

## **Model Policy Prohibiting Harassment, Intimidation and Bullying**

**The Deron School of NJ prohibits all acts of harassment, intimidation, or bullying N.J.S.A. 18A: 37-15 (3) (b) (1).**

### **Statement of Purpose**

A safe and civil environment 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 demonstration appropriate behavior, treating others with civility and respect and refusing to tolerate harassment, intimidation or bullying.

### **Definition of Harassment, Intimidation and Bullying**

"Harassment, intimidation or bullying" means any gesture, any written; verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, 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 disability, or by any other distinguishing characteristic, that takes place on school property, at any school sponsored function, on a school bus, or off school grounds as provided for in section 16 of P.L. 2010 c.122 (C.18A:37-15.3), that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

- A.** a reasonable person should know, under the circumstances, 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 physical or emotional harm to his person or damage to his property;
- B.** has the effect of insulting or demeaning any student or group of students; or
- C.** 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.

### **Student Behavioral Expectations**

The Deron School of NJ expects students to conduct themselves in an appropriate manner at all times with regard and respect for the rights and welfare of their fellow students and school staff. The Deron School 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 the students, staff and community members. Deron School requires that all students adhere to the rules and regulations established and submit to disciplinary measures as are appropriately assigned for the infraction of these rules.

The Director / Principal or Principal's designee (The Anti-Bullying Coordinator) 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 school's 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 students 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 student rights; and
- D. Identify disciplinary sanctions and due process.

### **CONSEQUENCES AND APPROPRIATE REMEDIAL ACTIONS FOR A PERSON WHO COMMITS AN ACT OF HARASSMENT, INTIMIDATION, OR BULLYING**

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 developmental 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 of 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 school policies and procedures. Consequences and appropriate remedial action for students who commit acts 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. Consequences may range from positive behavioral interventions up to an including suspension or expulsion.

### **REPORTING PROCEDURES**

At each school, the Principal (or their 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 their designee). All other members of the school community, including students, parents, volunteers and visitors, are encouraged to report any act that may be a violation of this policy. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report. All acts of harassment, intimidation, or bullying shall be reported verbally to the school principal on the same day when the school employee or contracted service provider witnessed or received reliable information regarding any such incident. The Principal shall inform the parents or guardian of all students involved in the alleged incident, and may discuss, as appropriate, the availability of counseling

and other intervention services. All acts of harassment, intimidation or bullying shall be reported in writing to the school principal within two days of when the school employee or contracted service provider witnessed or received reliable information that a student has been subjected to harassment, intimidation or bullying.

### **INVESTIGATION PROCEDURES**

The investigation shall be initiated by the Principal (or their designee) within one school day of the report of the incident and shall be conducted by the Anti-Bullying Specialist. The Principal may appoint additional personnel who are not school anti-bullying specialists to assist in the investigation. The investigation shall be completed as soon as possible, but not later than 10 school days from the date of the written report of the incident of harassment, intimidation or bullying. In the event that 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 shall be reported to the Director within two school days of the completion of the investigation, and in accordance with regulations promulgated by the State Board of Education pursuant to the "Administrative Procedure Act" P.L. 1968, c.410 (C.52:14B-1etseq.), the Director may decide to provide intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommended other appropriate action. Parents or guardians of the students who are parties to the investigation shall be entitled to receive information about the investigation, in accordance with federal and State law and regulation, including the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether discipline was imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within 5 school days after the results of the investigation after the results of the investigation are reported to the Director. A parent or guardian may request a hearing with the Director and the hearing shall be held within 10 days of the request. A parent, student, guardian, or organization may file a complaint with the Division of Civil Right within 180 days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," P.L.1945, c169 (C.10:5-1 et seq.)

### **SCHOOL RESPONSE TO IDENTIFIED INCIDENTS OF HARASSMENT, INTIMIDATION OR BULLYING.**

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 either at the classroom level, school building or by a law enforcement official.

Consequences and appropriate remedial actions for students who commit an act 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.

In considering whether a response is beyond the individual level is appropriate, the administrator should consider the nature of the 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) 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.

### **PROHIBITION OF REPRISAL OR RETALIATION AND CONSEQUENCES AND APPROPRIATE REMEDIATION FOR A PERSON WHO ENGAGES IN SAME**

The Deron School 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 and circumstances of the act, in accordance with case law, federal and state statutes and regulations and school policies and procedures.

### **CONSEQUENCES AND APPROPRIATE REMEDIAL ACTION FOR A PERSON FOUND TO HAVE FALSELY ACCUSED ANOTHER AS A MEANS OF HARASSMENT, INTIMIDATION, OR BULLYING. N.J.S.A. 18A:37 -15 (3)(B)(9)**

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 disciplined in accordance with school policies, procedures and agreements. 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 and circumstances of the act, including reports to appropriate law enforcement officials.

### **ANNUAL POLICY PUBLICATION AND DISSEMINATION**

The policy shall be disseminated annually to all school staff, students and parents, along with a statement explaining that it applies to all acts of harassment, intimidation and bullying that occur on school [property](#), at school-sponsored functions or on a school bus. The Director / Principal or Principal's designee shall develop an annual process for discussing the school policy on harassment, intimidation and bullying with students. This policy shall be published and updated on the school website each year.

### **ESTABLISHMENT OF BULLYING PREVENTION TRAINING PROGRAMS**

Pursuant to N.J.S.A.: 37-17(5)(c), information regarding the school's 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 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 school is encouraged to, and if funds are appropriated for these purposes are required to:

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

### **SCHOOL ANTI-BULLYING COORDINATOR CONTACT INFORMATION**

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### **SCHOOL ANTI-BULLYING SPECIALIST INFORMATION**

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