

# CEREBRAL PALSY OF NORTH JERSEY POLICY

## DESCRIPTIVE TITLE: ANTI-BULLYING POLICY

Revision: Initial

Effective Date: May 7, 2012

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### **Policy Prohibiting Harassment, Intimidation or Bullying In accordance with N.J.S.A. 18A: 37-15 (3)(b)(2)**

#### **1. CPNJ's Horizon School and Horizon High School prohibit acts of harassment, intimidation or bullying.**

Our schools believe that all students are entitled to work and study in school-related environments that are free of harassment, intimidation and bullying. Our mission, philosophy and values are based on a deep respect for the inherent worth of each individual and their capacity for growth and development. We commit ourselves to forming relationships with people so that each person may experience a sense of belonging, dignity and hope. It is through relationships that students grow in self-understanding and self-esteem. Each student has the right to self-determination. Therefore, a safe and civil environment in school is necessary for our students to fulfill this mission and to learn and achieve to their capacity. Harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and our ability to educate students in a safe, respectful environment and therefore will not be tolerated.

#### **2. Definition of Harassment, Intimidation or Bullying:**

"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.

#### **3. Behavioral Expectations: for Students and Staff:**

CPNJ's Horizon School and Horizon High School expect students to conduct themselves in an appropriate manner at all times in keeping with their levels of development, maturity and demonstrated capabilities and with regard and respect for the rights and welfare of their fellow students and school staff. Our schools believe that standards for student behavior must be set cooperatively through interaction among the school administrators, school employees, students, parents / guardians, staff and community

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members, producing an atmosphere that encourages students to grow emotionally and demonstrate self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of the students, staff and community members. Our schools require that all students adhere to the rules and regulations established and submit to disciplinary measures which are appropriately assigned for the infraction of these rules.

The Principal, Assistant Principal or their designee (The Anti-Bullying Coordinator) shall provide annually to students, their parents and guardians the rules of the school regarding student conduct and the policy shall appear in all school publications, including the student handbook and the CPNJ website. Provisions shall be made for informing parents/guardians whose primary language is other than English.

The Policy shall:

- A. Describe 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 disciplinary sanctions and due process.

All Staff are expected to conduct themselves in an appropriate manner at all times with regard and respect for the rights and welfare of their fellow school staff and students. Standards for staff behavior are dictated by CPNJ policy including but not limited to the CPNJ Code of Conduct, CPNJ Code of Ethics, as well as Anti-Harassment, Anti-Violence and Employee Conduct Policies contained within the CPNJ Employee Handbook.

#### **4. Consequences and Appropriate Remedial Actions for a person who commits an act of harassment, intimidation, or bullying:**

##### **Students:**

In determining the appropriate response to students who commit one or more acts of harassment, intimidation or bullying, school administrators will consider the following factors: the developmental and maturity levels of the parties involved, the levels of harm, the surrounding circumstances, the nature of the behaviors, past or continuing patterns of behavior, the relationship between the parties involved, the context in which the alleged incidents occurred, and whether the behavior was active or passive.

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Concluding whether a particular action or incident constitutes a violation of our policy requires a determination based on all of the facts and surrounding circumstances. After meaningful consideration of these factors the administrative team will determine an appropriate consequence that is consistent with the case law, Federal and State statutes, regulations and policies, as well as Horizon Schools policies and procedures.

Consequences and remedial measures shall be designed to:

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

Consequences and appropriate remedial action for students who commit acts 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 may range from positive behavioral interventions up to and including suspension or removal from the program and notification of the appropriate legal authorities.

### **Staff:**

Consequences and appropriate remedial actions for any staff member who commits an act of harassment, intimidation or bullying may range from Corrective Counseling up to disciplinary charges which could result in suspension or termination as permitted under CPNJ Policy including but not limited to the CPNJ Code of Conduct, CPNJ Code of Ethics, as well as Anti-Harassment, Anti-Violence and Employee Conduct Policies contained within the CPNJ Employee Handbook.

