
HARASSMENT, INTIMIDATION, OR BULLYING

The Board of Education strictly 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 pupil's ability to learn and a school's ability to educate its pupils in a safe environment; and since pupils 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.

Definition

"Harassment, intimidation, or bullying" means any gesture, written, verbal, or physical act that takes place on school property, at any school-sponsored function, or on a school bus and that:

- a. Is being motivated either by an 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 that
- c. A reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of harm to his/her person, or damage to his/her property; or
- d. Has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

Expected Student Behavior

The Board expects students to conduct themselves in keeping with their levels of development, maturity, and demonstrated capabilities with 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.

The Rumson Board of Education believes that standards for pupil behavior must be set cooperatively through interaction among the student(s), parent(s), or legal guardian(s), staff, and community member(s), producing an atmosphere that encourages pupils to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school district and community property on the part of pupils, staff, and community members.

The Board of Education believes the best discipline is self-imposed, and it is the responsibility of the staff to use disciplinary situations as opportunities to help students learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with students shall apply the best practices (i.e., peaceable schools) designed to prevent discipline problems and encourage students' abilities to grow in self-discipline.

The Superintendent will develop regulations/guidelines against harassment, intimidation, and bullying. These guidelines will be developed based on accepted core ethical values from broad community/involvement, which will include parent(s) or legal guardian(s) and other community representatives, school employees, volunteers, students, and administrators. These guidelines for student conduct will be suited to the age level of the students and the mission and physical facilities of the individual school(s) in the district. This policy requires all students in the district to adhere to these rules and guidelines and to submit to such disciplinary measures as are appropriately assigned for infraction of these rules and guidelines.

The district prohibits active and passive support for harassment, intimidation, or bullying. Students are encouraged to support other pupils who walk away from these acts when they see them, constructively attempt to stop them, and report these acts to the Building Principal, Assistant Principal, or staff member.

Students are required to conform to reasonable standards of socially acceptable behavior; respect the person, property, and rights of others; obey constituted authority; and respond to school district teaching, support, and administrative staff. Each building Principal will develop and provide a school-based program for appropriate recognition for positive reinforcement for good conduct, self-discipline, good citizenship, and academic success.

The Superintendent or his/her designees will provide annually to pupils and their parent(s) or legal guardian(s) the rules of the district regarding pupil conduct, and pupils' due process and other rights. This policy will appear in all publications of the school district's comprehensive rules, procedures, and standards of conduct for school(s) within the district, including pupil handbooks. Provisions will be made for informing parent(s) or legal guardian(s) whose primary language is other than English.

Consequences and Appropriate Remedial Actions

The following factors will be considered in determining the appropriate response to pupils who commit one or more acts of harassment, intimidation, or bullying:

1. The development and maturity levels of the parties involved;
2. The level(s) of harm;
3. The surrounding circumstances;
4. The nature of the behavior(s);
5. Past incidences or continuing patterns of behavior;
6. The relationships between the parties involved; and
7. The context in which the alleged incidents occurred.

An appropriate response and consequence will be determined after thorough and meaningful consideration of the facts. Consequences and appropriate remedial action for pupils who commit acts of harassment, intimidation, or bullying may range from positive behavioral interventions, suspensions, detentions, parent conferences, guidance with Child Study Team intervention/counseling, up to an expulsion. The appropriate consequence will be consistent with case law, Federal and state statutes, and district/school policies and regulations.

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. Failure to report an incident will result in an appropriate disciplinary action (i.e., verbal reprimand, letter in file, etc.). The action taken will depend on both the severity of the offense and the frequency of failure to report such incidents. All other members of the school community, including pupils, parent(s) or legal guardian(s), volunteers, and visitors are encouraged to report any act that may be a violation of this policy. While submission of an Incident Report to the Principal or his/her designee is not required, it is encouraged. Oral reports will also be considered official reports. Reports may be made anonymously, but formal disciplinary action 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 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.

Response to an Incident of Harassment, Intimidation, or Bullying

Some acts of harassment, intimidation, or bullying may be isolated incidents requiring the school to respond appropriately to the individual(s) committing the acts. Other acts may be so serious or part of a larger pattern of harassment, intimidation, or bullying that require a response either at the classroom, school building, or school district level, or by law enforcement officials.

In considering whether a response beyond the individual level is appropriate, the administrator will consider the nature and circumstances of the act, the level of harm, the nature of the behavior, past incidences, past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. The school district's responses can range from school and community surveys to mailings, to focus groups, and to training for certificated and non-certificated staff. The district's responses may include participation of parent(s) or legal guardian(s) and other community members and organizations, small or large group presentations fully addressing the actions and involvement of law enforcement officers.

Reprisal or Retaliation Prohibited

The 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 in consultation with the Superintendent after they consider the nature and circumstances of the act.

Consequences for False Accusation

Consequences and appropriate remedial action for a pupil found to have falsely accused another as a means of harassment, intimidation, or bullying range from positive behavioral interventions, parent conferences, detention, suspension, guidance or Child Study Team counseling/intervention, up to expulsion as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils.

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 in consultation with the Superintendent, 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 to all school staff, pupils, and 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.

Annually, the Superintendent, with the building administration, shall develop a process for informing parents and students of the district's policy on harassment.

First Reading: January 12, 2005
Adoption: February 23, 2005

Legal References:

<u>N.J.S.A.</u>	18A:37-13 et seq.	Prohibiting Harassment, Intimidation, and Bullying
	See particularly: 18A:37-13, 18A:37-14, and 18A:37-17	
<u>N.J.A.C.</u>	6A:16	Programs to Support Student Development
<u>N.J.A.C.</u>	6A:16-5.1	Code of Student Conduct
<u>N.J.A.C.</u>	6A:16-6	Law Enforcement Operations for Substances, Weapons, and Safety
<u>N.J.A.C.</u>	6A:16-6.2(b)12	Memorandum of Agreement Between Education and Law Enforcement Officials

Saxe v. State College Area School District; 240 F. 3d 200 (3d Cir. 2001)

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)

Cross References:

5114	Suspension and Expulsion/Pupil Due Process
5131	Conduct/Discipline
5140	Welfare
5142	Safety: Personal and Possessions
5145	Rights
6121	Nondiscrimination/Affirmative Action