

Sussex County Charter School for Technology

POLICY

5131. Prohibiting Harassment, Intimidation and Bullying on School Property, at School-Sponsored Functions and on School Buses (4300.1)

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; and 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.

"Harassment, intimidation or bullying" means any gesture or written, verbal or physical act that takes place on school property, at any school-sponsored function or on a school bus and 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
- c. a reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a student or damaging the student's property, or placing a student in reasonable fear of harm to his person or damage to his property; or
- d. has the effect on insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

The Board of Education expects students 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 and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

The Board of Education believes that standards for student behavior must be set cooperatively through interaction among the students, parents/guardians, staff and community members, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and

Section 5000: Students.....5131.1 Prohibiting Harassment, Intimidation and Bullying on School Property, at School-Sponsored Functions and on School Buses (formerly policy 4300.1 adopted 2/23/04)

Sussex County Charter School for Technology

POLICY

others, as well as for district and community property on the part of students, staff and community members.

The Board of Education believes that the best discipline is self-imposed, and that it is the responsibility of staff to use disciplinary situations 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 best practices designed to prevent discipline problems and encourage students' abilities to grow in self-discipline.

Based on broad community involvement (i.e., the use of a process that includes representation of parents/guardians and other community representatives, school employee, volunteers, students and administrators for the purpose of providing input regarding the development and content of the policy that is based on accepted core ethical values), the Board of Education shall develop general guidelines for student conduct and shall direct development of detailed regulations suited to the age levels of the students and the mission and physical facilities of the individual schools. Board policy requires that all students in the district adhere to the rules and regulations established by the school district and to submit to such disciplinary measures as are appropriately assigned for infraction of these rules.

The chief school administrator shall provide annually to students and their parents/guardians the rules of the district regarding student conduct, and the policy shall appear in all publications of the school district's comprehensive rules, procedures and standards of conduct for schools within the school district, including the student handbook. Provisions shall be made for informing parents/guardians whose primary language is other than English.

The policy shall:

- a. describe student responsibilities, including the requirements for students to conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority; and respond to those who hold that authority;
- b. address appropriate recognition for positive reinforcement for good conduct, self-discipline, good citizenship and academic success.
- c. explain student rights; and
- d. identify disciplinary sanctions and due process.

Section 5000: Students.....5131.1 Prohibiting Harassment, Intimidation and Bullying on School Property, at School-Sponsored Functions and on School Buses (formerly policy 4300.1 adopted 2/23/04)

Sussex County Charter School for Technology

POLICY

In determining the appropriate response to students who commit one or more acts of harassment, intimidation or bullying, school administrators should consider the following factors: the developmental and maturity levels of the parties involved, the levels of harm, the surrounding circumstances, the nature 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. 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 remedial action for students who commit acts of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion.

The principal or the principal's designee is responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the principal or the principal's designee. All other members of the school community, including students, parents, volunteers and visitors, are encouraged to report any act that may be a violation of this policy. While submission of the report form is not required, the reporting party is encouraged to use the report form available from the principal of each building or available at the school district office. Oral reports also shall be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

The principal and/or the principal's designee is responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the principal and/or the principal's designee shall conduct a prompt, thorough and complete investigation of the alleged incident.

Some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school 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 students who commit an act of harassment, intimidation or bullying 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*.

In considering whether a response beyond the individual level is appropriate, the administrator should consider the nature and circumstances of the act, the level of *Section 5000: Students.....5131.1 Prohibiting Harassment, Intimidation and Bullying on School Property, at School-Sponsored Functions and on School Buses (formerly policy 4300.1 adopted 2/23/04)*

Sussex County Charter School for Technology

POLICY

harm, the nature of the behavior, past incidences or past 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 bullying 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 behavior and the consequences of such actions and to involvement of law enforcement officers, including school resource officers.

The school district prohibits reprisal or retaliation against any person 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 administrator after consideration of the nature and circumstances of the act, in accordance with case law, federal and state statutes and regulations and district policies and procedures.

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 interventions up to and including suspension or expulsion, as permitted under *N.J.S.A. 18A:37-1, Discipline of Pupils*. Consequences and appropriate remedial action for a school employee 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. 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 and circumstances of the act, including reports to appropriate law enforcement officials.

The policy shall be disseminated annually to all school staff, students and parents, along with a statement explaining that it applies to all acts of harassment, intimidation and bullying that occur on school property, at school-sponsored functions or on a school bus. The chief school administrator shall develop an annual process for discussing the school district policy on harassment, intimidation and bullying with students.

Pursuant to *N.J.S.A.: 37-17(5)(c)*, information regarding the district's policy against harassment, intimidation and bullying shall be incorporated into a school's employee training program.

Section 5000: Students.....5131.1 Prohibiting Harassment, Intimidation and Bullying on School Property, at School-Sponsored Functions and on School Buses (formerly policy 4300.1 adopted 2/23/04)

Sussex County Charter School for Technology

POLICY

Pursuant to *N.J.S.A.: 37-17(5)(a)*, the district and its schools are encouraged to establish bullying prevention programs, and other initiative involving school staff, students, administrators, volunteers, parents, law enforcement and community members.

Pursuant to *N.J.S.A.: 37-15(b)*, the school district is encouraged to, and if funds are appropriated for these purposes are required to:

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

N.J.S.A. 18A: 37-15(3)(b)(1)
N.J.S.A. 18A: 37-15(3)(b)(2)
N.J.S.A. 18A: 37-14
N.J.S.A. 18A: 37-15(3)(b)(3)
N.J.S.A. 18A: 37-15(3)(b)(4)
N.J.S.A. 18A: 37-15(3)(b)(5)
N.J.S.A. 18A: 37-15(3)(b)(6)
N.J.S.A. 18A: 37-15(3)(b)(7)
N.J.S.A. 18A: 37-1
N.J.A.C. 6A: 16-6.2(b)12
N.J.S.A. 18A: 37-15(3)(b)(8)
N.J.S.A. 18A: 37-15(3)(b)(9)
N.J.S.A. 18A: 37-15(3)(b)(10)

Section 5000: Students.....5131.1 Prohibiting Harassment, Intimidation and Bullying on School Property, at School-Sponsored Functions and on School Buses (formerly policy 4300.1 adopted 2/23/04)