete investigation to be conducted for each report of an alleged incident of harassment, intimidation or bullying. The investigation shall be initiated by the Principal or the Principal's designee within one school day of the report of the incident and shall be conducted by a school anti-bullying specialist. The Principal may appoint additional personnel to assist in the investigation. The investigation shall be completed and written findings submitted to the Principal as soon as possible, but not later than 10 school days from the date of the written report of the incident of harassment,

HARASSMENT, INTIMIDATION AND BULLYING (continued)Investigation (continued)

intimidation, or bullying. The school anti-bullying specialist may amend the original report of the results of the investigation to reflect the information received after the report has been submitted to ensure there is an accurate and current record of the facts and activities concerning the reported incident.

The principal shall proceed in accordance with the Code of Student Conduct, as appropriate, based on the investigation findings. The principal shall submit the report to the Superintendent within two school days of the completion of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Superintendent shall ensure the Code of Student Conduct has been implemented and:

- A. Provide intervention services,
- B. Establish training programs to reduce harassment, intimidation, or bullying and enhance school climate,
- C. Impose discipline,
- D. Order counseling as a result of the findings of the investigation, or
- E. Take or recommend other appropriate action.

The results of the investigation shall be reported to the Board of Education no later than the Board meeting following the completion of the investigation, along with information on any consequences imposed under the Code of Student Conduct, intervention services provided, counseling ordered, training established, discipline imposed or other action taken or recommended by the Superintendent.

Parents/ guardians of the students who are parties to the investigation shall be entitled to receive information about the investigation in accordance with Federal and State law and regulation. This information shall be provided in writing within 5 school days after the results of the investigation are reported to the Board, in accordance with Federal and State law and regulation. The information shall include:

- A. The nature of the investigation,
- B. Whether the District found evidence of harassment, intimidation, or bullying, or
- C. Whether discipline was imposed or services provided to address the incident

A parent or guardian may request a hearing before the Board after receiving the information. The hearing shall be held within 10 school days of the request. The Board shall meet in executive session for the hearing to protect the confidentiality of the students pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-1 et seq. At the hearing the Board may hear from and consider information provided by the school's anti-bullying specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents prior to rendering a decision.

At the next regularly scheduled Board of Education meeting following its receipt of the report or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, no later than the 90 days after the issuance of the Board's

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decision; and a parent, student, guardian, or organization may file a complaint with the Division on Civil Rights within 180 days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group.

The Superintendent shall establish record-keeping practices that document the incidents reported and the resolution of those incidents and that create a defensible record which demonstrates the District's efforts of reduce harassment, intimidation and bullying.

A school administrator who receives a report of harassment, intimidation, or bullying from a District employee, and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.

Response to Incidents of Harassment: Intimidation or Bullying

Some acts of harassment, intimidation, or bullying may be isolated incidents requiring the school respond appropriately to the individual(s) committing the acts. Other acts may be so serious or part of a larger pattern of harassment, intimidation or bullying that require a response either at the classroom, school building, School District level, or by law enforcement officials. The range of ways in which school staff will respond to an incident shall be defined by the Principal in conjunction with the school anti-bullying specialist, but shall include an appropriate combination of counseling, support services, intervention services, and other programs, as defined by the Commissioner. The Superintendent will respond to confirmed harassment, intimidation and bullying according to the parameters set forth in this Policy. Consequences and appropriate remedial actions for students who commit an act of harassment, intimidation, or bullying range from positive behavior interventions up to and including suspension or expulsion, as permitted under New Jersey statute and code.

Consequences and remedial measures for a student who commits an act of harassment, intimidation or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance. Consequences shall be consistent with the board approved Code of Student Conduct and statute. Consequences and remedial measures shall be designed to:

- A. Correct the behavior problem;
- B. Prevent another occurrence of the problem;
- C. Protect and provide support for the victim; and
- D. Take corrective action for documented systemic problems related to harassment, intimidation and bullying.

In considering whether a response beyond the individual is appropriate, school officials shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building, School District) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based HIB prevention program models, to training for certificated and non-certificated staff, to participation of parents and other community members and organizations, to small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable student and staff member behavior and the

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Response to Incidents of Harassment: Intimidation or Bullying (continued)
consequences of such actions, and to the involvement of law enforcement officers, including safe schools resource officers.

