

Policy Prohibiting Harassment, Intimidation and Bullying

Westbridge Academy's policy prohibiting harassment, intimidation or bullying of a student. N.J.S.A. 18A:37-15 (3)(b)(1) is delineated as follows:

Rationale

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 and disciplined environment. A safe, nurturing and supportive climate is an essential cornerstone for effective promotion of positive behavior and academic achievement. School culture is affected by many factors, including academic instruction, classroom and school-wide behavior management, and parental involvement, as well as by relationships among teachers, school administrators, non-teaching staff, students and parents. 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.

Definition

Westbridge Academy establishes that "harassment, intimidation or bullying" means any gesture, any written, verbal or physical act, or any electronic communication, as defined in N.J.S.A. 18A:37-14, whether it be a single incident or a series of incidents, that is:

- a. 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
- b. by any other distinguishing characteristic; and that
- c. takes place on school property, at any school-sponsored function, on a school bus, or off school grounds, as provided for in N.J.S.A. 18A:37-15.3, that substantially disrupts or interferes with the orderly operation of the school or the rights of other students; and that
- d. a reasonable person should know, under the circumstances, that the act(s) 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 damage to his property; or
- e. has the effect of insulting or demeaning any student or group of students; or
- f. 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.

All of the above is prohibited at Westbridge Academy for students to engage in such acts towards other students and it also includes Westbridge Academy employees and visitors.

Expectations for Student Behavior

At Westbridge Academy, students are expected 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. The administration of this school believes that standards for student behavior and rules must be set cooperatively through interaction among the students, parents/guardians, and staff 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. It is the responsibility of Westbridge Academy staff to ensure adherence to the rules and regulations set forth in this regulation and to use disciplinary measures that are appropriately implemented. Taking action as necessary serves as opportunities to help students learn to assume and accept responsibility for their behavior and the consequences of their behavior.

The Director or her designee shall provide annually to students and their parents/guardians the Westbridge Academy rules regarding student conduct. The policy shall appear in all publications

including the Parent's Manual. Provisions shall be made for informing parents/guardians whose primary language is other than English.

The Policy shall:

- a. Describe the student responsibilities, including the requirements for students to conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority; and respond to those who hold that authority;
- b. Address appropriate recognition for positive reinforcement for good conduct, self-discipline, good citizenship and academic success.
- c. Explain student rights; and
- d. Identify sanctions and due process for violations of the code of student conduct.

Consequences and Appropriate Remedial Action For a Person Who Commits an Act of Harassment, Intimidation or Bullying. N.J.S.A. 18A:37-15(b)(4)

Westbridge Academy requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for students who commit one or more acts of harassment, intimidation or bullying, consistent with the code of student conduct, and the consequences and remedial responses for staff members who commit one or more acts of harassment, intimidation or bullying. The following factors, at a minimum, shall be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation or bullying by students. Appropriate consequences and remedial actions are those that are graded according to the severity of the offenses, consider the developmental ages of the student offenders and students' histories of inappropriate behaviors, per the code of student conduct and N.J.A.C. 6A:16-7. Specifically, in determining the appropriate response to students who commit one or more acts of harassment, intimidation or bullying, school administrators should consider the following factors: the development and maturity levels of the parties involved, the levels of harm, the surrounding circumstances, the nature of the behaviors, past incidents or past or continuing patterns of behavior and the context in which the alleged incidents occurred.

It is only after careful consideration of these factors that an appropriate consequence should be determined, consistent with the case law, federal and state statutes, regulations and policies, and Westbridge Academy policies and procedures. Consequences and appropriate remedial action for students who commit acts of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or termination. Remedial measures shall be designed to *correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act in a manner that does not stigmatize victim(s); and take corrective action for documented systemic problems* related to harassment, intimidation or bullying.

Reporting Procedures

Any school employee, contracted service provider, student or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the principal or his designee, or to any school administrator, who shall immediately initiate the school's procedures concerning school bullying. N.J.S.A. 18A:37-16(b).