## **5. Reporting Acts of HIB:**

All school employees are required to report alleged violations of this policy to the Principal or the Principal's designee. All other members of the school community, including students, parents, volunteers and visitors, are encouraged to report any act that may be a violation of this policy. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report. The principal shall inform the parents or guardian of all students involved in the alleged incident, and may discuss, as appropriate, the availability of counseling and other intervention services. The district Case Manager may be notified as well,

All acts of harassment, intimidation, or bullying must be reported **verbally** to the school principal on **the same day** when a Horizon Schools staff member, CPNJ employee or contracted service provider witnessed or received reliable information that a student had been subject to harassment, intimidation, or

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bullying. All acts of harassment, intimidation, or bullying must also be reported in **writing** to the school Principal **within two days** of when a Horizon Schools staff member, CPNJ employee or contracted service provider witnessed or received reliable information that a student had been subject to harassment, intimidation, of bullying.

Any CPNJ administrator, trustee or school employee who promptly reports an incident of harassment, intimidation or bullying, to the appropriate school official, and who makes this report in compliance with the procedures in this policy, shall be 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, or bullying from a school or agency 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 up to and including termination.

## **6. Anti-bullying Schools Support Staff:**

### **Anti-bullying Coordinator**

Horizon Schools Principals shall appoint an anti-bullying coordinator for both schools. The anti-bullying coordinator shall:

- A. Be responsible for reviewing, coordinating and strengthening school and agency policies to prevent, identify, and address harassment, intimidation, and bullying of students;
- B. Collaborate with schools' anti-bullying specialist and the Principals to prevent, identify, and respond to harassment, intimidation, and bullying of students in the schools;
- C. Provide data, in collaboration with the Principals, to the Department of Education regarding harassment, intimidation, and bullying of students; and
- D. Execute such other duties related to school harassment, intimidation, and bullying as requested by the Principals and CPNJ administrators.

The schools' anti-bullying coordinator **shall meet at least twice a school year with the schools anti-bullying specialist** to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the schools.

### **School Anti-Bullying Specialist**

The Principal in each school shall appoint a school anti-bullying specialist who is knowledgeable about student behavior and developmental disabilities. The school anti-bullying specialist shall:

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- A. Chair the school safety teams;
- B. Lead the investigation of incidents of harassment, intimidation, and bullying in the schools; and
- C. Act as the primary school representative responsible for preventing, identifying, and addressing incidents of harassment, intimidation, and bullying in the school.

**School Safety Team**

The Principals shall form a school safety team in each school 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 team shall meet at least two times per school year.**

The school safety teams shall be appointed by the Principals and consist of the principal or his or her designee who, if possible, shall be a certified administrator; a teacher in the school; the school anti-bullying specialist; a parent of a student in the school; and other members to be determined by the Principals. **The school Anti-bullying Specialist shall serve as the chair of the school safety team.**

The school safety team shall:

- A. Receive any complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;
- B. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;
- C. Identify and address patterns of harassment, intimidation, or bullying of students in the school;
- D. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;
- E. Educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;
- F. Participate in the training required pursuant to the provisions of (N.J.S.A. 18A:37-13 et seq.) and other training which the Principals and the Anti-bullying Coordinator may request;
- G. Collaborate with the schools Anti-bullying Coordinator in the collection of data and in the development of school and agency policies to prevent and address harassment, intimidation, or bullying of students; and
- H. Execute such other duties related to harassment, intimidation, and bullying as requested by the Principal or schools Anti-bullying Coordinator.

**N.B. No parent/guardian who is a member of the school safety team shall:**

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- A. Receive complaints of harassment, intimidation or bullying of students that have been reported to the principal;
- B. Receive copies of reports prepared after an investigation of a harassment, intimidation or bullying incident;
- C. Identify and address patterns of harassment, intimidation or bullying of students; or
- D. Participate in any other activities of the team which may compromise the confidentiality of a student.

**7. Investigating Reported Harassment, Intimidation and Bullying**

All reported incidents of harassment, intimidation and bullying shall be investigated promptly and in accordance with law and the following procedures:

- A. All investigations shall be thorough and complete, and documented in writing.
- B. 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 in concert with the school Anti-bullying Specialist. The Principal may appoint additional personnel who are not school anti-bullying specialists to assist in the investigation.
- C. 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 yet 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.
- D. The results of the investigation shall be reported to a CPNJ administrator within two school days of the completion of the investigation, and in accordance with law and agency policy. The CPNJ administrator along with the Principal may initiate intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, recommend counseling as a result of the findings of the investigation, or take or recommend other appropriate action.
- E. 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, and include:
  - 1. Any services provided;
  - 2. Training established;
  - 3. Discipline imposed; or
  - 4. Other action taken or recommended by Principals or CPNJ administrator.