This policy and the Code of Student Conduct shall apply to instances when a school employee is made aware of alleged harassment, intimidation or bullying occurring off school grounds when:

- The alleged harassment, intimidation or bullying has substantially disrupted or interfered with the orderly operation of the school or the rights of other students; and either
- A reasonable person should know, under the circumstances, that the alleged behavior will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property; or
- The alleged behavior has the effect of insulting or demeaning any student or group of students; or
- The alleged behavior creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

The responses to harassment, intimidation, or bullying that occurs off school grounds shall be consistent with the Board of Education's Code of Student Conduct and other provisions of the Board's policy on harassment, intimidation, or bullying.

For every incident of HIB, the school officials must respond appropriately to the individual or individuals who committed the act. The range of responses to confirmed HIB acts should include individual, classroom, school or District responses, as appropriate to the findings from each incident.

- Individual responses may include positive behavioral interventions (e.g., peer mentoring, short-term counseling, social skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion, law enforcement report or other legal action).
- Classroom responses may include class discussions about an incident of HIB, role plays, research projects, observing and discussing audio-visual materials on these subjects and skill-building lessons in courtesy, tolerance, assertiveness and conflict management.
- School responses may include theme days, learning station programs, parent programs and information disseminated to students and parents, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices or strategies for fostering expected student behavior.
- District-wide responses may include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs, coordination with community-based organizations (e.g., mental health, health services, health facilities, law enforcement officials, faith-based organizations) and disseminating information on the core ethical values adopted by the District board of education's Code of Student Conduct.

In considering whether a response beyond the individual level is appropriate, the administrator will consider the nature and circumstances of the act, the level of harm, the nature of the

HARASSMENT, INTIMIDATION AND BULLYING (continued)**Response to Incidents of Harassment: Intimidation or Bullying (continued)**

behavior, past incidences, past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. In all instances, the District shall respond in a manner that provides relief to victims and does not stigmatize victims or further their sense of persecution. In providing support for the victims of harassment, intimidation and bullying the District may provide:

- Counseling;
- Teacher aides;
- Hallway and playground monitors;
- Schedule changes;
- Before- and after-school supervision;
- School transportation supervision;
- School transfers;
- Therapy.

Reprisal or Retaliation Prohibited

The School District prohibits reprisal or retaliation against any person who reports an act of harassment, intimidation, or bullying. The District board of education prohibits a board of education member, school employee, contracted service provider who has contact with students, school volunteer or student from engaging in reprisal, retaliation or false accusation against a victim, witness, one with reliable information or any other person who has reliable information about an act of harassment, intimidation or bullying or who reports 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 Principal or his/her designee after consideration of the nature, severity, and circumstances of the act, in accordance with case law, Federal and State statutes and regulations, and District policies and procedures.

Acts of reprisal or retaliation can have a chilling effect on a school environment and can create an atmosphere where alleged violations of this policy are not reported. It is important to establish and maintain the norm that all suspected acts of reprisal or retaliation are taken seriously and appropriate responses are made, in accordance with the totality of the circumstances. Inconsistent applications of appropriate responses to acts of reprisal or retaliation can contribute to the culture of violence that this policy is intended to prevent.

Consequences for False Accusation

The Old Tappan board of Education prohibits any person from falsely accusing another as a means of harassment, intimidation, or bullying. Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation, or bullying range from positive behavioral intervention up to and including suspension or expulsion, as permitted under New Jersey statute and code.

Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students found to have falsely accused another as a means of harassment, intimidation or bullying shall be discipline in accordance with District policies, procedures, and agreements. Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students found to have falsely accused another as a means of harassment, intimidation, or bullying range from admonishment to termination of employment.

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

HARASSMENT, INTIMIDATION AND BULLYING (continued)**Consequences for False Accusation (continued)**

The Old Tappan board of Education Principal or his/her designee, after consideration of the nature, severity, and circumstances of the act, including reports to appropriate law enforcement officials or other legal actions, removal of buildings and grounds privileges, or prohibiting contact with students or the provision of student services.

