

# RIDGE AND VALLEY CHARTER SCHOOL

## HARASSMENT, INTIMIDATION AND BULLYING POLICY 4111.2

Available online at: [www.ridgeandvalley.org](http://www.ridgeandvalley.org)

The Board of Trustees prohibits acts of harassment, intimidation or bullying. The Board of Trustees has determined that 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. Since students learn by example, the board of trustees, leadership team members, faculty, staff and volunteers should demonstrate appropriate behavior, treating others with civility and respect and refusing to tolerate harassment, intimidation or bullying.

"Harassment, intimidation or bullying" means any gesture or written, verbal or physical act or any electronic communication<sup>1</sup> 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 and that:

- a.** a reasonable person should know, under the circumstances, will have the effect of harming a student or damaging the student's property, or placing a student in reasonable fear of harm to his person or damage to his property; or
- b.** 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. N.J.S.A. 18A:37-15(3)(b)(2) and N.J.A.C. 6A:16-7.9(a)2ii.

Harassment, intimidation or bullying conducted via electronic communication ("cyber-bullying") is prohibited both on- and off-campus, whether transmitted via Ridge and Valley Charter School equipment or not.

The Board of Trustees 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. The Board of Trustees expects each student to refrain at all times from harassment, intimidation or bullying as defined herein.

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<sup>1</sup> Electronic communication means a communication transmitted by means of an electronic device, including but not limited to, a telephone, cellular phone, computer, or pager.

The Board of Trustees believes that standards for student behavior must be set cooperatively through interaction among the students, parents and guardians, staff and community members of the school, 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 school and community property on the part of trustees, students, staff and community members.

The Board of Trustees believes 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 from our behavior rubric (see attached) designed to prevent student conduct problems and encourage students' abilities to grow in self-discipline.

The Board of Trustees requires the Leadership Team to develop and implement procedures as detailed in our behavior rubric that ensure both the appropriate consequences and remedial responses to a student or staff member who commits one or more acts of harassment, intimidation or bullying. The following factors, at a minimum, shall be given full consideration by the Leadership Team in the development of the procedures (as per our behavior rubric) for determining appropriate consequences and remedial measures for each act of harassment, intimidation or bullying.

### **Factors for Determining Consequences**

- Age, developmental and maturity levels of the parties involved;
- 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; and
- Academic performance.

### **Environmental (Classroom, School Buildings, Grounds)**

- 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.

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as set forth in the Board of Trustees approved code of student conduct, pursuant to N.J.A.C. 6A:16-7.1. Consequences for a student who commits an act 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, and must be consistent with the Board of Trustees approved code of student conduct and N.J.A.C. 6A:16-7, Student Conduct. Remedial measures shall be designed to correct the problem behavior; prevent another occurrence of the problem; and protect the victim of the act. The consequences and remedial measures may include, but are not limited to, the examples listed below:

### **Examples of Consequences**

- Admonishment;
- Temporary removal from the classroom;
- Deprivation of privileges;
- Referral to disciplinarian;
- Detention;
- Suspension;
- Legal action; and
- Expulsion.

## **Examples of Remedial Measures**

### **Personal**

- 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, 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; and
- Parent conferences.

### **Environmental (Classroom, School Buildings, Grounds)**

- School and community surveys or other strategies that may include staff, students, or community for determining the conditions contributing to harassment, intimidation or bullying;
- School culture change;
- School climate improvement;
- Adoption of research-based, systemic bullying prevention programs;
- School policy and procedures revisions;
- Modifications of schedules;
- Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- General professional development programs for certificated and non-certificated staff;
- Professional development plans for involved staff;
- Disciplinary action for school staff who contributed to the problem;
- Supportive institutional interventions, including participation of the Intervention and Referral Services team, pursuant to N.J.A.C. 6A:16-8;
- Parent conferences;
- Development of a general bullying response plan;
- Peer support groups; and
- Law enforcement (e.g., school resource officer, juvenile officer) involvement.

