

COMMUNITY SCHOOL POLICY
PROHIBITING HARASSMENT, INTIMIDATION
AND BULLYING (HIB)

Community School 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 student's ability to learn and a school's ability to educate its students in a safe environment; and since students 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.

"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 of school grounds as provided for in Section 16 of P.L. 2022, Chapter 338, 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 in fear of damage to his property; or
- 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.
- d. May involve a real or perceived power imbalance

In addition, to those acts that fall within the above-noted definition of HIB, Cyberbullying, defined as a willful act or acts directed toward or about a student or staff member through the use of computers, cell phones or other electronic devices, is considered at Community School to be an act of harassment, intimidation and bullying. Examples of electronic cyberbullying, may include, but is not limited to:

- a. sending text messages over the internet or cell phone;
- b. posting text, images, audio or video to a web page;
- c. sending or posting text, images, audio or video on or over the internet or through a cell phone network;
- d. sending a picture or video via the internet or using a cell phone.

All acts of cyberbullying are strictly prohibited and can result in disciplinary action whether they occur on or off campus, irrespective of whether they involve an electronic device at school, at home or at a third-party location, if they result in a substantial disruption of the school learning environment as defined in this policy.

For purpose of those acts that fall within the definition of HIB and act of cyberbullying, substantial disruption includes but is not limited to any action that:

- a. places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property; or

- b. is sufficiently severe or persistent or pervasive so that it creates an intimidating, threatening, fearful or abusive educational environment for a student or school employee; or
- c. interferes with a student's educational performance or experience; or d. substantially disrupts the orderly operation of the school.

Community School 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.

Community School believes that standards for student behavior must be set cooperatively through interaction among the students, parents/guardians, staff and community members, 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 students, staff and community members.

Community School believes that the best discipline is self-imposed, and that it is the responsibility of 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 best practices designed to prevent discipline problems and encourage students' abilities to grow in self-discipline.

All school employees are required to report alleged violations of this policy. All other members of the school community, including students, parents, volunteers and visitors, are encouraged to report any act that may be a violation of this policy. Oral reports shall also be considered official reports. While submission of a written report form is not required, the reporting party is encouraged to use a written report form available from the principal. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

It should be noted that appropriate consequences and immediate action shall take place when any staff member commits an act of harassment, intimidation or bullying.

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

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 part of a larger pattern of harassment, intimidation or bullying that they

Behav3/ CHS Bullying Policy HIB 2023-2024 HS

require a response by law enforcement officials.

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

In considering whether a response beyond the individual level is appropriate, the principal will consider the nature and circumstances of the act, the level of harm, the nature of the behavior, past incidents or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional 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 certified and non-certified staff, to participation of parents and other community members and organizations, to small or large group presentations fully addressing the actions and the school's response to the actions in the context of acceptable student behavior, to involvement of law enforcement officers.

Community School 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 after consideration of the nature and circumstances of the act, in accordance with case law, federal and state statutes and regulations, and Community School policies and procedures.

Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation or bullying range from positive behavioral interventions up to and including detentions, suspension, or expulsion, as permitted under N.J.S.A. 18A:37-1. 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 and procedures. 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.

It should be noted that while the specifics of this HIB policy pertain in context to behaviors in the “school setting”, this policy also prohibits the behaviors noted outside the “school setting” and school hours, insofar as such behaviors cause substantial disruption to the school process. Such behaviors include behaviors that occur “face-to-face” as well as behaviors noted that may occur through written, telephonic, or electronic means.

The policy shall be disseminated annually to all school staff, students and parents, along with a statement explaining that it applies to all acts of harassment, intimidation and bullying that occur on school property, at school-sponsored functions, on a school bus, or off school grounds that substantially disrupt the orderly operation of the school.

The principal shall develop an annual process for discussing the school’s policy on harassment, intimidation and bullying with students.

Pursuant to N.J.S.A.: 37-17(5)(c), information regarding the school’s policy against harassment, intimidation and bullying shall be incorporated into the school’s Teachers Packet distributed each Fall and is also sent annually to each parent before the start of the school year or upon student enrollment.

Pursuant to N.J.S.A.: 37-17(5)(a), the school shall establish bullying prevention programs, and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement and community members.

Pursuant to N.J.S.A.: 37-17(5)(b), the school shall

- 1) provide training on the school’s harassment, intimidation and 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 and bullying policies with students.

Implementation of the HIB Policy shall also include the following aspects:

I. Anti-bullying staff assignments

- Anti-Bullying Coordinator
- Anti-Bullying Specialist
- School Safety Team
- School Climate State Coordinator

II. Anti-Bullying Coordinator Responsibilities

The school Anti-Bullying Coordinator shall:

- Be responsible for coordinating and strengthening the school's policies to prevent, identify, and address harassment, intimidation, or bullying of pupils;

- Collaborate with school Anti-Bullying Specialist in the school and the Director to prevent, identify, and respond to harassment, intimidation, or bullying of pupils in the school;
- Provide data, in collaboration with the Director, to the Department of Education regarding harassment, intimidation, or bullying of pupils;
- Execute such other duties related to school harassment, intimidation, or bullying as requested by the Director; and
- Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the school.

