

POLICY ON HARASSMENT, INTIMIDATION AND BULLYING

The Board of Trustees prohibits acts of harassment, intimidation and bullying. The board also prohibits active or passive support of any of these prohibited acts.

A safe and civil environment in school is necessary for students to learn and achieve their potential; harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and the school's ability to educate and deliver services in a safe environment. Students' model behaviors, therefore the board, administration, 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

For purposes of this policy, harassment, intimidation or bullying mean any gesture or written, verbal, physical act, and electronic communications including at a minimum telephone, cellular telephone, computer and pager, that takes place on school grounds* or at any school-sponsored function that:

- a. is motivated by any actual 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 and 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 of 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.

Bullying also means any repeated and intentional, aggressive physical, verbal or psychological act(s) that involves an imbalance of power of one student over another (not necessarily based on physical size), which occurs on school grounds and at any school-sponsored activity, including such actions as insulting, abusing verbally or physically, threatening, intimidating, humiliating and harassing, and that a reasonable person should know, under the circumstances, will have the effect of harming physically or emotionally another student or damaging another student's property or has the effects of insulting or demeaning another student or group of students in such a way as to cause a hostile educational environment or a substantial disruption in, or substantial interference with, the orderly operation of the school that interferes with a student's education or severely or pervasively causes physical or emotional harm to the student.

This policy shall not prohibit the expression of ideas or viewpoints, including those that others may find offensive insofar as such an expression is constitutionally protected.

Expected Behavior

The Rock Brook School 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 Rock Brook School believes that standards for student behavior must be set cooperatively through interaction among the students, parent/guardians/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 others, as well as for school and community property on the part of students and staff.

The Rock Brook School 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.

The executive director shall provide annually to students and their parent/guardians/guardians the rules of the school regarding student conduct, and the policy shall appear in the school's policy and procedures and student handbook. Provisions shall be made for informing parent/guardians/guardians whose primary language is other than English.

Consequences for Committing Act(s) of Harassment, Intimidation, Bullying or Hazing

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 levels of harm, the surrounding circumstances, the nature of the behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Appropriate consequences should be determined based on school policy and Federal and State statutes. Appropriate remedial action may range from positive behavioral interventions up to and including suspension or expulsion.

Factors for Determining Consequences:

Age, developmental and maturity levels of the parties involved

Degree of Harm

Surrounding circumstances

Nature and severity of the behaviors

Incidences of past or continuing patterns of behavior

Relationships between the parties involved

Context in which the alleged incidents occurred.

Factors for determining Remedial Measures

Personal

Life Skills deficiencies
Social Relationships
Strengths
Talents,
Traits,
Interests
Hobbies
Extra-curricular activities;
Classroom participation
Academic performance

Environmental

School culture
School 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
Community Activities
Neighborhood situation
Family situation

Examples of Consequences

Admonishment
Temporary removal from the classroom
Deprivation of privileges
Classroom or administrative detention
Referral to disciplinarian
In-School suspension during the school week or the weekend
Out of school suspensions (short term or long term)
Legal action
Expulsion

Examples of Remedial Measures

Personal

Restitution and restoration
Mediation
Peer support group
Recommendations of a student behavior or ethic council
Corrective instruction or other relevant learning or service experience
Supportive student intervention, including participation of the Intervention and Referral Services team, pursuant to N.J.A.C. 6A:16-8

Behavioral management plan, with benchmarks that are closely monitored
Assignment of leadership responsibilities (e.g. hallway or bus monitor)
Involvement of school “disciplinarian”
Student counseling
Parent conferences
Student treatment
Student therapy

Environmental (Classroom, School Building)

School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
School culture change
Adoption of research-based systemic bullying prevention programs
School policy and procedures revisions
Modifications of schedules
Adjustments in hallway traffic
Modifications in student routes or patterns travelling to and from school
Supervision of student before and after school, including school transportation
Targeted use of monitors (e.g., hallway, lunchroom, locker room, playground, school perimeter, bus)
Teacher Assistants
Small or large group presentations for fully addressing the behaviors and responses to the behaviors
General professional development plans for involved staff
Disciplinary action for school staff who contributed to the problem
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 generally bullying response plan
Recommendation of a student behavior or ethics council
Peer support groups
School transfers
Law enforcement (e.g., school resource officer, juvenile officer) involvement

Reporting Complaints

The director or the principal is responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations. All other members of the school community are encouraged to report any act that may be considered a violation of this policy. Report forms should be made available for reporting alleged violations, although use of the form is not mandatory. Verbal reports will be

considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of any anonymous report.

A verbal report should be made to the school principal on the same day when school staff witnessed or received reliable information regarding such incident. School staff* or members of the school community who witness or receive reliable information shall submit written reports of HIB to the school principal within 2 days of the event. The principal is required to inform parents or legal guardian of all students involved in the alleged incident. As appropriate, the principal may discuss with parents* the availability of counseling and other intervention services.

