

## Harassment, Intimidation & Bullying (HIB) Policy

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We believe that all students require a positive, engaging and safe environment in order to learn and achieve high academic standards. Harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both the student's ability to learn and the school's ability to educate its students in a safe environment. Our school will not tolerate acts of harassment, intimidation or bullying.

On January 5, 2011, Gov. Christie signed into law the "Anti-Bullying Bill of Rights". The new law went into effect September 2011 and amends the 2002 anti-bullying law and provides several major changes including new definition for Harassment, Intimidation and Bullying, District Staff Functions, policy and procedures, training requirements and reporting.

Definition of Harassment, Intimidation and Bullying (HIB) are:

1. Any gesture, written, verbal, or physical act or electronic communication that takes place on school property, at a school sponsored function or school bus. Electronic communication means a communication transmitted by means of an electronic device, including but not limited to a telephone, cellular phone and computer or remotely activated paging device.
2. Incidents of HIB including cyber-bullying that occur away from school grounds may also be included if they endanger the safety of students or staff.
3. Motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or mental, physical or sensory disability or any other distinguishing characteristic.
4. When a reasonable person should know, under the circumstances, that the act will have the effect of physically or emotionally harming the pupil or damaging his/her property, placing the pupil in reasonable fear of harm to his/her person or personal property.
5. 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.
6. When any behaviors associated with sexual conduct, as defined by the Office of Civil Rights, are sufficiently severe, persistent or pervasive so that they interfere with student/school performance or create an intimidating, hostile or offensive school environment, these behaviors become sexual harassment.
7. Also, a pupil exercising power and control over another pupil, either in isolated incidents or patterns of HIB behavior.

(N.J.S.A. 18A: 37-14 (2011))

## Expected Behavior

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Pupils should conduct themselves as appropriate to their levels of development, maturity and demonstrated capabilities with proper regard for the welfare of others, including staff and other pupils. Staff members are expected to model appropriate behavior and encourage best practices of proactive discipline, positive behavior support and growth in self-discipline. Severity of behaviors and history of other such behaviors will be considered when designing the consequences of infractions.

## Consequences and Appropriate Remedial Action

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Factors for determining consequences in response to HIB behavior include:

1. Age and developmental maturity levels of all parties;
2. Degrees of harm;
3. Surrounding circumstances;
4. Nature and severity of behavior(s);
5. Incidences of past or continuing patterns of behavior;
6. Relationships between parties involved; and
7. Context in which the alleged incidents occurred.
8. Personal and environmental factors are also considered.

Consequences for Remedial Action for infractions are mandatory (N.J.A.C. 6A: 16-7.9 (a) 2). They may include a range and variation in type depending on the results of investigating the factors above. These include:

1. Admonishment (reprimand/ warning/advisement)
2. Temporary removal from the classroom
3. Deprivation of privileges (i.e., can't play sports or go on school trips)
4. Lunch Detention
5. Classroom or administrative detention
6. Referral to the disciplinary administrator
7. In-school suspension
8. After-school programs
9. Out of school suspension
10. Legal action (police involved)
11. Expulsion (removed from school)
12. Restitution (pay money or do community service)
13. Mediation
14. Recommendations of pupil behavior modification plan
15. Behavioral assessment/evaluation
16. Pupil counseling
17. Parent conferences

## Reporting Procedures

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1. Complaints alleging violation of the HIB Policy must be reported to the appropriate Principal or designee.
2. An incident reporting form to document the allegation must be completed for the investigation to begin.
3. A verbal report or anonymous report is considered official, but disciplinary action may not be taken based solely on an anonymous report.
4. Timely reporting, in compliance with the procedures in the Policy, makes the person who reports it immune from a cause of action for damages arising out of failure to report the incident.
5. Once reported the incident must be investigated. The Principal or Residential Director is responsible for ensuring that the investigation is carried out.
6. The investigation will be prompt, thorough and complete and be recorded.
7. An appropriate response must be developed and provided.

### Reprisal or Retaliation/False Accusations

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The Principal or designee will determine consequences for reprisal/retaliation after consideration of the nature and severity of the actions in accordance with state law and regulations.

Consequences for false accusations of HIB will be applied in accordance with NJ statute and the District Code of Conduct Policy

### Policy Publication

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Must be disseminated in total annually to school staff, parents/legal guardians and students.

Policy shall be transmitted to the Executive County Superintendent of Schools.

Must appear in any publication of comprehensive rules, procedures and standards for the school and on the district web site.

Staff training for HIB must be reviewed annually and determinations about the need for additional training and updates of the School Code of Conduct must be made and recommended by the Superintendent and BOE.