

**The Gray Charter School
Board of Trustees
Policy**

Harassment, Intimidation, Bullying & Hazing

P1040

The Board of Trustees

HARASSMENT, INTIMIDATION, AND BULLYING

The Board of Trustees prohibits acts of harassment, intimidation or bullying.

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 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.

Definition of Language

"Harassment, intimidation or bullying" is defined as any gesture, any written, verbal or physical act, or any electronic communication that is reasonable perceived as being motivated either by any act actual or perceived characteristic, such as race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin or ethnicity, or by any other distinguishing characteristic, that takes place on school property, at any school-sponsored function or on a school bus that:

- A. A reasonable person should know, under the circumstances, will have the effect of harming a pupil of damaging the pupil's property, or placing a pupil reasonable fear of harm to his/her person or damage to his/her property or
- B. Has the effect of insulting or demeaning any pupil or group of pupils in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

"Electronic communication" means a communication that is transmitted by means of an electronic device, including, but not limited to a telephone, cellular phone, computer, or pagers takes place on school property, at any school-sponsored function or on a school bus.

Any school employee, pupil or volunteer, who has witness, or has reliable information, that a pupil has been subject to harassment, intimidation or bullying, must report the incident to the appropriate school official designated by the administration. The board shall not tolerate an act of reprisal or retaliation against any person who reports an act of harassment, intimidation, or bullying.

The Executive Director shall develop appropriate procedures addressing:

- A. A mechanism for reporting acts of harassment, intimidation or bullying, including a means of anonymous reporting;
- B. The prompt investigation of reports of such acts, identifying either the principal or the principal's designee as the person responsible for the investigation;
- C. The range of ways in which a school will respond once an incident of harassment, intimidation or bullying is identified; and
- D. Consequences, discipline and remedial action for a person who commits an act of harassment, intimidation or bullying, who engages in an act of reprisal or retaliation against a person who reports such action, or who falsely accuses another or bullying as a means or harassment, intimidation or bullying.

The Executive Director shall take all necessary steps to publicize this policy, and shall inform pupils and staff that harassment, intimidation or bullying is prohibited on school property or any

school-sponsored function. This information shall be incorporated into the student handbook and employee training program

Description of Behavior

The Board of Trustees 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 Trustees believes that standards for students behavior must be set cooperatively through interaction among the students, parents/guardians, staff and community members. Such standards should produce 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 district and community property on the part of students, staff and community members.

The Board of Trustees believes that the best discipline is self-imposed, and that it is the responsibility of the 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 self-discipline.

Based on broad community involvement (i.e., the use of process that includes representation of parents/guardians and other community representatives, school employees, 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 Trustees shall develop general guidelines for students conduct and shall direct development of detailed regulations, suited to the age levels of the students and the mission and physical facilities of the school. Board of Trustee policy requires all students in the district to adhere to the rules and regulations established by the school and to submit to such disciplinary measures as are appropriately assigned for infraction of these rules.

The Executive Director shall provide annually to students and their parents/guardians the rules of the school regarding student conduct, and the policy shall appear in all publications of the Gray Charter School comprehensive rules, procedures and standards of conduct for the school 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 student 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 students rights
- D. Identify disciplinary sanctions and due process.

Consequences and/or Remedial Actions

In determining the appropriate response to students who commit one or more acts or harassment, intimidation or bullying, school administrators should consider the following factors: the

development 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 the facts and surrounding circumstances. It is only after meaningful consideration of these factors that an appropriate consequence should be determined, consistent with the case law, Federal and State statutes, regulations and policies, and district policies and procedures. Consequences and 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, as permitted under N.J.S.A 18A:37-1, Discipline of Pupils.

Procedures for Reporting, Investigating and Response

At the school, 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 member 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 discipline report form is not required, the reporting party is encouraged to use the report form available from the principal. 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 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 at the classroom, school building or by law enforcement officials.

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 harm, the nature of the behavior, past incidences or past continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e. classroom, school building) 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.

Consequences for Retaliation

The school district prohibits reprisal of 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 school policies and procedures.

Consequences of False Accusation

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 discipline in accordance with board of trustees policies and procedures. 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 Executive Director after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

Notice of Policy

The goal of this policy is to foster a safe and disciplined environment that is conducive to learning, where individuals treat one another with civility and respect. To accomplish this goals, the policy must be widely disseminated to inform every in the school and community of its provisions. A range of options is a available to publicizing the policy, including posting the policy in public buildings or in publications, utilization of the audio visual media, mailing copies, requiring all employees, students and parents to sign written statement indicating that they have received and read the policy and agree to abide by the provisions of this policy and reviewing the policy at public meetings. While multiple methods for publicizing, the policy can increase the chances of public awareness, support and compliance, The Gray Charter School are encouraged to use the strategies that fit their unique situations.

Establishment of Bullying Prevention Programs

Statutory Provisions

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

Pursuant to N.J.S.A.:37-17(5)(A), the Gray Charter School is 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.:37-17(5)(b), The Gray Charter School is encouraged to, and if funds are appropriated for these purposes are required to:

- A. Provide training on the school district's harassment, intimidation and bullying policies to school employees and volunteers who have significant contact with student: and
- B. Develop a process for discussing the school district's harassment, intimidation, and bullying policies with students.

Dissemination and Implementation

This policy shall be posted on The Gray Charter School website and parents/guardians and students notified that the policy is available on the school website.

The Executive Director shall ensure that the rules for the policy are applied consistently and uniformly, and that all disciplinary sanctions are carried out with necessary due process.

The Board of Trustees shall review all related policies on a regular basis.

Adopted : September 2003

Reviewed/Readopted : October 2009

Key Words

Conduct, Discipline, Pupil Conduct, Student Conduct, Weapons, Vandalism

Legal References:

<u>N.J.S.A. 2:4A-60 et al</u>	Disclosure of juvenile information; penalties for disclosure
<u>N.J.S.A. 2C:12-1</u>	Definition of assault
<u>N.J.S.A. 2C:33-19</u>	Paging devices, possession by students
<u>N.J.S.A. 2c:39-5</u>	Unlawful possession of weapons
<u>N.J.S.A. 18A:16-1</u>	Corporal punishment of pupils
<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
<u>N.J.S.A. 18A:25-2</u>	Authority of pupils
<u>N.J.S.A. 18A:36-19a</u>	Newly enrolled students, records and identifications
<u>N.J.S.A. 18A:37-1 et seq</u>	Discipline of Pupils
<u>See particularly:</u>	
<u>N.J.S.A. 18A:37-15</u>	
<u>N.J.S.A. 18A:40A-1 et seq</u>	Substance Abuse
<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational school)
<u>N.J.A.C. 6A:14-2.8</u>	Discipline/suspension/expulsions
<u>N.J.A.C. 6A:16-1 et seq</u>	Programs to Support Student Development
<u>See particularly:</u>	
<u>N.J.A.C. 6A:16-1.4, 2.4</u>	
<u>-4.1, -5.1, -6.1, -6.2,</u>	
<u>-7.1 through -7.6</u>	
<u>N.J.A.C. 6:32-12.1</u>	Reporting requirements
<u>N.J.A.C. 6:32-12.2</u>	School-level planning