Investigating Complaints

The director or the principal is responsible for determining whether an alleged act constitutes a violation of this policy. The director or the principal will conduct a prompt, thorough and complete investigation of the reported incident.

The investigation will be initiated within 1 school day of the verbal report of the incident. The investigation will be conducted by the school anti-bullying consultant (school counselor). The investigation will be completed as soon as possible but not later than 10 school days from the date of the written report of the incident of HIB. In the event there is information relative to the investigation that is anticipated but not yet received by the end of the 10-day period, the school anti-bullying specialist may amend the original report of the results of the investigation to reflect the information. The results of the investigation and the report will be submitted to the Director within two school days of the completion of the investigation.

The director may decide to provide: intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate or establish training programs to enhance school climate, impose discipline or order counseling as a result of the findings of the investigation or take or recommend other appropriate action. The results of each investigation will be reported to the Board of Trustees along with information on any services provided, training established, discipline imposed or any other action taken. The parents of the students who are parties (offenders, victims) to the investigation must receive information about the investigation in accordance with the law. The information they are entitled to receive includes: the nature of the investigation, whether the district found evidence of harassment, intimidation or bullying, whether discipline was imposed to address the incident of harassment, intimidation or bullying and whether services were provided to address the incident of HIB.

The investigation information to be provided to the parents is required to be submitted in writing within 5 school days after the results of the investigation are reported to the Board of Trustees. Parents are permitted to request a hearing before the Board after receiving the information about the investigation and such hearing must be held within 10 days of the request. The Board must meet in executive session for the hearing to protect the confidentiality of the students. The Board may hear from the school anti-bullying

specialist about the incident, recommendation for discipline and services and any programs instituted to reduce such incidents. At the next regularly scheduled Board meeting they will issues a decision in writing to affirm, reject or modify the Director's decision. This decision may be appealed to the Commissioner of Education. Any parent, student or organization may file a complaint with the Division on Civil Rights within 180 days of the occurrence of any incident of HIB based on membership in a protected group, as enumerated in the "Law Against Discrimination" (P.L. 1945, c.169;N.J.S.A. 10:5-1 et seq).

Response to Incidents

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 part of a larger pattern of harassment; intimidation or bullying that may require response by either the school or law enforcement officials.

Consequences and appropriate remedial actions for students who violate this policy range from positive behavioral supports up to and including suspension or expulsion as permitted under N.J.S.A. 18A:37-1 and be consistent with board policy. The director or the principal shall insure that the due process rights of students are safeguarded.

In considering whether a response beyond the individual level is appropriate, the administrator should consider the nature and circumstances of the act, level of harm, nature of behavior, pattern of behavior and context in which the alleged incident(s) occurred. Institutional responses can range from community surveys to bullying prevention programs to training programs for staff. Other individual or institutional responses will include the appropriate combination of counseling, support services, intervention service and other programs as consistent with the school's HIB policy and code of student conduct.

Prohibition on Reprisal or Retaliations

The school prohibits reprisal or retaliations against any person who reports violations of this policy. Consequences and appropriate remedial action for a person or persons who engage in reprisals 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 school policies and procedures.

Consequences for False Accusations

Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, bullying or intimidation range from positive behavioral supports up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1. Consequences and appropriate remedial action for a school employee found to have falsely accused another, as a means of violation of this policy shall be determined in accordance with school policies and procedures. Consequences and

appropriate remedial action for a visitor or volunteer found to have falsely accused another as a violation of this policy shall be determined by the administrator after consideration of the nature and circumstances of the act, including report to appropriate law enforcement officials.

Policy Dissemination

The policy shall be disseminated annually to all school staff, students and parent/guardians, along with a statement explaining that it applies to all acts of harassment, bullying or intimidation that occur on school grounds, or at school functions. It will be posted on the home page of the school district's website and distributed annually in the parent packet. The anti-bullying specialist (school counselor) contact information will be listed on the school website. The policy is included in the Student Handbook and Code of Conduct which all students are required to review and sign annually.

Establishment of Bullying Prevention Programs

Information regarding the district's policy against harassment, intimidation or bullying shall be incorporated into a school's employee training program. This includes annual school policy and procedure training as well as new staff orientation.

The school shall establish age appropriate bullying prevention programs or other initiatives involving staff, community and students. This will take place in the school's social skills curriculum with increased emphasis during Violence and Vandalism week in each October of the school year.

An annual re-evaluation of the policy will take place along with all other school policies and procedures. The anti-bullying coordinator will be the school counselor. The anti-bullying specialist will help coordinate and strength school policies and actions to prevent incidences of HIB of students.

The RBS School Safety Care Team along with the anti-bullying specialist will investigate incidents of HIB and discuss ways to prevent, identify and address incidents of HIB in the school

RBS participates in the state required Electronic Violence/Vandalism/Bullying Reporting System.