

# POLICY

## RANDOLPH BOARD OF EDUCATION

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Harassment, Intimidation and Bullying

### 5512.01 HARASSMENT, INTIMIDATION AND BULLYING

#### Policy Statement

The 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. School administrators, faculty, staff and volunteers will model appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying.

This policy will also be available on the district's website and shall be distributed annually to parents and guardians who have children enrolled in district schools.

#### Definition

"Harassment, intimidation or bullying" means any hostile or demeaning gesture, writing, verbalization or physical act **that is reasonably perceived as being motivated either 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 handicap, or by any other distinguishing characteristic**, that takes place on school property, at any school-sponsored function or on a school bus or by electronic communication and that has the purpose or effect of threatening or intimidating a student or group of students, mentally or physically harming such student or damaging their property.

"Electronic communication" means a communication transmitted by means of electronic device, including but not limited to a telephone, cellular phone, computer or pager.

#### **Behavior Expected From Each Student**

**The district 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.**

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The district Board of Education expects standards for student behavior must be set cooperatively through interaction among the students, parents, staff and community members of the school district, 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 district Board of Education expects 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 student conduct problems and foster students' abilities for grow in self-discipline.

### Consequences and Appropriate Remedial Actions

Principals will notify students, staff and parents annually of the expected standards of conduct in the building.

The following factors will be considered in determining the appropriate response to students who commit one or more acts of harassment, intimidation or bullying **and the consequences and remedial responses for staff members who commit one or more acts of harassment, intimidation or bullying:**

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

An appropriate consequence will be determined after meaningful consideration of these factors. Consequences and appropriate remedial action for students who commit acts of harassment,

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intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion.

**At the discretion of the administration, consequences may include: admonishment; temporary removal from the classroom; classroom or administrative detention; referral to principal; in-school suspension during the school week; after-school programs; out-of-school suspension (short-term or long-term); legal action; and expulsion.**

**At the discretion of the administration, remedial measures may include: student counseling; parent counseling; 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; behavior assessment or evaluation, including, but not limited to , a referral to the Child Study Team, as appropriate; assignment of leadership responsibilities (e.g. hallway or bus monitor).**

### Reporting Procedure

Complaints alleging violations of this policy shall be reported to the principal or his/her designee. All school employees are required to report alleged violations of this policy to the principal or his/her designee. All other members of the school community, including students, parent(s) or legal guardian(s), volunteers and visitors are encouraged to report any act that may be a violation of this policy. **The reporting party is encouraged to use the report form available from the principal of each building or available at the school districts central office, or the reporting party may use the district's web-based reporting system. Oral reports also shall be considered official reports. 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.**

### Investigation

The principal or his/her designee is responsible for determining whether an alleged act occurred and if so, constitutes a violation of this policy. The principal or his/her designee shall conduct a prompt, thorough and complete investigation of the alleged incident. The principal or his/her designee will maintain a record of each investigation regarding allegations of harassment, intimidation and bullying.

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The district Board of Education recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school officials 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 a student who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion.

In considering whether a response beyond the individual is appropriate, the administrator shall consider the nature and circumstances of the act, the degree of harm, the nature and severity 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 and staff member behavior and the consequences of such actions, and to the involvement of law enforcement officers, including school resource officers.

### Reprisal or Retaliation Prohibited

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 principal or his/her designee after consideration of the nature and circumstances of the act, in accordance with case law,

### Consequences for 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.

Consequences and appropriate remedial action for a school employee found to have falsely accused another as a means of

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harassment, intimidation or bullying shall be disciplined in accordance with district 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 principal or his/her designee, after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

### Policy Publication

This policy will be disseminated annually by the principals to all school staff, students, parent(s) or legal guardian(s), along with a statement explaining that the policy applies to all acts of harassment, intimidation and bullying that occur on school property, at school-sponsored functions or on a school bus. **This policy is posted on the district website - [www.rtnj.org](http://www.rtnj.org).**

### Harassment, Intimidation and Bullying Prevention Programs

Pursuant to N.J.S.A. 18A:37-17.c., information regarding the district's Harassment, Intimidation and Bullying Policy shall be incorporated into a school's employee training program.

Pursuant to N.J.S.A. 18A:37-17.a., the district will establish bullying prevention programs, and other initiatives involving school staff, students, administrators, volunteers, parent (s) or legal guardian(s), law enforcement and community members in developing such programs and initiatives.

N.J.S.A. **18A:37-1**, 18A:37-13 through 18A:37-19

**N.J.A.C. 6A:16-7.1-9**

Formerly: Policy 561.1 - Hazing/Harassment, Intimidation & Bullying

Adopted: 20 November 2003

Revised: 29 August 2007, 14 April 2008;