All school employees are required to report alleged violations of this policy to the Principal. All other members of the school community, including students, parents, visitors, are encouraged to report any act that may be a violation of this policy.

Westbridge Academy requires the principal, or his designee, to be responsible for receiving all complaints alleging violations of this policy. All members of the Board of Directors, school employees, 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, volunteers and contracted service providers who have contact with students, also shall submit a report in writing to the school principal within two school days of the verbal report. The principal,

or his designee, is required to inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services.

Students, parents, and visitors are encouraged to report alleged violations of this policy to the principal on the same day when the individual witnessed or received reliable information regarding any such incident. 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. A board member or an employee who promptly reports an incident of harassment, intimidation or bullying, and who makes this report in compliance with the procedures outlined in this policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

Investigation Procedures

The Director/Principal or the Principal's designee (The Anti-Bullying Specialist) is responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the principal and/or the principal's designee (The Anti-Bullying Specialist) shall conduct a prompt, thorough and complete investigation of the alleged incident. The investigation shall be initiated by the Principal or Principal's designee (The Anti-Bullying Specialist) within one day of the report of the incident and shall be conducted by The Anti-Bullying Specialist. The Principal may appoint additional personnel who are not anti-bullying specialists to assist in the investigation.

The investigation shall be completed as soon as possible, but no 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 yet received by the end of the day 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 Director within two school days of the completion of the investigation, and in accordance with regulations promulgated by the State Board of Education pursuant to the "Administrative Procedure Act," P.L. 1968 c.410 (C.52:14B-1 et seq.), the Director may decide to provide 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. Parents of the students who are parties to the investigation shall be entitled to receive information about the investigation, in accordance with Federal and State law and regulation, including 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. This information shall be provided in writing within five (5) school days after the results of the investigation are reported to the Director. A parent or guardian may request a hearing before the school after receiving the information, and the hearing shall be held within ten (10) days of the request. At the hearing, the school may hear from the school Anti-Bullying Specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.

Prohibition of Reprisal or Retaliation and Consequences and Appropriate Remediation for a Person Who Engages in Same

Reprisal or retaliation is prohibited against any person who reports an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in these behaviors shall be determined by the administrator after consideration of the nature and circumstances of the act, in accordance with the case law, federal and state statutes and regulations and Westbridge Academy policies and procedures.

Consequences and Appropriate Remedial Action for a Person Found to Have Falsely Accused another as a Means of Harassment, Intimidation, or Bullying. N.J.S.A. 18A:37 -15 (3)(B)(9)

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 suspension or expulsion, as permitted under N.J.S.A. 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 school policies, procedures and agreements. 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.

Annual Policy Publication and Dissemination

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 Director/Principal or Principal's designee shall develop an annual process for discussing the school policy on harassment, intimidation and bullying with students. This policy shall be published and updated on the school website each year.

Establishment of Bullying Prevention Training Programs

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 a school's employee training program.

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

Pursuant to N.J.S.A.: 37-17(5)(b), the school is encouraged to, and if funds are appropriated for these purposes is required to:

- 1) Provide training on the school district's harassment, intimidation and bullying policies to school employees and volunteers who have significant contact with students.
- 2) Develop a process for discussing the school district's harassment, intimidation and bullying policies with students.

This policy will be reviewed by the Director at the annual Staff Orientation meeting and at staff development meetings. Discussions with parents will be held at Westbridge Academy's "Back to School Night" meeting, or during IEP meetings, and during an intake interview. As part of this policy, school staff and parents/guardians should discuss their roles and responsibilities in the student's educational process. Parental participation is of utmost importance.

The goal of this policy is to foster a safe and disciplined environment that is conducive to learning, where individuals treat one another with civility and respect. This policy is part of the Parent's Manual and the Employee Policies and Procedures Handbook and shall be incorporated into Westbridge Academy Staff Development Program.

School Anti-Bullying Coordinator Contact Information

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