

## **HARASSMENT, INTIMIDATION, & BULLYING POLICY**

The David Gregory School prohibits all acts of Harassment, Intimidation & Bullying (HIB) NJSA 18A:37-15(3)(b)(1), and N.J.A.C.6A:16.

### **HIB Mission Statement**

A safe and civil environment is necessary for students to learn and achieve academic standards; harassment and intimidation, 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, school administrators and faculty should be commended for appropriate behavior, treating others with civility and respect and refusing to tolerate harassment, intimidation and bullying.

### **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 either by any actual or perceived characteristics, such as race, color, ancestry, national origin, gender, sexual orientation, gender identity or an expression of a mental, physical or sensory disability, or by 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 PL2010 c.122 (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 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; **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 the student's education by severely or pervasively causing physical or emotional harm to the student.

### **Student Behavioral Expectations**

The David Gregory School expects students to conduct themselves in an appropriate manner at all times with regard to respect for the rights and welfare of

their fellow students and school staff. The David Gregory School believes that standards for student behavior must be seen 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 requests respect for self and others, as well as for district and community property. The David Gregory School requires that all students adhere to the rules and regulations established and submit to disciplinary measures as are appropriately assigned for any infraction of these rules.

For students with disabilities, subject to Individual Education Programs (IEP) in accordance with 20 USC 1400, the Individual with Disabilities Education Improvement Act (IDEA), and accommodation plans under 29 USC 794 and 705(20), student discipline and the code of conduct will be implemented with the components of the applicable plans.

The Principal or designee shall have the authority to assign discipline to students. School authorities also have the right to impose a consequence on a student for conduct away from school grounds\* including on a sending district Board of Education bus\* or at a district Board of Education school-sponsored function\* pursuant to NJAC 6A:16-7.6 (NJAC 6A:16-7.8). This authority will be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or reasons related to the safety, security and well-being of other students, staff on school grounds, pursuant to NJSA 18A:25-2 and 18A:37-2. Consequences will be handled in accordance with policy.

### **Consequences for Harassment, Intimidation & Bullying**

Although assuming that the allegations are true, David Gregory School administrators, in consultation with the Anti-Bullying Specialist (ABS), will determine whether the reported incident is an act of HIB as well as the appropriate response to students who commit one or more acts of HIB. The following factors will be considered in this determination:

1. The developmental and maturity levels of the parties involved.
2. The levels of harm.
3. The surrounding circumstances.
4. The nature of the behaviors.
5. Past incidences or past or continuing patterns of behavior.
6. The relationships between the parties involved.
7. The context in which the alleged incidents occurred.

Concluding whether a particular incident or action constitutes a violation of HIB policy requires determination based on all the facts and surrounding circumstances. It is only after meaningful consideration of these factors that an appropriate consequence should be determined consistent with the law, Federal and State statutes, regulations and school policies and procedures. Consequences and appropriate remedial action for students who commit acts of HIB will be varied and graded according to the nature of the behavior, the developmental age of the student and the past history of problem behaviors. If the School Safety/Climate Team concludes that a particular incident or action does not constitute a violation of HIB, the parent may appeal the decision not to initiate an investigation.

### **Reporting Procedures**

The Principal (or their designee) is responsible for receiving complaints alleging violations to HIB policy. All school employees are required to report alleged violations of this policy to the Principal (or their designee). All members of the school community, including students, parents, volunteers and visitors are encouraged to report any act that might be a violation of the HIB policy. Reports may be made anonymously.

All acts of HIB should be reported verbally to the Principal the same day it was witnessed or that the person received reliable information regarding such an incident. The Principal will inform the parents/guardians of all students involved and other related services. All acts of HIB should be reported in writing to the Principal within two (2) days of when the witness became aware or received information that a student has been subjected to HIB.

### **Investigation Procedures**

The School Safety/Climate Team, including the Principal, ABS, teacher and parent (whenever possible) will initiate an investigation within one school day of the report of the incident and be conducted by the Anti-Bullying Specialist (ABS). The Principal may appoint additional personnel who are not the ABS to assist in the investigation.

