

POLICY 5512.01
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PENNSAUKEN TOWNSHIP PUBLIC SCHOOLS
PENNSAUKEN, NEW JERSEY

HARASSMENT, INTIMIDATION, BULLYING

The Pennsauken Board of Education 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 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.

The Pennsauken Board of Education establishes that "harassment, intimidation or bullying" means any gesture or written, verbal or physical act, or any use of electronic communication—social networking, texting, sexting, cell phones, computers, pagers or other media whether it be a single incident or a series of incidents, (N.J.S.A. 16: P.L. 2010 Chapter 122) that takes place on or off school grounds, or at any school sponsored function, on a school bus and that substantially disrupts or interferes with the orderly operation of the school or the rights of other students 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 physically or emotionally 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 of insulting or demeaning any student or group; or
- e. 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 Pennsauken 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, consistent with the code of student conduct.

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

The Pennsauken Board of Education believes that the best discipline is self-imposed, and that it is the responsibility of staff to use instances of violations of the code of student conduct as opportunities for helping 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 Pennsauken Board of Education requires its school administrators to implement procedures that ensure both 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 and that consider the developmental ages of the student offenders and students' histories of inappropriate behaviors, per the code of student conduct.

Factors for Determining Consequences

- Age, developmental and maturity levels of the parties involved;
- Degrees of harm;
- Surrounding circumstances;
- Nature and severity of the behaviors;
- Incidences of past or continuing patterns of behavior;
- Relationships between the parties involved; and/or
- Context in which the alleged incidents occurred.

Factors for Determining Remedial Measures

Personal

- Life skill deficiencies;
- Social relationships;
- Strengths;
- Talents;
- Traits;
- Interests;
- Hobbies;
- Extracurricular activities;
- Classroom participation; and
- 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;
- Social relationships;
- Community activities;

- Neighborhood situation; and
- Family situation.

Consequences and 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 of Education’s approved code of student conduct, pursuant to N.J.A.C. 6A: 167.1. 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 of Education’s approved code of student conduct and N.J.A.C. 6A:167, Student Conduct. 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 following:

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;
- After-school programs;
- Out-of-school short-term or long-term suspension (N.J.S.A. 18A:37-2);
- Legal action; and/or
- Expulsion (N.J.S.A. 18A:37-2).

Remedial Measures

Personal

- Restitution and restoration;
- Mediation;
- Peer support group;
- Corrective instruction or other relevant learning or service experience;
- Supportive student interventions, including participation of the Intervention and Referral Services team, pursuant to N.J.A.C. 6A:168;
- Behavioral assessment or evaluation, including, but not limited to, a referral to the Child Study Team, as appropriate;
- Behavioral management plan, with benchmarks that are closely monitored;
- Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- Involvement of school disciplinarian;
- Student counseling;
- Parent conferences;
- Student treatment; and/or

- Student therapy.

Environmental (Classroom, School Building or School District)

- School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- School climate improvement;
- Adoption of research-based, systemic bullying prevention programs;
- School policy and procedures revisions consistent with Board policy;
- Modifications of schedules;
- Adjustments in hallway traffic;
- Modifications in student routes or patterns traveling to and from school;
- Supervision of students before and after school, including school transportation;
- Targeted use of monitors (e.g. hallway, cafeteria, locker room, playground, school perimeter bus);
- Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- General professional development programs for certificated and non-certificated staff;
- Professional development plans for involved staff;
- Disciplinary action for school staff who contributed to the problem;
- Supportive institutional interventions, including participation of the Intervention and Referral Services team, pursuant to N.J.A.C. 6A: 168;
- Parent conferences;
- Family counseling;
- Involvement of parent-teacher organizations;
- Involvement of community-based organizations;
- Development of a general bullying response plan;
- Peer support groups; and
- Law enforcement.

