

The Newgrange School

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Policy Prohibiting Harassment, Intimidation and Bullying

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Policy 5512 – Prohibiting Harassment, Intimidation and Bullying

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A. Policy Statement

In order to provide our students with a safe, orderly and civil learning environment, The Newgrange School prohibits all acts of harassment, intimidation and bullying conducted by students or staff. These behaviors disrupt students’ ability to learn and the school’s ability to educate. Treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying are the behaviors that will be promoted and commended.

B. 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 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. (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;

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- 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.

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

C. Pupil Expectations and Core Values

Taking into consideration the developmental level, maturity, capabilities and special needs of our students, The Newgrange School expects students and staff to behave in a manner that shows proper regard for the rights and welfare of others and the educational purpose of all school activities. Standards for behavior have been set with input from staff, administration, parents, students and board members, and evolve along with the changing needs of our student population. One purpose of these standards is to help create a learning environment that supports the development of self-discipline, respect for self and for others.

The Newgrange School’s core values for behavior include our **4 R’s**:

- Respect**
- Responsibility**
- Right Choices**
- Ready to Learn**

When reinforced, these values will help prevent incidents of direct and active harassment, intimidation and bullying, as well as bystander and other passive support for these harmful behaviors. Staff members should take advantage of every opportunity to reinforce these values. They should also use violations of these values as an opportunity to help students and staff learn to assume and accept responsibility for their behavior and the consequences of their behavior. (Please see the Newgrange School Code of Conduct and the Staff Handbook for more detailed descriptions of behavioral expectations.) Any action taken by staff or administration must consider the special needs of individual students and their IEPs. In many cases students’ learning differences have affected their acquisition of social skills.

Newgrange prohibits active or passive support for acts of harassment, intimidation, or bullying. Pupils are encouraged to support other pupils who:

1. Attempt in a positive, nonviolent and nonaggressive manner to stop acts of harassment, intimidation, or bullying;

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2. Walk away from acts of harassment, intimidation, or bullying when they see them; rather than participating in or supporting such acts;
3. Provide support to pupils who have been subjected to harassment, intimidation, or bullying; and
4. Report acts of harassment, intimidation, and bullying to the designated school staff member.

D. Consequences and Appropriate Remedial Action

All acts of harassment, intimidation or bullying by students or staff shall result in appropriate remedial actions and/or consequences. The appropriateness of any remedial plan or consequence shall be based on the severity of the offense, the developmental ages of the student offenders, student offender's behavioral history, the special needs of the students involved and their IEPs. Personal factors (such as might be found in pupil records, CST reports, IEPs) and environmental factors (such as school climate, classroom management considerations, interpersonal relationships and skills, etc) shall be taken into account when developing remedial plans and consequences.

Remedial plans may involve but are not limited to:

- In-school short-term counseling
- Creating a Behavioral Intervention Plan as part of the IEP
- Parent conference
- Referral for non-school based therapy
- Restitution for damaged property
- Remedial plans may involve but are not limited to the following:

Personal

- Warning
- Sent to office
- Lunch detention
- Parent notification
- In-school suspension
- Out of school suspension
- Meeting with parents and CST
- Reports to law enforcement
- Termination of placement

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School Environmental

- Assessment of school climate in relation to harassment, intimidation and bullying
- Review of IEPs
- Review & revision of school policies and programs related to harassment, intimidation, and bullying
- Increasing supervision of critical areas
- Adjusting student and staff schedules
- Professional development for entire staff or targeted groups of staff
- Disciplinary action against involved staff
- Parent meetings and/or support groups
- Large group assembly and/or small, targeted group educational programs for students

E. Harassment, Intimidation and Bullying Off School Grounds

This policy and the school's Code of Conduct apply to incidents that occur off school grounds when:

1. The alleged harassment, intimidation or bullying substantially disrupts or interferes with the orderly operation of the school or the rights of other students; and either
2. A reasonable person should know that the alleged behavior 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 / emotional harm or damage to personal property; or
3. The alleged behavior has the effect of insulting or demeaning any student or group of students; or
4. The alleged behavior creates a hostile educational environment by interfering with a student's education or by severely or pervasively causing physical or emotional harm

F. Reporting Procedure

All incidents of actual or alleged harassment, intimidation and bullying must be reported to the Principal or designee.

