

Golden Door Charter School Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying October 2011

In accordance with N.J.S.A. 18A:37-15 and N.J.A.C. 6A:16-7.1 requirements for all New Jersey Schools

Providing a safe school environment for our students is of the utmost importance for the Golden Door Charter School. The Golden Door School Board of Trustees prohibits acts of harassment, intimidation or bullying of a student. 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. 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

The Golden Door Charter School Board of Trustees establishes that "harassment, intimidation or bullying" means any gesture or written, verbal or physical act, or any use of electronic communication, (using but not limited to telephone, cellular telephone, computer or pager) whether it be a single incident or a series of incidents that:

- a) is reasonably perceived as being motivated by any actual or perceived characteristic such as race, color, religion, national origin, ancestry, gender, sexual orientation, gender identity, or mental, physical or sensory disability; or other distinguishing characteristics; and that
- b) 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 pupils; and that
- c) 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 self or property; or
- d) has the effect of insulting or demeaning any student or group of students; or
- e) 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.

Expected Behaviors

The Golden Door Charter School Board of Trustees expects students to conduct themselves according to their levels of development and maturity, with a proper concern for the rights and welfare of other students and school staff, school facilities and equipment, consistent with the code of student conduct.

The Board believes that standards for pupil behavior must be set cooperatively through interaction 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 the school 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. The Board 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 responsibility for their behavior and the consequences of their behavior. Staff members who interact with students shall apply best practices designed to prevent student conduct problems and foster students' ability to grow in self-discipline.

The Board expects that students will act in accordance with the student behavioral expectations and standards regarding harassment, intimidation, and bully, included in the Code of Civility, included in the Golden Door Parent and Student Handbook.

Consequences and Remediation

The Golden Door Charter School Board of Trustees requires it's 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. The following factors at a minimum will be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation or bullying of 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.

Factors for Determining Consequences

1. Age, developmental and maturity levels of the parties involved and their relationship to the school;
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; and
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; and
11. Relationship to students and the school

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; and
10. Family situation.

Remedial Measures

Examples of Remedial Personal Measures

1. Student counseling;
2. Parent conferences;
3. Peer support group;
4. Restitution and restoration;
5. Corrective instruction or other relevant learning or service experience;
6. Supportive student interventions, including participation of the Intervention Planning Team, pursuant to N.J.A.C. 6A:16-8;
7. Behavioral assessment or evaluation, including, but not limited to a referral to the Child Study Team, as appropriate;
8. Behavioral management plan, with benchmarks that are closely monitored;
9. Assignment of leadership responsibilities; and involvement of school disciplinarian.

Examples of Remedial Environmental Measures (Classroom or School Building)

1. Adoption of research-based, systemic bullying prevention programs;
2. School policy and procedures revisions on an annual basis;
3. Strategies to improve the conditions contributing to harassment, intimidation, or bully based on school and community surveys;
4. School climate improvement;
5. Small or large group presentations for fully addressing the behaviors and responses to the behaviors;
6. Modifications of schedules;
7. Adjustments in hallway traffic;
8. Targeted use of monitors (e.g., hallway, cafeteria, dismissal);
9. General professional development programs for certificated and non-certificated staff;

10. Disciplinary action and/or professional development plans for involved staff;
11. Supportive institutional interventions, including participation of the Intervention Planning Team pursuant to N.J.A.C. 6A:16:-8; and /or the Child Study Team, if warranted;
12. Parent conferences;
13. Family counseling;
14. Professional development plans;
15. Involvement of parent-teacher organization;
16. Involvement of community-based organization;
17. Peer support groups;
18. School transfers;
19. Law enforcement (e.g. juvenile officer) involvement;
20. School and community surveys and other strategies for determining the conditions contributing to harassment, intimidation, or bullying;
21. School culture change;
22. Development of a general bully response; and
23. Alternative placements.

