



PREPARING STUDENTS FOR  
**LIFE BEYOND THE  
CLASSROOM**

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## **409 - HARASSMENT, INTIMIDATION OR BULLYING POLICY (HIB)**

Approved by Board of Directors on 5/7/2019

### **Policy**

The Phoenix Center (TPC) believes that all students are entitled to work and study in school-related environments that are free of harassment, intimidation, or bullying. The mission of TPC, working in partnership with families and community, is to develop the potential of each student with significant developmental disabilities and those on the autism spectrum ages five through 21. Our philosophy includes a deep respect for the inherent worth of each individual, of regard for the environment and belief in the capacity for personal change. TPC staff commit to forming relationships with people so that each person may experience a sense of belonging, dignity and hope. It is through relationships that students and staff grow in self-understanding and self-esteem. Each person has the right to self-determination. Therefore, the care, welfare, safety and security of all of our students is of utmost importance.

There may be cases in which a behavior/action by a student appears to be an act of harassment, intimidation or bullying; however, the root core of the behavior is the student's documented disability. Before invoking the processes delineated in this policy, TPC shall make a determination as to whether they believe that the student's reported behavior/actions are directly the result of their disability.

### **Harassment, Intimidation, and Bullying Definition**

“Harassment, intimidation, and bullying” means any unwanted, aggressive behavior that may involve a real or perceived power of imbalance; including 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:

1. is reasonably perceived as being motivated by either any actual 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 that
2. 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
3. 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/her person or damage to his/her property; or
4. has the effect of insulting or demeaning any student or group of students; or
5. 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.

\*Electronic communication means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer or pager.

## **Student Expectations**

TPC expects students to conduct themselves in keeping with their levels of development, maturity, and demonstrated capabilities with proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities and the care of the school facilities and equipment consistent with the Code of Student Conduct.

TPC believes that standards for the student behavior must be set cooperatively through interactions among the students, parents, school employees, school administrators, school volunteers, and community representatives, 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 TPC and community property on the part of students, staff, and community members.

Students are expected to behave in a way that creates a supportive learning environment. TPC believes the best discipline is self-imposed, and it is the responsibility of staff to use instances of violations of the Code of Student Conduct as opportunities to help students learn to assume and accept responsibilities for their behavior and the consequences of their behavior. Staff members who interact with students shall apply best practices designated to prevent student conduct problems and foster students' abilities to grow in self-discipline.

TPC expects that students will act in accordance with the student behavioral expectations and standards regarding harassment, intimidation, and bullying including:

1. student responsibilities (e.g. requirements for students to conform to reasonable standards of socially accepted behavior; respect the person, property, and rights of others; obey constituted authority; and respond to those who hold that authority);
2. appropriate recognition for positive reinforcement for good conduct, self-discipline, and good citizenship;
3. students' rights; and
4. sanctions and due process for violations of the Code of Student Conduct.

Pursuant to N.J.A.C. 6A:16-7.1, the Principal must annually provide to students and their parents or guardians the rules of TPC regarding student conduct. Provisions shall be made for informing parents or guardians whose primary language is other than English.

TPC prohibits active or passive support for acts of harassment, intimidation, or bullying. Students are encouraged to support other students who:

1. walk away from acts of harassment, intimidation, and bullying when they see them;
2. constructively attempt to stop acts of harassment, intimidation, or bullying;
3. provide support to students who have been subjected to harassment, intimidation, or bullying; and
4. report acts of harassment, intimidation, and bullying to the designated school staff member.

## **Consequences and Appropriate Remedial Actions**

TPC 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 nature of the behavior, the nature of the student's disability to

the extent relevant, the severity of the offense(s), 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.

#### Factors for Determining Consequences

1. Age, developmental and maturity levels of the parties involved and their relationship to TPC
2. Degrees of harm
3. Surrounding circumstances
4. Nature and severity of the behavior(s)
5. Incidences of past or continuing patterns of behavior
6. Relationships between the parties involved
7. Context in which the alleged incidents occurred

#### Factors for Determining Remedial Measures-Personal

1. Life skill deficiencies
2. Social relationships
3. Strengths
4. Talents
5. Traits
6. Interests
7. Hobbies
8. Extra-curricular activities
9. Classroom participation
10. Academic performance
11. Relationship to students and TPC
12. Nature of the student's disability, if any and to the extent relevant; the developmental age of the student and the student's history of problem behaviors and performance

