



## HARASSMENT, INTIMIDATION OR BULLYING (HIB) POLICIES

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. Therefore, the school will not tolerate acts of harassment, intimidation or bullying.

**Definition:** "Harassment, intimidation or bullying" is defined as 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 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 grounds, at any school-sponsored function or on a school bus, or off school grounds, in accordance with law, 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/her person or damage to his/her 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 the student's education or by severely or pervasively causing physical or emotional harm to the student.

**Reporting Procedure:** All acts of harassment, intimidation, or bullying shall be reported verbally to the Principal or designee on the same day when the school employee, or contracted service provider, or other member of the school community, witnessed or received reliable information regarding any such incident.

The Principal or his designee shall inform the parents or guardians of all students involved in the alleged incident, and may discuss, as appropriate, the availability of counseling and other intervention services; and all acts of harassment, intimidation, or bullying shall be reported in writing to the Principal within two school days of when the school employee or contracted service provider witnessed or received reliable information that a student had been subject to harassment, intimidation, or bullying.

**Consequences:** Consequences for a student who commits an act of harassment, intimidation or bullying shall be varied and determined according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance. Consequences shall be consistent with the Board approved Code of Student Conduct and N.J.A.C. 6A:16-7.

Consequences shall be designed to:

- Correct the problem behavior;
- Prevent another occurrence of the problem;
- Protect and provide support for the victim of the act; and the community
- Take corrective action for documented systemic problems related to harassment, intimidation or bullying.

Consequences and appropriate remedial actions for any staff member who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to disciplinary charges, which could result in suspension or termination.

**Investigating Reported Harassment, Intimidation and Bullying:** All reported incidents of harassment, intimidation and bullying should be investigated promptly and in accordance with law and the following procedures:

All investigations shall be thorough and complete, and documented in writing, and shall include, but not be limited to:

- Taking of statements from victims, witnesses and accused;
- Careful examination of the facts;
- Support for the victim; and
- Determination if alleged act constitutes a violation of this policy.

The investigation shall be initiated by the Principal or the Principal's designee within one school day of the report of the incident and shall be conducted by a school Anti-bullying Specialist. The Principal may appoint additional personnel who are not school Anti-bullying Specialists to assist in the investigation.

The investigation shall be completed as soon as possible, but not later than 10 school days from the date of the written report of the incident of harassment, intimidation, or bullying. In the event that there is information relative to the investigation that is anticipated but not received by the end of the 10-day period, the school Anti-bullying Specialist may amend the original report of the results of the investigation to reflect the information.

The results of the investigation shall be reported to the Lead Person, Principal or designee within two school days of the completion of the investigation, and in accordance with law and Board policy. The Lead Person or Principal may initiate intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommend other appropriate action. The results of each investigation shall be reported to the Board of Trustees no later than the date of the next Board Meeting following the completion of the investigation.

The Principal shall ensure that parents or guardians of the students who are parties to the investigation shall receive information about the investigation. This information shall be provided in writing within 5 school days after the results of the investigation are reported to the board and include the nature of the investigation, whether the school found evidence of



harassment, intimidation, or bullying; or whether discipline was imposed or services provided to address the incident of harassment, intimidation, or bullying.

**Range of Ways to Respond to Harassment, Intimidation or Bullying:** Philip's Academy Charter School recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school officials respond appropriately to the individuals committing the acts and provide support programs for victims. Other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either in the classroom, school building, or school levels, or by law enforcement officials.

In considering whether a response beyond the individual is appropriate, the administrator shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences, past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred.

**Retaliation and Reprisal Prohibited:** Philip's Academy Charter School prohibits reprisal, retaliation, or false accusation against any person who witnesses and/or reports an act of harassment, intimidation or bullying by any student, school employee, board member, contracted service provider, visitor or volunteer. The Lead Person and/or Principal or their designee shall determine the consequence and appropriate remedial action for a person who engages in reprisal, retaliation, or false accusation after consideration of the nature, severity and circumstances of the act, in accordance with case law and board policies and procedures.

Any act of retaliation or reprisal or false accusation against any person who reports an act of harassment, intimidation or bullying shall not be tolerated. Any student, school employee, board member, contracted-service provider, volunteer or visitor who engages in the act of retaliation or reprisal or who falsely accuses another shall be subjected to consequence and appropriate remedial action. In cases where any state or federal law has allegedly been violated, the local law enforcement agency shall be notified.

**Appeals Process:** The parent or guardian may request a hearing before the board after receiving the information from the Lead Person regarding the investigation. The hearing shall be held within 10 days of the request. The board shall meet in executive session for the hearing to protect the confidentiality of the students. At the hearing, the board may hear from the school anti-bullying specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.

At the next Board of Trustees meeting following its receipt of the report, the board shall issue a decision, in writing, to affirm, reject, or modify the principal's decision. The board's decision may be appealed to the Commissioner of Education, in accordance with law, no later than the 90 days after the issuance of the board's decision.

A parent, student, guardian, or organization may file a complaint with the 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."



**Week of Respect:** The week beginning with the first Monday in October of each year is designated as a “Week of Respect” in the State of New Jersey. The school, in order to recognize the importance of character education, shall observe the week by providing age-appropriate instruction focusing on preventing harassment, intimidation, or bullying as defined by law (N.J.S.A. 18A:37-14).