1. Board members, school employees, volunteers and contracted service providers who have contact with students must verbally notify the Principal the same day the individual witnessed or received reliable information regarding any such incident.
2. Board members, school employees, volunteers and contracted service providers who have contact with students shall submit a written incident report within two school days of their verbal report. Incident reports are available from the Anti-Bullying Specialist or in the Main Office.

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3. Pupils, parents, and visitors are encouraged to report alleged violations of this Policy to the Principal on the same day when the individual witnessed or received reliable information regarding any such incident. Students, parents and visitors may make an anonymous report. However, formal disciplinary action may not be based solely on an anonymous report.
4. 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 or other intervention services.

A Board member or school employee who makes a report in compliance with this policy is immune from a cause of action for damages arising from any failure to remedy the reported incident.

In accordance with N.J.S.A. 18A:37-18, the harassment, intimidation, and bullying law does not prevent a victim from seeking redress under any other available law, either civil or criminal, nor does it create or alter any tort liability.

A school administrator who receives a report of harassment, intimidation or bullying from a school employee, and fails to initiate or conduct an investigation, or who should have known of an incident and fails to take sufficient action to minimize or eliminate the harassment, intimidation or bullying, may be subject to disciplinary action.

G. Anti-Bullying Specialist, and School Safety Team

1. The Principal shall appoint an **Anti-Bullying Specialist**. This shall be a school employee, and where possible it shall be someone trained in guidance, behavior, or psychology. The Anti-Bullying Specialist shall:
 - a. Chair the School Safety Team;
 - b. Lead the investigation of incidents of harassment, intimidation or bullying; and
 - c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation or bullying in the school.
2. A **School Safety Team** shall be formed to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school, and to address school climate issues such as harassment, intimidation or bullying. The School Safety Team shall meet at least two times per school year. The School Safety Team shall consist of the Principal, a teacher in the school, the Anti-Bullying Specialist, a parent of a pupil in the school, and other members to be determined by the Principal. The Anti-Bullying Specialist shall serve as the chair of the School Safety Team.

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The School Safety Team shall:

- a. Receive any complaints of harassment, intimidation or bullying of pupils that have been reported to the Principal;
- b. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation or bullying;
- c. Identify and address patterns of harassment, intimidation or bullying of pupils in the school;
- d. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation or bullying of pupils;
- e. Educate all members of the school community (pupils, teachers, administrators, parents, etc.) to prevent and address harassment, intimidation or bullying of pupils;
- f. Participate in the training required;
- g. Execute other related duties as requested by the Principal or the Anti-Bullying Specialist.

A parent who is a member of the School Safety Team shall not participate in the activities of the team set forth in items 2. a., b., or c. above, or other activities of the team which may compromise the confidentiality of a pupil.

H. Investigation

All incidents of harassment, intimidation or bullying shall be investigated thoroughly and completely, as follows:

1. The investigation shall be initiated by the School Principal (or designee) within one day of the first report. It shall be conducted by the school's Anti-Bullying Specialist, and may involve additional staff, as the Principal may designate.
2. The Anti-Bullying Specialist's investigation shall be completed and a written report given to the Principal within 10 days of receipt of the incident report. Any responses shall be in accordance with the school's Code of Conduct, this policy, and standard practices for behavioral incidents, as reviewed below. The Principal shall submit the report to the Executive Director within 2 school days of completion of the investigation.
3. The Principal shall, as appropriate, ensure that the Code of Conduct has been implemented and provide intervention services, order counseling, establish training programs to reduce harassment, intimidation or bullying and enhance school climate, or take or recommend other appropriate action, as necessary.
4. The incident shall be reported to the Administrative Review Committee at its next regularly scheduled meeting (typically this Committee meets weekly). This committee shall be composed of the Executive Director, the Principal, the Supervisor of Instruction, a School Counselor, and the Business

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Administrator. The report shall include all relevant dates, as well as any consequences or remedial actions.

5. Parents of pupils who are parties to the investigation shall be provided with information about the investigation, in accord with Federal and State law and regulation. The information to be provided to parents or guardians shall include the nature of the investigation, whether the school found evidence of harassment, intimidation or bullying, or whether consequences were imposed or services provided to address the incident of harassment, intimidation or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Administrative Review Committee.
6. A parent or guardian may request to meet with the Administrative Review Committee if they disagree with actions taken and a meeting shall be scheduled within 10 days of the request. The Administrative Review Committee shall meet in executive session to protect the confidentiality of the students.
7. The school's Anti-Bullying Specialist shall keep detailed records of all incidents and reports.
8. A parent, student, guardian, or organization may file a complaint with the Division on Civil Rights 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, c. 169 (C.10:5-1 et seq.).