Harassment, Intimidation and Bullying Prevention Programs

The Old Tappan Board of Education requires the Superintendent to annually disseminate the harassment, intimidation, and bullying policy to all school employees and contracted service providers who have contact with students, school volunteers, students, and parents who have children enrolled in the District, along with a statement explaining that the policy applies to all acts of harassment, intimidation, or bullying, pursuant to N.J.S.A. 18A: 37-14, that occur on school property, at school-sponsored functions, or on a school bus and, as appropriate, acts that occur off school grounds. The Superintendent shall post a link to the policy that is prominently displayed on the home page of the District's website. The Superintendent shall ensure that notice of the District's policy appears in the student handbook and all other publications of the District that set forth the comprehensive rules, procedures, and standards for schools within the District.

The Superintendent shall post the name, school phone number, school address, and school email address of the District's anti-bullying coordinator on the home page of the District's website. Each principal shall post the name, school phone number, school address, and school email address of both the school's anti-bullying specialist and the District's anti-bullying coordinator on the home page of each school's website.

The Superintendent and the principals shall provide training on the District's harassment, intimidation, and bullying policies to school employees, contracted service providers, and volunteers who have significant contact with students. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A: 37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying. The District's employee training program shall include information regarding the District policy against harassment, intimidation, or bullying, which shall be provided to full-time and part-time staff, contracted service providers, and school volunteers who have significant contact with students.

The Superintendent shall develop and implement a process for annually discussing the District policy on harassment, intimidation, and bullying with students. The Superintendent and the principals shall annually conduct a re-evaluation, reassessment, and review of the harassment, intimidation, and bullying policy, with input from the school's anti-bullying specialists, and recommend revisions and additions to the policy as well as to harassment, intimidation, and bullying prevention programs and approaches based on the findings from the evaluation, reassessment, and review.

A. The School District may apply to the Commissioner of Education for additional costs due to the implementation of the relevant statutes.

Staff Development

Staff members are encouraged to become trained in skills and strategies for developing student self-discipline and to apply best practices for positive behavioral interventions. Therefore, this policy will serve as an opportunity to prepare staff to prevent and effectively intervene with instances of harassment, intimidation and bullying, as well as to use the policy as a prevention tool by explaining to students the District's expectations for their behavior, consistent with the

HARASSMENT, INTIMIDATION AND BULLYING (continued)**Staff Development (continued)**

provisions of the District's policy. For students to demonstrate preferred behaviors, it is important that they have a clear understanding of the District's expectations under the policy, the reasons for and benefits of the policy, as well as the consequences for violations of the policy.

It is mainly through explanation and dialogue with students, parents and staff that the District can clearly distinguish, for example, "friendly teasing" and "rough and tumble play" from harassment, intimidation and bullying. It is also through dialogue and discussion that the District can help students and staff discern between "telling" or responsible "reporting" (which is intended to keep someone from getting hurt) of acts of harassment, intimidation and bullying from "ratting" or "tattling." The employees of the Old Tappan School District are encouraged to use experiential learning techniques, such as role playing situations and other demonstration and modeling strategies in its information activities for students and staff.

School Reports on Harassment, Intimidation and Bullying

At a public Board of Education meeting once each semester, the Superintendent shall report on acts of violence, vandalism, harassment, intimidation and bullying that occurred during the reporting period. The report shall include:

- A. The number of reports of harassment, intimidation, or bullying,
- B. The status of all investigations,
- C. The nature of the bullying based on one of the protected categories,
- D. The names of the investigators, the type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying, and
- E. Any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying.

The information shall also be reported once during each reporting period to the Department of Education. The report must include data broken down by the enumerated categories and data broken down by each school in the District, in addition to District-wide data.

It shall be a violation to improperly release any confidential information not authorized by Federal or State law for public release.

The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with the Anti-Bullying Bill of Rights. The District shall receive a grade determined by averaging the grades of all the schools in the District. The grade received by a school and the District shall be posted on the homepage of the school's website. The grade for the District and each school of the District shall be posted on the homepage of the District's website. A link to the report shall be available on the District's website. The information shall be posted on the websites within 10 days of the receipt of a grade by the school and District.

