

HARASSMENT, INTIMIDATION, AND BULLYING

WHAT YOU NEED TO KNOW ABOUT THE ANTI-BULLYING BILL OF RIGHTS AND OUR DISTRICT POLICY

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Board of Education Work Session

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& Anti-Bullying Coordinator for the District**

LEGAL REQUIREMENTS



- Prior to the signing of the Anti-Bullying Bill of Rights (ABBR) in 2011, New Jersey school districts were already required to have policies prohibiting harassment, intimidation and bullying (HIB) on:
 - School property
 - At school sponsored events
 - On the school bus

- The “new” law added to existing framework by imposing additional requirements.



WHAT CONSTITUTES BULLYING?

ABBR (ANTI-BULLYING BILL OF RIGHTS)

DEFINITION



- Any gesture, written, verbal or physical act, or any electronic communication, be it a single or series of incidents, that is reasonably perceived as being motivated either by an actual or perceived characteristic;
- such as race, color, religion, national origin, gender;
- sexual orientation, gender identity and expression;
- or 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

that substantially disrupts or interferes with the orderly operation of school or the rights of other students and that:



ANTI-BULLYING BILL OF RIGHTS DEFINITION:

- A reasonable person should know, under the circumstances, what will have the effect of physically or emotionally harming a student or damaging the student's property, or placing the student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
- Has the effect of insulting or demeaning any student or group of students; or
- 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.



TO SUMMARIZE: 5 ELEMENTS



- **Type of Conduct** (“*any gesture, written, verbal or physical act, or any electronic communication*”) This is very broad and covers just about anything!
- **Perpetrator’s motivation** (“*reasonably perceived as motivated by any actual or perceived characteristic such as...*”)
- **Location of Action** (“*takes place on school property, at any school-sponsored function, on a school bus, or off school grounds*”)
- **Nexus Requirement** (“*... substantially disrupts or interferes with the orderly operation of school or the rights of other students*”) ***MUST BE PRESENT!***



5 ELEMENTS



- **“Effects” Prongs: (must have at least one) “and that...”**
 1. 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 the student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; **or**
 2. Has the effect of insulting or demeaning any student or group of students; **or**
 3. 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.



STUDENT IMPACT



- Student behavioral expectations are established in policy (School Policy 5512 Harassment, Intimidation, and Bullying)
- School administrators identify appropriate consequences and remedial measures that align with the Code of Conduct
- Allows consideration for: age and developmental level of students; severity of offense; history of inappropriate behavior
- Consequences range from positive behavioral interventions to suspension or expulsion
- Negative consequences paired with remedial measures
- Support for victims



DISTRICT AND STAFF FUNCTIONS

- Anti-Bullying Coordinator (Mrs. Kari McGann, Director of Curriculum and Instruction)
 - Responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of students.
 - Provide data, in collaboration with the Superintendent, to the DOE regarding HIB.
- Anti-Bullying Specialist
 - Chairs the School Safety Team
 - Lead the investigation of incidents of HIB in the school
 - Acts as primary school official responsible for preventing HIB
- School Safety Team
 - Receive records of complaints of HIB or bullying of students reported to the Principal
 - Identify patterns of HIB
 - Review and strengthen school climate to prevent and address HIB



ANTI-BULLYING COORDINATOR

- Appointed by the Superintendent
- Coordinates and strengthens the district HIB policy to prevent, identify and address HIB.
- Meets with anti-bullying specialists at least twice a year
- Collects and disseminates data to the DOE



ANTI-BULLYING SPECIALIST – SCHOOL

- Appointed by the principal (School counselor, School Psychologist or other staff member who has been trained to perform the responsibilities)
- Chairs the school safety team
- Leads the investigation of reported HIB incidents
- Acts as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation or bullying in the school



SCHOOL SAFETY TEAM



- Identify and address patterns of harassment, intimidation, or bullying
- Review reports of harassment, intimidation, or bullying investigations to determine if patterns exist
- Identify actions to address patterns of HIB
- Review and strengthen school climate and school policies to prevent and address harassment, intimidation, or bullying of students
- Participate in professional development activities that may address effective practices of successful school climate programs



REPORTING PROCEDURES



- All Board members, school employees, and volunteers and contracted service providers who have contact with students are **required to verbally report alleged violations of this Policy to the Principal or the Principal's designee on the same day** when the individual witnessed or received reliable information regarding any such incident.
- All Board members, school employees, and volunteers and contracted service providers who have contact with students, **must submit a report in writing to the Principal within two school days of the verbal report.**
- The Principal will inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services.



REPORTING REQUIREMENTS



- The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation
- Students, parents, and visitors may report an act of harassment, intimidation, or bullying anonymously. Formal action for violations of the Code of Student Conduct may not be taken solely on the basis of an anonymous report



REPORTING PROCEDURES: CONSEQUENCES

- A Board member or school employee who promptly reports an incident of harassment, intimidation, or bullying and who makes this report in compliance with the procedures set forth in this Policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.
- A school administrator who receives a report of harassment, intimidation, and bullying from a district employee, and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.