I. Range of Responses to Confirmed Incidents

1. Some acts of harassment, intimidation or bullying may be isolated incidents that require school officials to respond to the individuals committing the acts and the victims. Other acts may be so serious or part of a larger pattern of harassment, intimidation or bullying that require a response at a classroom, group or school level and may involve law enforcement officials, especially when bias is suspected.
 - a. Consequences and remedial actions need to be commensurate with the nature of the act. The nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or patterns of behavior, and the context in which the incident occurred shall be taken into consideration when determining the consequences and remedial plans
 - b. Consequences and/or remedial actions for a student may range from positive behavioral interventions up to and including suspensions or termination of placement as permitted by special education regulations, the student's IEP and any behavioral intervention plans in place for the students involved.
 - c. Classroom, group and school-wide level responses can range from surveys, informational presentations, focus groups, adopting bullying-

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- prevention programs, staff and parent training, to the involvement of law enforcement officials.
2. Support for victims of harassment, intimidation or bullying could include the following actions, alone or in conjunction with other appropriate steps:
 - Counseling – individual or group
 - Increase supervision at critical times and places
 - Schedule changes
 - Requests to CSTs for 1-1 aides or bus aides
 - Referral for therapy
 - Parent involvement
 3. Some acts of harassment, intimidation or bullying may be bias-related acts and potentially bias crimes (crimes motivated by racial, religious, gender, sexual orientation, or other prejudice). School officials must report suspected bias cases to law enforcement officials as per the Memorandum of Agreement.
 4. All incidents of harassment, intimidation and bullying must be documented in the NJ DOE’s Electronic Violence and Vandalism Reporting System each year.

J. Prohibition Against Reprisal, Retaliation or False Accusations

1. To help establish and maintain a safe and orderly school environment all suspected acts of reprisal, retaliation or false accusation will be taken seriously and investigated thoroughly. The Newgrange School prohibits staff, students and anyone else connected to the school from engaging in reprisal, retaliation or false accusation against a victim, any witnesses, anyone who reports an incident or anyone with reliable information about an incident of harassment, intimidation or bullying.
2. Consequences and/or remedial actions shall be determined by the school’s administration after consideration of the nature, severity and circumstances of the act consistent with school policies and any applicable regulations, statutes, or case law. Consequences and remedial actions for confirmed cases of reprisal or retaliation shall be similar to those listed in “V.a)” above.
3. Consequences for confirmed cases of false accusations shall be as follows:
 - a. For students - positive behavioral supports up to and including suspensions or termination of placement as permitted by special education regulations, the students’ IEPs and any behavioral intervention plans in place for the students involved.
 - b. For school employees or contracted service providers - disciplinary actions in accordance with school policies, contracts or agreements.
 - c. For visitors, interns or volunteers - shall be determined by school administration and may include removal from the school building, prohibiting contact with students, reports to law enforcement officials or other legal actions.

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K. Publication of, Notification of, and Access to this Policy

1. The Newgrange School shall disseminate this policy annually to all students, parents, staff, interns, volunteers, and contracted service providers who have contact with students through:
 - a. Staff Handbook of Policies & Procedures
 - b. Student/Parent Handbook
2. The Newgrange School shall post a prominent link to this policy on its homepage (www.thenewgrange.org) and will notify students and parents that this policy is available on its website.
3. The name, school address, school phone number and school email address of the Newgrange Anti-Bullying Specialist shall be posted on the school's website.
4. All staff, volunteers, interns and contracted service providers who have contact with students shall receive training on this policy annually. The training shall include instruction on preventing bullying on the basis of any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, a mental, physical or sensory disability, or by any other distinguishing characteristic.
5. This policy and other issues related to harassment, intimidation or bullying shall be included in the school's social skills program and other appropriate school programs (assemblies, counseling groups, etc).
6. The School's administration and the Anti-Bullying Specialist shall conduct an annual assessment of this policy and related procedures and programs.

NJSA 18A:37-13 through 18A:37-32
N.J.A.C. 6A:16-7.1 et seq.; 6A:16-7.9 et seq.