#### Environmental

1. School culture
2. School climate
3. Student-staff relationships and staff behavior toward the student
4. General staff management of classrooms or other educational environments
5. Staff ability to prevent and manage difficult or inflammatory situations
6. Social-emotional and behavioral supports
7. Social relationships
8. Community activities
9. Neighborhood situation
10. Family situation

Consequences and appropriate remedial action for a student or staff member who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion of students, as set forth in TPC's approved Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a student who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and must be consistent with TPC's approved Code of Student Conduct and N.J.A.C. 6A:16-7. 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, and take corrective action for documented

systemic problems related to harassment, intimidation, or bullying. The consequences and remedial measures may include, but are not limited to, the examples listed below:

#### Examples of Consequences

1. Admonishment
2. Temporary removal from the classroom
3. Deprivation of privileges
4. In-school suspension during the school week; After-school programs
5. Out-of-school suspension (short-term or long-term)
6. Reports to law enforcement or other legal action
7. Expulsion
8. Bans from providing services, participating in school-district- sponsored programs, or being in school buildings or on school grounds

#### Examples of Remedial Measures – Personal

1. Restitution and restoration
2. Peer support group
3. Recommendations of a student behavior or ethics council
4. Corrective instruction or other relevant learning or service experience
5. Supportive student interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8
6. Behavioral assessment or evaluation, including, but not limited to, a referral to the Child Study Team, as appropriate
7. Behavioral management plan, with benchmarks that are closely monitored
8. Student counseling
9. Parent conferences
10. Alternative placements (e.g., alternative education programs)
11. Student treatment
12. Student therapy

#### Examples of Remedial Measures – Environmental (Classroom, School Building or School District)

1. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying
2. School culture change
3. School climate improvement
4. Adoption of research-based, systemic bullying prevention programs
5. School policy and procedures revisions
6. Modifications of schedules
7. Adjustments in hallway traffic
8. Modifications in student routes or patterns traveling to and from school
9. Supervision of student before and after school, including school transportation
10. Teacher aides
11. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors
12. General professional development programs for certificated and non-certificated staff
13. Professional development plans for involved staff
14. Disciplinary action for school staff who contributed to the problem

15. Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8
16. Parent conferences
17. Family counseling
18. Involvement of parent-teacher organizations
19. Involvement of community-based organizations
20. Development of a general bullying response plan
21. Recommendations of a student behavior or ethics council
22. Peer support groups
23. Alternative placements (e.g., alternative education programs)
24. School transfers
25. Law enforcement (e.g., safe schools resource officer, juvenile officer) involvement or other legal action

TPC will also impose appropriate consequences and remedial actions to a staff member who commits an act of harassment, intimidation, or bullying of a student. The consequences may include, but not be limited to, verbal or written reprimand, increment withholding, legal action, disciplinary action, termination; and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to, in or out-of-school counseling, professional development programs, and work environment modifications.

### **Harassment, Intimidation, and Bullying Off School Grounds**

**\*\*Appropriate sending district board(s) of education personnel of the students involved, will be notified as soon as possible when TPC receives a complaint or report of an act of harassment, intimidation, or bullying occurring on a sending district board of education school bus, at a sending district board of education school-sponsored function and off school grounds\*\***

This Policy and the Code of Student Conduct shall apply to instances when a school employee is made aware of alleged harassment, intimidation, or bullying occurring off school grounds when:

1. the alleged harassment, intimidation, or bullying has substantially disrupted or interfered with the orderly operation of the school or the rights of other students; and either
2. a reasonable person should know, under the circumstances, that the alleged behavior 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
3. the alleged behavior has the effect of insulting or demeaning any student or group of students; or
4. the alleged behavior 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.

### **Procedure**

#### **Harassment, Intimidation, and Bullying Reporting**

TPC requires the Principal or the Principal's designee to be responsible for receiving complaints alleging violations of this Policy. All school employees, volunteers and contracted service providers who have contact with students are required to **verbally report alleged** violations of this Policy committed by an adult or youth against a student **to the Principal or the Principal's designee on the same day** when the individual witnessed or received reliable information regarding any such incident.

This **reporting may be done anonymously** consistent with NJSA 18A:37-15.b(5). All Board members, school employees, volunteers and contracted service providers who have contact with students, also shall 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. 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. The Principal shall take into account the circumstances of the incident when providing notification to parents and guardians of all students involved in the reported harassment, intimidation, or bullying incident and when conveying the nature of the incident, including the actual or perceived protected category motivating the alleged offense, and disciplinary action shall be consistent with the provisions of N.J.A.C. 6A:14- 7.6 (f).

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 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.