III. Principal's Responsibilities

The principal shall:

- Initiate the investigation by the Anti-Bullying Specialist
- Contact parent(s)/guardian(s) and inform them of the incident. Keep abreast of the situation
- Keep in close contact with the Anti-Bullying Specialist. Update him with current information
- May appoint others to assist the Anti-Bullying Specialist as needed
- In conjunction with the Anti-Bullying Specialist, shall determine the "range" of ways to address the incidents of harassing and/or bullying behavior. These may include: training, discipline actions, counseling or intervention programs.
- Be an active participant of the school Safety team
- The Principal shall proceed in accordance with the Behavioral Handbook ●

Submit the report to the school Director

- Provide training on the school HIB Policy to employees, contracted service providers and volunteers who have significant contact with pupils
- Shall annually conduct a reevaluation, reassessment, and review of the HIB Policy with input from the school's Anti-Bullying Specialist, and recommend revisions and additions to the Policy as well as to harassment, intimidation, and bullying prevention programs and approaches based on findings from the evaluation, reassessment and review.
- Post on the school website the name, school phone number, address and school email address of the School Anti-Bullying Specialist

IV. Anti-Bullying Specialist Responsibilities

The school Anti-Bullying Specialist shall:

- Chair the School Safety Team as provided in N.J.S.A. 18A:37-21; Lead the investigation of incidents of harassment, intimidation, or bullying in the school;
- Act as the primary school official reviewing incidents and discussing ways to prevent, identify and address incidents of harassment, intimidation, or bullying in the school;
- Execute other duties related to school harassment, intimidation or bullying as requested by the principal and/or the Anti-Bully Coordinator; and
- Meet at least twice a school year with the school Anti-Bullying Coordinator to discuss and

strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the school.

V. School Safety Team Responsibilities

School Safety Team shall:

- Receive any complaints of harassment, intimidation, or bullying of pupils that have been reported to the Principal;
- Receive copies of any report prepared after an investigation of an incident of Behav3/ CHS Bullying Policy harassment, intimidation, or bullying;
- Identify and address patterns of harassment, intimidation, or bullying of pupils in the school;
- Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of pupils;
- Educate the community, including pupils, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of pupils;
- Participate in training which the Principal or the school Anti-Bullying Coordinator may request;
- Collaborate with the school Anti-Bullying Coordinator in the collection of school-wide data and in the development of school policies to prevent and address harassment, intimidation, or bullying of pupils; and
- Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or school Anti-Bullying Coordinator.

VI. School Climate State Coordinator

School Climate State Coordinator shall:

- Serve as a resource to parents, students, and educators at the NJDOE.

VII. Investigation Procedures

The 2022 amendments to the ABR set new requirements governing how LEAs address HIB, which are outlined below:

- If the school district's program permits the use of a preliminary determination for reports of HIB, then the superintendent must annually report to the Board of Education the number of times the preliminary determination was found to be outside the scope of HIB.
- If an alleged incident of HIB is later found as a verified incident of HIB, copies of the results of the investigation shall be placed in the student's record.
- If a student is found to have committed three incidents of HIB then a principal, in consultation with appropriate schools staff, shall develop an individual student intervention plan which shall be approved by the superintendent of schools or the superintendent's designee. Each subsequent act of verified HIB, would also require a principal, in consultation with appropriate school staff, to develop an individual student intervention plan which would be approved by the superintendent of schools or the superintendent's designee.
- When submitting a written report of HIB to the principal, the written report shall be on the HIB 338 Form.
- The LEA shall provide a means for a parent or guardian to complete the HIB 338 Form,

specified for Families and Caregivers, online and confidentiality to report an incident of harassment, intimidation, or bullying

- Detailed, Specific Timelines
- Verbal reports must be made to Principal on the same day incident occurs
- Follow-up written report must be completed within two (2) school days of verbal report; written by whoever reports the incident
- Principal must initiate investigation within one (1) school day of receiving (verbal) report
- Principal must contact parents/guardians and inform them about incident within one (1) school day of receiving (verbal) report
- Investigation must be “conducted” by Anti-Bullying Specialist, but the Principal may appoint other personnel “to assist in the investigation” (i.e. Vice-Principal, himself, etc.)
- Principal may appoint others to assist
- Investigation must be completed as soon as possible; no later than ten (10) school days from date of the written report
- Principal must give report to the Director within two (2) school days of completing the investigation
- The sending district board(s) of education personnel of the students involved shall be notified when Community High School receive a report of an act of harassment, intimidation, or bullying that occurs on a sending district board of education school bus, at a sending district board of education school sponsored function, or when the reported incident takes place off school grounds, in which case the investigation of the incident shall fall under the premises of the sending district board(s) of education.
- When a complaint or report of harassment, intimidation or bullying involves students from more than one school district, the sending board(s) of education of the victim(s) involved shall initiate the investigation.
- Parents or guardians of students who are parties to harassment, intimidation, or bullying investigation may request a hearing before the sending district board of education concerning the information received about an investigation.
- Any request for a hearing before the sending district board of education shall be filed within 60 calendar days after the written information about the harassment, intimidation, or bullying investigation is received by the sending district board of education and the parents or guardians.
- The hearing before the sending district board of education shall be scheduled in collaboration with Community High School and held by the sending district board of education within 10 business days of the request.
- Community High School and the sending district board of education shall coordinate the policies and procedures for conducting such hearings.
- A parent, student, guardian or organization may file a complaint with the New Jersey 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 (N.J.S.A. 10:5-1 et seq).
- Director in collaboration with principal must decide actions to be taken:

Intervention services

Training programs

Impose discipline

Order counseling

VIII. Reporting Form for Harassment, Intimidation and Bullying

Please see HIB 338 Form

https://drive.google.com/file/d/1sd10_744ntDa1Eyz0ANjMWAFPIt5DXn7/view

Community School – School Safety Team

Christine Gill, Director

Mary Ellen Laubsch - Principal

Kanella Eby – Social Worker

Dan Curcio – Program Coordinator

Parent Representative