REPORTING PROCEDURES - CONSEQUENCES

- Board members, school employees and students are prohibited from engaging in reprisal, retaliation, or false accusations against a victim, witness or anyone with reliable information about an act of harassment intimidation or bullying.
- Consequences and remedial measures will be determined by administration



INVESTIGATION PROCEDURES



For each report of violations that identify or describe behaviors that indicate harassment, intimidation, or bullying:

- Investigation initiated by the Principal within one school day of the verbal report of the incident.
- Investigation conducted by the school Anti-Bullying Specialist.
- Additional personnel may be appointed to assist with the ABS.
- Investigation completed and the written findings submitted to the Principal no later than ten school days from the date of the written report of the incident.



INVESTIGATION RESULTS



- If information is received after the close of the investigation, the anti-bullying specialist (ABS) can be amend the original report to ensure there is an accurate and current record of the facts and activities concerning the reported incident.
- The Principal submits the report to the Superintendent within two school days of the completion of the investigation
- The Superintendent reports results of each investigation to the Board of Education no later than the date of the regularly scheduled Board of Education meeting following the completion of the investigation.
- The Superintendent's report shall include information on any consequences imposed under the Code of Student Conduct, any services provided, training established, or other action taken or recommended by the Superintendent.



POLICY REQUIREMENTS

The Superintendent shall ensure:

- The Code of Student Conduct has been implemented and,
- May provide intervention services
- Order counseling
- Establish training programs to reduce harassment, intimidation, or bullying and enhance school climate,
- Impose discipline
- Recommend other appropriate action, as necessary.



RESULTS OF THE INVESTIGATION

Parents of involved student offenders and targets/victims shall be provided with information about the investigation, in accordance with Federal and State law and regulation, in writing within five school days after the results are reported to the BOE including:

- The nature of the investigation
- whether evidence of harassment, intimidation, or bullying was found
- whether consequences were imposed or services were provided



PARENTS' RESPONSE



- May request a hearing before the Board of Education
- Hearing must be held within ten school days of the request.
- Conducted in executive session, to protect the confidentiality of the students.
- The Board may hear testimony from the ABS and others, as appropriate, regarding the incident, the findings from the investigation of the incident, recommendations for consequences or services, and any programs instituted.
- At the regularly scheduled Board of Education meeting following its receipt of the report on the results of the investigation or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision.
- Parent's may appeal the Board's decision to the Commissioner of Education



ADDITIONAL ACTIONS

- A parent, student or organization may file a complaint with the office of civil rights within 180 days of the occurrence of the harassment, intimidation or bullying

COMPLAINT

TO:	NAME	PHONE	EMAIL		
WHOSE FAULT:	WIRE	OTHER	NAME	DATE	TIME
DESIRED OUTCOME:	APOLGOS	EXPLANATION	LITIGATION	RESTITUTION	CHANGE

COMPLAINANT: ANONYMOUS

RESPONSES TO HIB INCIDENTS



- Individual: Positive behavioral interventions such as: peer mentoring; counseling; social skills instruction
- Classroom: Group discussions; role plays; research; videos; skill building lessons on tolerance' courtesy, assertiveness; and conflict management
- School: Theme days, “acts of kindness: days/assemblies; public service announcements; peer leadership programs; dissemination of acceptable use policies;
- District: adoption of school wide programs to enhance school climate; professional development; HIB prevention campaigns



STAFF TRAINING



- Annual Policy training for all school employees and volunteers
- Every teacher completes 2 hours of training on Harassment Intimidation and Bullying and prevention within each 5 year professional development.
- Every teacher completes a 2 hour training on Suicide Prevention that includes information on the risks of suicide and incidents of HIB and information on reducing the risk of suicide for students identified as members of high risk groups
- Every Board member must complete a training program on harassment, intimidation, and bullying in the first year of his first term.



PREVENTION PROGRAMS



Instruction and the Week of Respect

- Observation of the “Week of Respect” during the first week of October
- Include age appropriate instruction focused on preventing HIB
- Throughout the year the district must provide ongoing, age-appropriate instruction on preventing HIB in accordance with the core curriculum content standards

Discussion with Students

- Schools must develop a process for discussing the districts HIB policy with students





DISTRICT AND SCHOOL GRADES

- School Safety Teams complete and submit the annual self- assessment
- Twice a year, the Superintendent publically reports on all acts of violence and vandalism and harassment, intimidation and bullying
- DOE provides district /school with a grade on their efforts to implement policies and programs
- Grades are posted on the district website



QUESTIONS?

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=WHV1sUQR6FS](https://www.youtube.com/watch?v=WHV1sUQR6FS)

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=H_8Y0WLM78U](https://www.youtube.com/watch?v=H_8Y0WLM78U)