The Pennsauken Board of Education requires the principal to appoint a school Anti-Bullying Specialist at each school to be responsible for:

- Chairing the school safety team;
- Receiving complaints alleging violations of this policy;
- Leading the investigation of reported HIB incidents;
- Acting as the primary school official responsible for preventing, identifying, and addressing incidents of HIB in the school;
- Assisting the principal appropriately in responding to HIB in the manner established by the School Board; and
- Providing input to local school board on annual reevaluation, reassessment, and review of policy.

The Pennsauken Board of Education requires principals to appoint a School Safety Team at each school consisting of the principal and his/her appointees to be responsible for:

- Fostering and maintaining a positive school climate, including HIB issues;
- Assembling a team comprised of a teacher in the school, a student, a parent of a student in the school and other members determined by the principal;
- Meeting at least 2 times per year;

- Receiving any HIB complaints reported to the principal;*
- Receiving copies of any HIB investigation reports;*
- Identifying and addressing patterns of HIB in the school through recommendations to the principal;*
- Reviewing and making recommendations to strengthen school climate and policies in order to prevent and address HIB;
- Educating the community (i.e., students, teachers, administrators, parents) to prevent and address HIB;
- Participating in trainings (both required and requested); and
- Collaborating with school and district personnel to collect HIB data to address and prevent HIB.

***NOTE:** Parent team members may only participate in activities that do not compromise student confidentiality.

All school employees as well as all other members of the school community, including students, parents, volunteers and visitors, are required to verbally report alleged violations of this policy to the principal or the principal's designee on the same day they witness the incident or they receive reliable information regarding any such incident. 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's central office, or the reporting party may use the district's web-based reporting system. Oral reports also shall be considered official reports; however, they must be documented by the receiving party. Reports may be made anonymously, but formal action for violations of the code of student conduct may not be based solely on the basis of an anonymous report.

- All acts of HIB must be reported in writing to the principal within 2 school days of when the school employee or contracted service provider witnessed or received reliable information;
- Principal must inform parents of all students involved in the alleged incident:
 - ✓ May discuss the availability of counseling and other interventions;
- 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.

The Pennsauken Board of Education requires the principal and/or the principal's designee to be 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 each alleged incident to be:

- Initiated by the principal or designee within 1 school day of the verbal report;
- Conducted by the anti-bullying specialist in consultation with the principal;
- Assisted in the investigation by additional personnel appointed by the principal;
- Completed as soon as possible, but not later than 10 school days from date of written report:
 - ✓ If additional, anticipated information relevant to the investigation is not received within 10 school days, anti-bullying specialist may amend original report to reflect the information.

The Pennsauken Board of Education sets high expectations of its administrators and all employees:

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

The Pennsauken Board of Education sets forth the following procedures for reporting the results of investigations:

- Results shall be reported to the superintendent within 2 days of completing the investigation.
- Superintendent may decide to:
 - ✓ Accept the recommendations of the referring school principal;
 - ✓ Provide additional intervention services;
 - ✓ Establish training programs to reduce HIB and enhance school climate;
 - ✓ Impose additional discipline;
 - ✓ Order counseling; and/or
 - ✓ Take or recommend other appropriate action.
- Results shall be reported to the Board of Education (BOE) no later than the date of the next board meeting following the completion of the investigation, along with information on action taken or recommended by superintendent.

Parents of the students who are parties to the investigation are entitled to receive information about the results of the investigation in accordance with Federal and State law and regulation:

- Including the nature of the investigation and whether evidence of HIB was found;
- Whether discipline was imposed or services provided;
- Provided in writing within 5 school days after results are reported to the BOE.

The Pennsauken Board of Education recognizes the rights of individuals involved in HIB incidents to appeal any action resulting from a HIB investigation:

- A parent may request a hearing before the Principal, Superintendent and BOE;
- Appeal must be held within 10 school days of request;
- BOE shall meet in executive session for the hearing;
- BOE may hear from school principal and or the school anti-bullying specialist about the incident, recommendations for discipline or services, or programs instituted;
- At the next BOE meeting following its receipt of the report the Board shall issue a decision, in writing, to affirm, reject or modify the superintendent's decision;
- The BOE's decision may be appealed to the Commissioner of Education, no later than 90 days after the issuance of the board's decision;
- A parent, student, guardian, or organization may file a complaint with the Division on Civil Rights (DCR) within 180 days of the occurrence of any incident of HIB.