In accordance with the provisions of N.J.S.A. 18A:37-18, the harassment, intimidation, and bullying law does not prevent a victim from seeking redress under any other available law, either civil or criminal, nor does it create or alter any tort liability.

TPC may consider every mechanism available to simplify reporting, including standard reporting forms and/or web-based reporting mechanisms. For anonymous reporting, the school may consider locked boxes located in areas where reports can be submitted without fear of being observed.

A school administrator who receives a report of harassment, intimidation, and bullying from an 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.

### **Anti-Bullying Coordinator, Anti-Bullying Specialist and School Safety/Climate Team(s)**

The Principal shall appoint a school Anti-Bullying Coordinator. The Principal shall make every effort to appoint an employee of the school district to this position.

The school Anti-Bullying Coordinator shall:

1. be responsible for coordinating and strengthening the school policies to prevent, identify, and address harassment, intimidation, or bullying of students;
2. collaborate with the Anti-Bullying Specialist to prevent, identify, and respond to harassment, intimidation, or bullying of students in the school;
3. provide data, in collaboration with the Executive Director, to the Department of Education regarding harassment, intimidation, or bullying of students;
4. execute such other duties related to school harassment, intimidation, or bullying as requested by the Executive Director; and
5. **meet at least twice a school year** with the school Anti- Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the school.

6. The Principal shall appoint a school Anti-Bullying Specialist. When a school guidance counselor, school psychologist, or another individual similarly trained is currently employed in the school, the Principal shall appoint that individual to be the school Anti-Bullying Specialist. If no individual meeting these criteria is currently employed in the school, the Principal shall appoint a school Anti-Bullying Specialist from currently employed school personnel.

The school Anti-Bullying Specialist shall:

1. chair the School Safety/Climate Team as provided in N.J.S.A. 18A:37-21;
2. lead the investigation of incidents of harassment, intimidation, or bullying in the school; and
3. act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.

A School Safety/Climate Team shall be formed to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school, and to address school climate issues such as harassment, intimidation, or bullying. The School Safety/Climate Team **shall meet at least two times per school year**. The School Safety/Climate Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school, a school Anti-Bullying Specialist, \*a parent of a student in the school, and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety Team.

The School Safety/Climate Team shall:

1. receive any complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;
2. receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;
3. identify and address patterns of harassment, intimidation, or bullying of students in the school;
4. review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;
5. educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;
6. participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or the district Anti-Bullying Coordinator may request;
7. execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or school Anti-Bullying Coordinator.

The members of a School Safety/Climate Team shall be provided professional development opportunities that address effective practices of successful school climate programs or approaches. Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, **\*a parent who is a member of the School Safety/Climate Team shall be on the school safety/school climate team only in regard to general school climate issues and shall not participate in activities that may compromise a student's confidentiality**. Additionally, other members of the School Safety/Climate Team who are not authorized to access student records pursuant to N.J.A.C. 6A:32-7.5 shall be on the team only in regard to general school climate issues and shall not participate in activities that may compromise a student's confidentiality.

### **Harassment, Intimidation, and Bullying Investigation**

The **investigation shall be initiated by the Principal or the Principal's designee within one school day of the report of the incident**. The investigation shall be conducted by the school Anti-Bullying

Specialist. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist the school Anti-Bullying Specialist in the investigation.

The investigation shall be completed and the written findings submitted to the Principal as soon as possible, **but not later than ten school days** from the date of the written report of the alleged incident of harassment, intimidation, or bullying. Should information regarding the reported incident and the investigation be received after the end of the ten-day period, the school Anti-Bullying Specialist or the Principal shall amend the original report of the results of the investigation to ensure there is an accurate and current record of the facts and activities concerning the reported incident.

TPC will **not** investigate a complaint or report of harassment, intimidation, or bullying, occurring on a sending district school bus, at a sending district school-sponsored functions, or off school grounds. Appropriate sending district personnel of the students involved will be notified as soon as possible when TPC receives report of an act of harassment, intimidation, or bullying occurring on a sending district school bus, at a sending district school-sponsored function or off school grounds involving a student who attends TPC.

**The investigation conducted by the sending district's Anti-Bullying Specialist shall be in consultation with TPC.** When a complaint or report of harassment, intimidation, or bullying involves students from **more than one school district, the sending district(s) of the victim(s) involved shall initiate the investigation.**

To protect the victim, the procedure also shall take into account the circumstances of the incident when communicating with parents and when following the provision of N.J.S.A. 18A:37-15.