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- F. The Principals or their designee 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:
1. The nature of the investigation;
  2. Whether the school found evidence of harassment, intimidation, or bullying; or
  3. Whether discipline was imposed or services provided to address the incident of harassment, intimidation, or bullying.

### **8. School Response to Identified Incidents of Bullying, Intimidation, or Harassment**

Some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school respond appropriately to the individuals committing the acts. Other acts may be serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom or school building level or by a law enforcement officials.

Consequences and appropriate remedial actions for students who commit an act 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 and in concert with student Individual Educational Program (IEP).

In considering whether a response beyond the individual level is appropriate, the administrator should consider the nature and 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 incident(s) occurred.

Institutional (i.e., classroom, school building, school) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based bullying prevention program models, to training for certificated and non-certificated staff, to participation of parents and other community members and organizations, small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable student behavior and the consequences of such actions and to involvement of law enforcement officers, including school resource officers.

### **9. Prohibition of Reprisal or Retaliation for reporting an Act of Harassment, Intimidation or Bullying :**

CPNJ and Horizon Schools prohibit reprisal or retaliation against any person who reports and/or is a party in the investigation of 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 Principal after consideration of the nature and circumstances of the act, in accordance with case law, federal and state statutes and regulations as well as agency and school policies and procedures.

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### 10. Consequences for False Accusations:

Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation or bullying will be considered by the Principal and school administrators and may 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 CPNJ and school policies, procedures and agreements and documented through the Corrective Counseling process..

Consequences and appropriate remedial action for a visitor, volunteer, or contracted services provider found to have falsely accused another as a means of harassment, intimidation or bullying shall be determined by the school Principal after consideration of the nature, severity and circumstances of the act, including reports to appropriate law enforcement officials.

### 11. Annual Policy Publication and Dissemination:

The policy **shall be disseminated annually** to all Horizon Schools' staff, contracted service providers who have contact with students, volunteers, 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 and, as appropriate, acts that occur off school grounds.

The Principals in collaboration with the School Safety Team and instructional staff, 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 CPNJ website each year**.

The Principals shall also post the name, school phone number, school address and school email address of the schools' Anti-Bullying Specialist and Anti-Bullying Coordinator on the CPNJ website.

### 12. 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. Horizon Schools, 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).

Throughout the year the schools shall provide ongoing age-appropriate instruction focusing on preventing harassment, intimidation, and bullying in accordance with the NJ Core Curriculum Content Standards.

### 13. Training and Staff Development:

Staff, Student and Volunteer Training



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CPNJ and Horizon Schools shall:

1. Provide training on Horizon Schools' harassment, intimidation, or bullying policy to school employees and volunteers who have significant contact with students;
2. Provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements;
3. Ensure that the training includes instruction on preventing bullying on the basis of the protected categories as required by law (N.J.S.A.18A:37-14) and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying; and
4. Develop a process for discussing the schools' harassment, intimidation or bullying policy with students.
5. Annually review this policy with all school staff, students, volunteers and parents.

Information regarding Horizon Schools' policy against harassment, intimidation or bullying shall be incorporated into the school's employee training program and shall be provided to full-time and part-time staff, volunteers who have significant contact with students, and those persons contracted by the district to provide services to students.

Throughout the school year, Horizon Schools shall provide ongoing age-appropriate instruction on preventing harassment, intimidation and bullying, consistent with the NJ Core Curriculum Content Standards.

Information and resources about harassment, intimidation and bullying will be available to staff, students, parents, and volunteers in the Principal's office or school library.

| <b>Revision History</b>                                 |   |           |
|---|---|-----------|
| Rev   | Reason for Change                       | Effective |
| Initial   | Initial Release – Board Approval 5/7/12 | 5/7/12    |
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| Approved By _____ Date _____ Title <u>President/CEO</u> |   |           |

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