The team may investigate all reports of HIB on school grounds, on approved David Gregory School operated buses, or at David Gregory School sponsored functions; the sending school district investigates all reports occurring on sending district Board of Education school buses\*, at district Board of Education school-sponsored

functions\*, and off school grounds\*. The district must follow all investigative timelines and regulations. When a complaint report of HIB that involves students from more than one school district, the sending district Board of Education of the victim(s) involved shall initiate the investigation. David Gregory School will cooperate with the sending district in the investigation.

The investigation should be completed as soon as possible, but no more than ten (10) school days from the date of the written report of the incident of HIB. In the event that there is information relevant to the investigation that is anticipated but not yet received by the end of the ten (10) day period, the school ABS may amend the original report of the results of the investigation to reflect that information.

The results of the investigation should be reported to the Principal with two (2) school days of the completion of the investigation and in accordance with the State Board of Education regulations. The Principal may decide to provide intervention services, establish training to reduce HIB and enhance the school climate, impose discipline, order counseling as the result of the findings of the investigation or take recommended action.

The Principal will report to the appropriate sending district personnel of the students who are parties to the HIB investigation the results of each investigation no later than five (5) school days following the investigation's completion, along with information on any services provided; training provided, discipline imposed, or other action taken or recommended by the Principal.

Parents/guardians of the students who are parties to the investigation are entitled to receive information about the investigation, including the nature of the investigation, whether the team found evidence of HIB, or whether the discipline was imposed or services provided to address the incident of HIB. This information should be provided within five (5) school days after the results of the investigation after the results are reported to the Principal. The school should take into account the circumstances of the incident when communicating with parents in order to protect the student. In addition, the parent shall not receive confidential student information as well as other team member not authorized.

A parent/guardian can request a hearing before the district Board of Education, which should be filed within sixty (60) calendar days after the written information about the HIB investigation is received by the sending district Board of Education and the parents/guardians. The hearing before the sending district Board of Education will be scheduled in collaboration with David Gregory School and held

by the sending district Board of Education within ten (10) business days of the request.

A parent/guardian can request a hearing with the Principal and a hearing should take place within ten (10) days of the request. A parent, student or organization may file a complaint with the Division Civil Rights within one-hundred eighty (180) days of the occurrence of any incident of HIB based on membership in a protected group as stated in the law.

### **School Response to Identified Acts of HIB**

Some acts of HIB 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 level, school building, or by a law enforcement official.

Consequences and appropriate remedial actions for students who commit an act of HIB range from positive behavioral interventions to and including suspension or expulsion, as permitted under NJSA 18A:37-1 Discipline of Pupils.

In considering whether a response beyond the individual level is appropriate, the administrator should consider the nature of the 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 incidents occurred.

The David Gregory School prohibits retaliation or reprisal against any person who reports an act of HIB. The consequence and appropriate remedial action for a person who engages in retaliation should be determined by the administrator, in accordance with the law, statutes and regulations.

Consequences for a student found to be falsely accusing another of HIB as a means of HIB, range from positive behavior interventions to suspension or expulsion under NJSA 18A:37-1. Consequences for an employee found to have falsely accused another as a means of HIB will be disciplined within school policies and procedures for HIB.

### **Training on HIB**

Policy should be disseminated annually to all school staff, students and parents that applies to any acts of alleged HIB acts on school grounds, at school sponsored functions or on a school bus\*. Policy should be updated on the school website annually.

Pursuant to NJSA 37-17(5), information regarding the school's policy against HIB should be incorporated into the school employee policy as well as parent handbooks.

### **SCHOOL ANTI-BULLYING COORDINATOR CONTACT INFORMATION:**

Name: David Ruzich, Principal

Address: David Gregory School, 347 N. Farview Avenue, Paramus, NJ 07652

Telephone No.: 201-967-9772

Email: druzich@davidgregoryschool.com

### **SCHOOL ANTI-BULLYING SPECIALISTS CONTACT INFORMATION:**

Name: Chris Romaglia, TOSD

Address: David Gregory School, 347 N. Farview Avenue, Paramus, NJ 07652

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**\*David Gregory School is not in the position to respond to incidents that occur on a sending district Board of Education school bus, at a sending district Board of Education school sponsored function, and off school grounds. Any incidents will be reported ASAP to the vendor and/or sending district who will investigate and follow up on reports of HIB.**