

Hammonton Board of Education District Policy Manual

Students Harassment, Intimidation & Bullying

Series 5000
Policy 5131.8

Adopted: August 18, 2005

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The Board of Education prohibits acts of harassment, intimidation or bullying.

A safe and civil environment in school is necessary for pupils 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.

For the purposes of this policy, "harassment, intimidation or bullying" means any gesture or written, verbal or physical act or any use of an electronic communication (as defined NJSA 18A:37-15.1: "A communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer or pager.") that takes place on school property, at any school-sponsored function or on a school bus and that:

- A. is 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,
- B. by any other distinguishing characteristic; and
- 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 person or damage to his property; or
- D. has the effect of insulting or demeaning any pupil or group of pupils in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

Acts of harassment, intimidation or bullying may also be a pupil or group of pupils exercising control over another pupil, in either isolated incidents (e.g., intimidation, harassment) or patterns of harassing or intimidating behavior (e.g., bullying).

Expected Behavior

The Board of Education expects pupils 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 pupils and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

The Board of Education believes that standards for pupil behavior must be set cooperatively through interaction among the pupils, parents/guardians, staff and

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community members, 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 district and community property on the part of pupils, staff and community members.

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

Cyber-bullying

The Board of Education expressly forbids cyber-bullying. For the purposes of this policy, "cyber-bullying" shall mean using the communication capacities of computers, the Internet and/or other digital communication devices to bully others by:

- Sending or posting cruel messages or images;
- Threatening others;
- Excluding or attempting to exclude others from activities or organizations;
- Starting or passing on rumors about others or the school system;
- Harassing or intimidating others;
- Sending angry, rude or vulgar messages directed at a person or persons privately or to an online group;
- Sending or posting harmful, untrue or cruel statements about a person to others;
- Pretending to be someone else and sending or posting material that makes that person look bad or places that person in potential danger;
- Sending or posting material about a person that contains sensitive, private or embarrassing information, including forwarding private messages or images; and/or,
- Engaging in tricks to solicit embarrassing information that is then made public.

Pupils found to be engaging in activities as describe above shall be subject to the terms and sanctions found in this policy and the discipline code of the district.

Public Participation

Based on broad community involvement (i.e., the use of a process that –includes representation of parents/guardians and other community representatives, school employees, volunteers, pupils and administrators for the purpose of providing input regarding the development and content of the policy that is based on accepted core ethical values), the Board of Education shall develop general guidelines for pupil conduct and

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shall direct development of detailed regulations suited to the age levels of the pupils and the mission and physical facilities of the individual schools. Board policy requires all pupils in the district to adhere to the rules and regulations established by the school district and to submit to such disciplinary measures as are appropriately assigned for infraction of these rules.

The Superintendent of Schools shall provide annually to pupils and their parents/guardians the rules of the district regarding pupil conduct, and the policy shall appear in all publications of the school district's comprehensive rules, procedures and standards of conduct for schools within the school district, including the pupil handbook. Provisions shall be made for informing parents/guardians whose primary language is other than English. These district rules shall:

- A. Describe pupil responsibilities including the requirements for pupils 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 pupil rights; and,
- D. Identify disciplinary sanctions and due process.

Consequences and Appropriate Remedial Actions

In determining the appropriate response to pupils who commit one or more acts of harassment, intimidation or bullying, school administrators should consider the following factors:

- A. the developmental and maturity levels of the parties involved,
- B. the levels of harm,
- C. the surrounding circumstances,
- D. the nature of the behavior(s),
- E. past incidences or past or continuing patterns of behavior,
- F. the relationships between the parties involved: and,
- G. 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

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should be determined, consistent with the case law, Federal and State statutes, regulations and policies, and district policies and procedures. Consequences and appropriate remedial action for pupils who commit acts of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion.

Reporting Incidents of Intimidation, Harassment or Bullying

The Superintendent of Schools/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 Superintendent of Schools/designee. All other members of the school community, including pupils, parents, volunteers and visitors, are encouraged to report any act that may be a violation of this policy. While submission of the report form is not required, the reporting party is encouraged to use the report form available from the Superintendent of Schools/designee or available at the school district office. Oral reports also shall 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.

Support for Victims of Harassment, Intimidation or Bullying

The Superintendent of Schools/designee shall establish procedures and practices for supporting victims of harassment, intimidation or bullying, incorporating the services of professional staff members within the district or as he/she deems appropriate.

Investigation

The Superintendent of Schools/designee is responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the Superintendent of Schools/designee shall conduct a prompt, thorough and complete investigation of the alleged incident.

Response to an Incident 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, school building or school district levels or by law enforcement officials.

Consequences and appropriate remedial actions for pupils who commit an act of harassment, intimidation or bullying range from positive behavioral interventions up to and including suspension or expulsion, as permitted under NJSA 18A:37-1, et seq.

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Discipline of Pupils

In considering whether a response beyond the individual level is appropriate, the administrator should consider the nature and 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 district) 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 pupil behavior and the consequences of such actions and to involvement of law enforcement officers, including school resource officers.

Reprisal or Retaliation Prohibited

The school 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 administrator after consideration of the nature and circumstances of the act, in accordance with case law, federal and state statutes and regulations and district policies and procedures.

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 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 district 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.

Policy Publication

This policy shall be disseminated annually to all school staff, pupils and parents, along

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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 Superintendent of Schools/designee shall post this policy on the district's website as well as annually notifying students and parents/guardians that the policy is available on the district's website. 1000

The Superintendent of Schools shall develop a process for discussing the school district policy on harassment, intimidation and bullying with pupils on an annual basis.

Legal References:

N.J.S.A. 18A:37-1 et seq., 18A:37-14, et seq, 18A:37-15 et seq 18A:37-17 et seq,
18A:40A-10, 18A:40A-11, 18A:54-20, 2A:4A-60, 2C:12-1

N.J.A.C. 6A:16-1.4(a)13, 6A:16-1.4(a)15 –18, 6A:16-4.1, 6A:16-6.1,
6:8-2.1, 6A:14-2.8, 6A:16-1.1 et seq.,

Possible Cross References:

1120, 1410, 3517, 3541.33, 4131, 4131.1, 4148, 4231.1, 4248, 5010, 5020, 5113,
5114, 5124, 5131.7, 5132, 5145, 5145.4, 5145.6, 5145.11, 5145.12, 6142.41,
6145, 6164.4, 6171.4, 6172