Investigations of complaints concerning adult conduct shall be investigated by Human Resources in collaboration with the Principal or Principal's designee.

Once an incident of harassment, intimidation, or bullying is identified, the Principal shall determine the appropriate responses to address the individual circumstances in consultation and conjunction with appropriate sending district personnel, pursuant to N.J.A.C. 6A:14-7.6 (f), as necessary.

The Principal shall proceed in accordance with the Code of Student Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Executive Director within **two school days of the completion** of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Executive Director shall ensure the Code of Student Conduct has been implemented and provide intervention services, order counseling, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, or take or recommend other appropriate action, as necessary.

The Executive Director shall report the results of each investigation to the Board no later than the date of the regularly scheduled Board meeting following the completion of the investigation. The Executive Director's report also shall include information on any consequences imposed under the Code of Student Conduct, intervention services provided, counseling ordered, training established or other action taken or recommended by the Executive Director.

Parents of the students who are parties to the investigation shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents or guardians shall include the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether consequences were imposed or services provided to address the incident of harassment, intimidation, or bullying. This information **shall be provided in writing within five school days after the results of the investigation are reported to the Board.**



A parent or guardian may request a hearing before the sending district Board of Education after receiving the information. Any request for a hearing before the sending district Board of Education shall be filed within **60 calendar days** after the written information about the harassment, intimidation, or bullying investigation is received by the sending district Board of Education and the parents or guardians.

**The hearing before the sending district Board of Education shall be scheduled in collaboration with TPC and held by the sending district Board of Education within 10 business days of the request.** TPC and the sending district Board of Education shall coordinate the policies and procedures for conducting such hearings.

A parent, student, legal 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," P.L.1945, c.169 (C.10:5-1 et seq.).

### **Reprisal or Retaliation Prohibited**

TPC prohibits a school employee, contracted service provider who has contact with students, school volunteer, or student from engaging in reprisal, retaliation, or false accusation against a victim, witness, one with reliable information, or any other person who has reliable information about an act of harassment, intimidation, or bullying or who reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act, in accordance with case law, Federal and State statutes and regulations and district policies and procedures.

All suspected acts of reprisal or retaliation will be taken seriously and appropriate responses will be made in accordance with the totality of the circumstances. Examples of consequences and remedial measures for students who engage in reprisal or retaliation are listed and described in the Consequences and Appropriate Remedial Actions section of this policy.

Examples of consequences for a school employee or a contracted service provider who has contact with students who engages in reprisal or retaliation may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to, in or out-of-school counseling, professional development programs, and work environment modifications.

Examples of consequences for a Board member who engages in reprisal or retaliation may include, but not be limited to, reprimand, legal action, and other action authorized by statute or administrative code. Remedial measures may include, but not be limited to, counseling and professional development.

### **Consequences and Appropriate Remedial Action for False Accusation**

The Board prohibits any person from falsely accusing another as a means of retaliation or as a means of harassment, intimidation, or bullying.

- Students - Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1 et seq., Discipline of Students and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7, Long-term Suspensions and N.J.A.C.

6A:16-7.5, Expulsions and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.

- School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could entail discipline in accordance with school policies, procedures, and agreements which may include, but not be limited to: reprimand, suspension, increment withholding; or termination; and/or bans from providing services, participating in school district-sponsored programs; or being in school buildings or on school grounds. Remedial measures may include, but not be limited to, in or out-of-school counseling, professional development programs, and work environment modifications.
- Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with students or the provision of student services. Remedial measures may include, but not be limited to, in or out-of-school counseling, professional development programs, and work environment modifications.

### **Harassment, Intimidation, and Bullying Policy Publication and Dissemination**

This Policy will be disseminated annually by the Principal to all school employees, contracted service providers who have contact with students, school volunteers, students, and parents who have children enrolled in this school, along with a statement explaining the Policy applies to all acts of harassment, intimidation, or bullying, pursuant to N.J.S.A. 18A:37-14 that occur on TPC's school property, at TPC school-sponsored functions, or on a Phoenix Center school bus and, as appropriate, acts that occur off school grounds.

The Principal shall ensure that notice of this Policy appears in the student handbook and all other publications of the school that set forth the comprehensive rules, procedures, and standards of TPC.

The Principal shall post a link to the school's Harassment, Intimidation, and Bullying Policy that is prominently displayed on the homepage of the school's website. TPC will notify students and parents this Harassment, Intimidation, and Bullying Policy is available on the school's website and will be distributed annually to all school staff, students and parents.

The school shall post the name, school phone number, school address, and school email address of the Anti-Bullying Coordinator on the home page of the school's website.

