

**Bay Head Board of Education Policy
Prohibiting Harassment, Intimidation and 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 students in a safe environment.

Definitions

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

By any other distinguishing characteristic; and

A reasonable person should know, under the circumstances, that the act(s) 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

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.

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

Student Behavior

The board of education 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 board of education believes that standards for student behavior must be set cooperatively through interaction among 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.

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 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.

General guidelines and procedures for pupil conduct will be developed and suited to the age levels of the students and the mission and physical facilities of the schools. This policy requires all students to adhere to these rules and guidelines and to submit to such disciplinary measures as are appropriately assigned for infraction of these rules.

The guidelines shall appear in student handbooks or agendas. Provisions shall be made for informing parents/guardians whose primary language is other than English.

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

The developmental and maturity levels of the parties involved.

The levels of harm.

The surrounding circumstances.

The nature of the behavior(s.)

Past incidences or continuing patterns of behavior.

The relationships between the parties involved.

The context in which the alleged incidents occurred.

Concluding whether a particular action or incident constitutes a violation of this policy requires a determination by the principal or designee based on all of the facts and surrounding circumstances. An appropriate course of action will be determined after meaningful consideration of these factors.

Procedures for Reporting an Act of harassment, Intimidation or Bullying

Complaints alleging violations of the policy shall be reported to the principal or the principal's designee. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

Investigation of Reports of Violations and Complaints

The principal and/or designee is responsible for determining whether an alleged act constitutes a violation of this policy. The principal and/or designee shall conduct a prompt, thorough and complete investigation of the alleged incident. The principal or the designee will maintain a record of each investigation regarding allegations of harassment, intimidation and bullying.

Consequences and Response to Incidents of harassment, Intimidation or Bullying

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, past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. 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. The district's responses may include participation of parent(s) or legal guardians 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 student 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 consequences, and appropriate remedial action for a person who engages in reprisal or retaliation, shall be determined by the principal or designee after consideration of the nature and circumstances of the act.

Consequences for False Accusations

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 intervention up to and including suspension or expulsion , as permitted under NJSA 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 and could include legal actions. 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 designee after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials and possible legal action.

Publicizing the Policy

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 or on a school bus. The superintendent in conjunction with the principal or designee shall develop an annual process for discussing the school district policy on harassment, intimidation and bullying with students.

Establishment of Bullying Prevention Programs

Information regarding the district's policy against harassment, intimidation and bullying shall be incorporated into the schools' employee training program.

The district and its schools will establish bullying prevention programs, and other initiative involving school staff, students, administrators, volunteers, parents or legal guardians, law enforcement and community members.

The school district will provide on-going training on the school district harassment, intimidation and bullying to school employees and volunteers who have significant contact with students.

The district may apply to the Commissioner of Education for additions costs due to the implementation of the provisions of NJSA 18A:37-13 through NJSA 18A-37-18.