The Pennsauken Board of Education recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring school officials to respond appropriately to the individuals committing the acts. Other acts may be so serious or parts of a large pattern of harassment, intimidation or bullying that they require a response either at the classroom, school building or school district levels or by law enforcement officials. Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A: 371, Discipline of Pupils, and as set forth in N.J.A.C. 6A: 167.2, Short-term Suspensions, N.J.A.C. 6A: 167.3, Long-term Suspensions and N.J.A.C. 6A: 167.5, Expulsions.

In considering whether a response 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 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, focus groups, adoption of research-based bullying prevention program models, training for certificated and non-certificated staff, participation of parents and other community members and

organizations in small or large group presentations to fully address the actions and the school's response to the actions in the context of acceptable student behavior and the consequences of such actions, and involvement of law enforcement officers, including school resource officers.

The Pennsauken 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, severity and circumstances of the act, in accordance with case law, Federal and State statutes and regulations and district policies and procedures.

The Pennsauken Board of Education prohibits any person from falsely accusing another as a means of harassment, intimidation or bullying:

- Students – The consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A: 371, Discipline of Pupils, and as set forth in N.J.A.C. 6A: 167.2, Short-term Suspensions, N.J.A.C. 6A: 167.3, Long-term Suspensions, and N.J.A.C. 6A: 167.5, Expulsions.
- School Employees – 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.
- Visitors or Volunteers – Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation or bullying shall be determined by the school administrator after consideration of the nature, severity and circumstances of the act, including reports to appropriate law enforcement officials.

The Pennsauken Board of Education requires school officials to annually disseminate this policy to all school staff, students and parents, along with a statement explaining that it is relevant to all applicable acts of harassment, intimidation and bullying that occur on school property, at school sponsored functions or on a school bus or off school grounds when such acts disrupt the school environment, culture and climate. The chief school administrator shall post the policy on the school district's website as well as annually notify students and parents that the policy is available on the district's website. In addition, the policy will be included in the student handbook, and provisions shall be made for informing parents/guardians whose primary language is other than English.

The Pennsauken Board of Education ensures:

- Annual re-evaluation of HIB policy, making any necessary revisions and additions;
- Input from anti-bullying specialists;
- Transmit all subsequent policy revisions to ECS, within 30 school days;
- On-going, age-appropriate HIB instruction throughout the school year;
- Each school's participation in HIB prevention activities during the "Week of Respect;"
- School employees will receive appropriate HIB prevention professional development; and
- The superintendent shall report to the School Board all acts of violence, vandalism and HIB at two public hearings, one between each of the following dates—9/1 and 1/1, and 1/1 and 6/30.

The report shall include HIB data disaggregated by the enumerated classes and shall feature the:

- Status of all investigations;
- Nature of the bullying (based on the enumerated categories);
- Names of the investigators;
- Any other non-disciplinary measures imposed; and
- Training conducted or programs implemented to reduce HIB.

Pennsauken Township Public Schools
Pennsauken, New Jersey

HARASSMENT, INTIMIDATION, BULLYING REPORT FORM

COMPLAINANT: _____

SCHOOL: _____

HOME ADDRESS: _____

DATE (S) OF ALLEGED INCIDENT(S): _____

NAME OF PERSON(S) WHOM YOU ALLEGE COMMITTED AN INFRACTION AGAINST YOU:

DESCRIBE THE INCIDENT(S):

LIST ANY WITNESSES: _____

SIGNATURE OF COMPLAINANT: _____

DATE OF SUBMISSION: _____

SIGNATURE OF PRINCIPAL: _____

DATE OF RECEIPT: _____