The Board of Trustees requires the Leadership Team to be responsible for receiving and tracking complaints alleging violations of this policy. Complaints include, but are not limited to, oral reports, written reports or electronic reports. All

school employees as well as all other members of the school community, including trustees, students, parents, volunteers and visitors, are required to report alleged violations of this policy to the Leadership Team. The reporting party is encouraged to submit a written report to the Leadership Team. 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.

The Board of Trustees requires the Leadership Team to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the Leadership Team shall conduct a prompt, thorough and complete investigation of each alleged incident. The response at a minimum shall include support for victims of harassment, intimidation or bullying and corrective action for documented systemic problems related to harassment, intimidation or bullying.

The Board of Trustees recognizes that 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, school building 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, the Leadership Team 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) 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 to 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 the involvement of law enforcement officers, including school resource officers.

A school employee, student or volunteer shall not engage in reprisal, retaliation or false accusation against a victim, witness or one with reliable information about an act of harassment, intimidation or bullying.

A school employee, 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.

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, and who makes this report in compliance with the procedures in the district's policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

The consequences and appropriate remedial action for a student found to have falsely accused another as a means 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:15-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions. 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 Leadership Team after consideration of the nature, severity and circumstances of the act, including reports to appropriate law enforcement officials.

The Board of Trustees requires the Leadership Team to annually disseminate the policy to all school staff, students and parents and guardians, along with a statement explaining that it applies to all applicable acts of harassment, intimidation and bullying that occur on school property, at school-sponsored functions or on a school bus. The Leadership Team shall annually discuss the school policy on harassment, intimidation and bullying with students. The school's policy on Harassment, Intimidation and Bullying Policy is available on the school's website.

The Board of Trustees directs the Leadership Team to establish bullying prevention programs and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement and community members.

The Leadership Team shall:

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

Information regarding the school's policy against harassment, intimidation or bullying shall be incorporated into the school's employee training program.

The Board of Trustees acknowledges that it shall:

1. Annually review the training needs of school staff for the effective implementation of the harassment, intimidation and bullying policies, procedures, programs and initiatives and implement staff training programs consistent with the annual review of training needs and the findings of the annual review and update of the code of student conduct, pursuant to N.J.A.C. 6A:16-7.1(a)3, as determined by the district board of education.
2. Annually review the extent and characteristics of harassment, intimidation and bullying behavior in the school and implement programmatic or other responses, if determined appropriate by the Board of Trustees.
3. Plan such programs or other services in consultation with parents, students and other community members, including appropriate community-based social and health provider agencies, law enforcement officials, school employees, school volunteers, students and school administrators, as appropriate.

The School's policy on harassment, intimidation and bullying shall appear in any publication of the School that sets forth the comprehensive rules, procedures and standards of conduct and in any student handbook.

The within policy, upon adoption, will be transmitted within 5 (five) days to the Warren County Superintendent of Schools.

### **Legal References:**

N.J.S.A. 18A:37-15 Adoption of policy by each school district  
N.J.A.C. 6A:16-7.9 intimidation, harassment, bullying  
N.J.S.A. 18A:37-14 Definitions relative to adoption of harassment and bullying prevention policies  
N.J.A.C. 6A:16-7.6 Conduct away from school grounds  
N.J.A.C. 6A:16-7.1 Code of student conduct  
N.J.S.A. 18A:25-2 Authority over pupils; bus driver responsible for order  
N.J.S.A. 18A:37-2 Causes for suspension or expulsion of pupils  
N.J.S.A. 18A:37-13 Findings, declarations relative to adoption of harassment and bullying prevention policies  
N.J.S.A. 18A:37-16 Reprisal, retaliation, false accusation prohibited  
N.J.A.C. 6A:16-7.3 Long-term suspensions  
N.J.A.C. 6A:16-7.5 Expulsions  
N.J.S.A. 18A:37-1 Submission of pupils to authority  
N.J.S.A. 18A:37-17 Establishment of bullying prevention programs

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