Verification of the reports on violence vandalism, and harassment, intimidation, or bullying shall be part of the State's monitoring of the District, and the State Board of Education shall adopt regulations that impose a penalty on a school employee who knowingly falsifies the report. The Board of Education shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements.

HARASSMENT, INTIMIDATION AND BULLYING (continued)School Reports on Harassment, Intimidation and Bullying (continued)

The majority representative of the school employees shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, and harassment, intimidation, or bullying.

The state issued report card shall include data identifying the number and nature of all reports of harassment, intimidation and bullying.

Special Education Students

Nothing contained in the "Anti-Bullying Bill of Rights Act shall alter or reduce the rights of a student with a disability with regard to disciplinary actions or to general or special educational services and supports.

Students with

Students with disabilities are subject to the same disciplinary procedures as students without disabilities and may be disciplined in accordance with their IEP. However, before disciplining a student with disabilities, it must be determined that:

- A. The student's behavior is not primarily caused by his/her educational disability
- B. The program that is being provided meets the student's need:

Week of Respect

The week beginning with the first Monday in October of each year is designated as a "Week of Respect" and requires Districts to observe the week by providing age-appropriate instruction focusing on preventing harassment, intimidation or bullying in accordance with the New Jersey Core Curriculum Content Standards.

Legal References:

N.J.S.A. 2A:4A-60 et al.	Disclosure of juvenile information; penalties for disclosure
N.J.S.A. 2C:12-1	Definition of assault
N.J.S.A. 2C:33-19	Paging devices, possession by students
N.J.S.A. 2C:39-5	Unlawful possession of weapons
N.J.S.A. 18A:6-1	Corporal punishment of students
N.J.S.A. 18A:11-1	General mandatory powers and duties
N.J.S.A. 18A:36-19a	Newly enrolled students; records and identification
N.J.S.A. 18A:25-2	Authority over students
N.J.S.A. 18A:36-19a	Newly enrolled students; records and identification
N.J.S.A. 18A:37-1 et seq.	Discipline of Students
See particularly: <i>N.J.S.A. 18A:37-15</i>	
<u>N.J.A.C. 6A:14-2.8</u>	Discipline/suspension/expulsion
<u>N.J.A.C. 6A:16-1. seq.</u>	Programs to support student development
See particularly: <u>N.J.A.C. 6A:16-1.4, -1.5, -4.1, -5.1, -6.1, -6.2</u>	
<u>N.J.A.C. 6A:32-12.1</u>	Reporting Requirements
<u>N.J.A.C. 6A:32-12.2</u>	School-level planning
20 <u>U.S.C.A. 1415(k)</u> Individual with Disabilities Education Act Amendments of 1997	

Bethel School District No. 403, v. Fraser, 478 U.S. 675 (1986)

HARASSMENT, INTIMIDATION AND BULLYING (continued)**Legal References: (continued)**

Hazelwood v. Kuhlmeier 484 U.S. 260 (1988)

Honig v. Doe, 484 U.S. 305 (1988)

See also Commissioners' Decisions indexed under "Students – Punishment of" in Index to N.J. School Law Decisions

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (1999 Revisions)

Cross References:

*1220	<u>Ad hoc</u> advisory committees
*1410	Local units
3517	Security
*3541.33	Transportation safety
*4131/4131.1	Staff development; inservice education/visitation conferences
4148	Employee protection
4231/4231.1	Staff development; inservice education/visitation conferences
4248	Employee protection
5000	Concepts and roles in student personnel
5010	Personal goals and objectives for students
*5020	Role of parents/guardians
*5113	Absences and excuses
*5114	Suspension and expulsion
*5124	Reporting to parents/guardians
*5127	Commencement activities
5131	Conduct/discipline
5131.1	Sexual harassment
*1220	<u>Ad hoc</u> advisory committees
*5131.5	Vandalism/violence
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5131.7	Weapons and dangerous instruments
5132	Dress and grooming
5145	Rights
5145.2	Freedom of speech/expression
*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

*Indicates policy is included in the Critical Policy Reference Manual.

Key Words

Conduct, Discipline, Student Conduct, Student Conduct, Weapons, Vandalism, Harassment

Approved: February 24, 2003
 Revised: April 28, 2008,
 September 22, 2008,
 August 22, 2011