### **Harassment, Intimidation, and Bullying Training and Prevention Programs**

The Principal shall provide training on the school's Harassment, Intimidation, and Bullying Policy to current and new school employees, contracted service providers, and volunteers who have significant contact with students. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying. The school's employee training program shall include information regarding TPC Policy against harassment, intimidation, or bullying, which shall be provided to full-time and part-time staff members, contracted service providers, and school volunteers who have significant contact with students.

Each staff member shall be required to complete at **least two hours of instruction in harassment, intimidation, and bullying prevention in every five years** as part of the professional development requirement pursuant to N.J.S.A. 18:37-22.d.

**The required two hours of suicide prevention instruction for teaching staff members shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, or bullying in accordance with the provisions** of N.J.S.A. 18A:6-112.

The school shall provide time during the usual school schedule for the Anti-Bullying Coordinator and Anti-Bullying Specialist to participate in harassment, intimidation, and bullying training programs.

A school leader shall complete school leader training that shall include information on the prevention of harassment, intimidation, and bullying as required in N.J.S.A. 18A:26-8.2.

The school shall annually observe a “Week of Respect” beginning with the first Monday in October. In order to recognize the importance of character education, TPC will observe the week by providing age-appropriate instruction focusing on the prevention of harassment, intimidation, and bullying as defined in N.J.S.A. 18A:37-14. Throughout the school year, TPC will provide ongoing age-appropriate instruction on preventing harassment, intimidation, or bullying, in accordance with the Student Learning Standards, pursuant to N.J.S.A. 18A:37-29.

The school will annually establish, implement, document, and assess harassment, intimidation, and bullying prevention programs or approaches, and other initiatives in consultation with school staff, students, administrators, volunteers, parents or guardians, law enforcement, and community members. The programs or approaches and other initiatives shall be designed to create school-wide conditions to prevent and address harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:37-17 et seq.

### **Harassment, Intimidation, and Bullying Policy Reevaluation, Reassessment and Review**

The Principal shall develop and implement a process for annually discussing the school’s Harassment, Intimidation, and Bullying Policy **with students** as appropriate.

The Principal(s) shall annually conduct a reevaluation, reassessment, and review of the Harassment, Intimidation, and Bullying Policy, with input from the schools’ Anti-Bullying Specialists, and recommend revisions and additions to the Policy as well as to harassment, intimidation, and bullying prevention programs and approaches based on the findings from the evaluation, reassessment and review. The programs or other responses shall be planned in consultation with a minimum, parents and other community members, school employees, law enforcement, school administrators and as appropriate, school volunteers and students.

### **Reports to Board of Education and New Jersey Department of Education**

The Principal shall annually establish, implement, document and assess bullying-prevention programs or approaches and other initiatives designed to create school-wide conditions to prevent or intervene in harassment, intimidation, and bullying in TPC. Programs, approaches and initiatives shall be planned in consultation with, at a minimum, parents and other community members, school employees, law enforcement, school administrators and as appropriate school volunteers and students.

The Principal will submit to the Executive County Superintendent a copy of TPC Harassment, Intimidation, and Bullying policy in the (first school year the effective date of this new rule) school year or within 30 days of revision.

Reports to Law Enforcement some acts of harassment, intimidation, and bullying may be bias-related acts and potentially bias crimes and school officials must report to law enforcement officials either serious acts or those which may be part of a larger pattern in accordance with the provisions of the Memorandum of Agreement between Education and Law Enforcement Officials.

Collective Bargaining Agreements and Individual Contracts - Nothing in N.J.S.A. 18A:37-13.1 et seq. may be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the Anti-Bullying Bill of Rights Act's effective date (January 5, 2011). N.J.S.A. 18A:37-30. TPC prohibits the employment of or contracting for school staff positions with individuals whose criminal history record check reveals a record of conviction for a crime of bias intimidation or conspiracy to commit or attempt to commit a crime of bias intimidation.

Students with Disabilities - Nothing contained in N.J.S.A. 18A:37-13.1 et seq. may alter or reduce the rights of a student with a disability with regard to disciplinary actions or to general or special education services and supports. N.J.S.A. 18A:37-32. The school district shall submit all subsequent amended Harassment, Intimidation, and Bullying Policies to the appropriate Executive County Superintendent of Schools within thirty days of Board adoption.

N.J.S.A.18A:37-13 through 18A:37-32 N.J.A.C.6A:16-7.1 etseq.;6A:16-7.9 etseq.

Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses