

*KEANSBURG SCHOOL
DISTRICT*

HARASSMENT

INTIMIDATION

BULLYING

MANUAL

HARASSMENT – INTIMIDATION – BULLYING IN SCHOOLS

WHAT IS HARASSMENT – INTIMIDATION - BULLYING

According to NJSA 18A:37-14, NJSA 18A:37-15(b)(2) and NJSA 18A:37-15.3:

"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 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;*
- *has the effect of insulting or demeaning any student or group of students; or*
- *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.*

WHAT ARE OFF SCHOOL GROUNDS, AND HOW DOES IT IMPACT US

** The term "school grounds," pursuant to N.J.A.C. 6A:16-1.3, means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment facilities, generating facilities, and other central service facilities including, but not limited to, kitchens and maintenance shops. School property also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and recreational places owned by local municipalities, private entities or other individuals during those times.*

**For school staff to address HIB that occurs off school grounds there must be reason to believe, at a minimum, that the alleged HIB has substantially disrupted or interfered with the orderly operation of the school or the rights of other students. Once this determination has been made, school staff must implement the district board of education's HIB policy and code of student conduct. Exclusive use of a portion of such land.*

WHAT ARE OUR RESPONSIBILITIES FOR REPORTING INCIDENTS

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 guardians 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 school days of when the school employee or contracted service provider witnessed or received reliable information that a student had been subject to harassment, intimidation, or bullying. N.J.S.A. 18A:37-15(b)(5)

A member of a board of education, school employee, contracted service provider, student or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, who shall immediately initiate the school district's procedures concerning school bullying. N.J.S.A. 18A:37-16(b)

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 18 from a cause of action for damages arising from any failure to remedy the reported incident. N.J.S.A. 18A:37-16(c)

WHO DO WE REPORT INCIDENTS TO

- **BUILDING LEVEL ANTI-BULLYING SPECIALISTS**
- **SCHOOL SAFETY TEAM MEMBERS**
- **DISTRICT ANTI-BULLYING COORDINATOR**

HOW DO WE REPORT INCIDENTS TO THE TEAM

See attached **HIB REPORTING FORM**

- ***Reminder: You have personal responsibility to ensure that you report an possible incident to the team before you leave the building on the day of that incident occurred.***
- ***If for some reason you do not have access to the reporting form or the possible incident happens towards the end of the school day and you haven't had time to complete the form YOU MUST PERSONALLY SEE one of the specialist team members and verbally report the incident.***

WHAT HAPPENS AFTER AN INCIDENT IS REPORTED

The HIB / School Safety Team will:

- ***Conduct an investigation 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 superintendent of schools 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-1 et seq.), the superintendent 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 recommend other appropriate action;***
- ***The results of each investigation shall be reported to the board of education no later than the date of the board of education meeting next following the completion of the investigation, along with information on any services provided, training established, discipline imposed, or other action taken or recommended by the superintendent;***
- ***Parents 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 are reported to the board.***
- ***A parent or guardian may request a hearing before the board after receiving the information, and the hearing shall be held within 10 days of the request. The board shall meet in executive session for the hearing to protect the confidentiality of the students. At the hearing the board may hear from the school anti-bullying specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.***

POSSIBLE OUTCOMES

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, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.

In considering whether a response beyond the individual is appropriate, school officials 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.

Factors for Determining Consequences

- *Age, developmental and maturity levels of the parties involved and their relationship to the school district;*
- *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*
- *Context in which the alleged incidents occurred.*

Factors for Determining Remedial Measures

Personal

- *Life skill deficiencies;*
- *Social relationships;*
- *Strengths;*
- *Talents;*
- *Traits;*
- *Interests;*
- *Hobbies;*
- *Extra-curricular activities;*
- *Classroom participation;*
- *Academic performance; and*
- *Relationship to students and the school district.*

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.*

Examples of 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 suspension (short-term or long-term);
- Reports to law enforcement or other legal action;
- Expulsion; and
- Bans from providing services, participating in school-district-sponsored programs or being in school buildings or on school grounds.

Examples of Remedial Measures

Personal

- Restitution and restoration;
- Peer support group;
- Recommendations of a student behavior or ethics council;
- 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:16-8;
- 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;
- Alternative placements (e.g., alternative education programs);
- Student treatment; or
- Student therapy.

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