Reporting

The Golden Door Charter School Board of Trustees requires the Director and/or the Assistant Director to be responsible for receiving complaints alleging violations of this policy. All Board members, school employees as well as all other members of the school community, including volunteers and contract service providers, are required to report alleged violations of this policy to the Director, the Assistant Director or the Director'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, also shall submit a report in writing to the Director within two school days of the verbal report. The Director will inform the parents of the students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. The Director, 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 are encouraged to report alleged violations of the Policy to the Director or the Assistant Director 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.

Anti-Bully Coordinator, Anti-Bullying Specialist and School Safety Team

1. The Director shall appoint a school Anti-Bully Coordinator.
The school Anti-Bullying Coordinator shall:
 - a. Be responsible for coordinating and strengthening the school's policies to prevent, identify, and address harassment, intimidation, or bullying of students;
 - b. Collaborate with the school Anti-Bullying Specialist, the Board or Trustees and the Director to prevent, identify, and respond to harassment, intimidation, or bullying of students in the school;

- c. Provide data, in collaboration with the Principal, to the Department of Education regarding harassment, intimidation, or bullying of students;
 - d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Director; and
 - e. Meet at least twice a school year with the school Anti-Bullying Specialist to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the school.
2. The Director shall appoint a school Anti-Bullying Specialist. The school counselor, school psychologist, or another individual similarly trained and currently employed in the school; the Director shall appoint that individual to be the school Anti-Bullying Specialist.

The school Anti Bullying Specialist shall:

- a. Chair the School Safety Team as provided in N.J.S.A. 18A:37-21;
 - b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and
 - c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.
3. A School Safety 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 Team shall meet at least two times per school year. The School Safety Team shall consist of the Director or the Director's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Director: 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 Director. 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 bully of students that have been reported to the Director;
 - 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 Director or the school Anti-Bullying Coordinator may request;

- g. Execute such other duties related to harassment, intimidation, or bullying as requested by the Director or Anti-Bullying Coordinator.

The members of a School Safety Team shall be provided professional development opportunities that address effective practices of successful school climate programs or approaches.

Notwithstanding any provisions of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety Team shall not participate in the activities of the team set forth in 3.a., b., or c. above or any other activities of the team which may compromise the confidentiality of a student. The Board requires protection of student information, which shall remain confidential and shall be a mandate of the School Safety Team.

Investigation

The Golden Door Charter School Board of Trustees requires a thorough and complete investigation to be conducted for each report of an alleged incident of harassment, intimidation or bullying. The Director or the Assistant Director shall initiate the investigation within one school day of the verbal report of the incident. The school Anti-Bullying Specialist shall conduct the investigation. The Director 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 Director 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. The Anti-Bullying Specialist or the Director shall amend the original report after the results of the investigation to ensure there is an accurate and current record of the facts and activities concerning the reported incident.

The Director shall report the results of each investigation to the Board of Trustees no later than the date of the regularly scheduled Board of Trustee meeting following the completion of the investigation. The 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 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 school 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 of Trustees.

A parent or guardian may request a hearing before the Board of Trustees after receiving the information. When a request for a hearing is granted, the hearing shall be held at the next scheduled Board meeting. The Board of Trustees shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the alleged incident, the findings from the investigation of the alleged incident, recommendations for

consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination.

At the regularly scheduled Board of Trustee meeting following its receipt of the report or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Director's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with N.J.A.C. 6A:3, Controversies and Disputes, no later than ninety days after issuance of the Board of Trustee's decision.

Response to Harassment, Intimidation or Bullying

The Golden Door Charter School Board of Trustees authorizes the Director, in conjunction with the Anti-Bullying Specialist, to define the range of ways in which school staff will respond once an incident of harassment, intimidation, or bullying is confirmed. The Board recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring the school officials respond appropriately to the individual(s) committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom or school building or by law enforcement officials.

Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation or bullying 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 as set forth in N.J.A.C. 6A: 16-7.2, Short-term suspensions as set forth in N.J.A.C. 6A: 16-7.3, Long-term Suspensions as set forth in N.J.A.C. 6A: 16-7.5.

In considering whether a response beyond the individual level is appropriate, school officials shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident occurred. Institutional (i.e., classroom or school building) 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 organization, to 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 and staff member behavior and the consequences of such actions, and to the involvement of law enforcement officers.

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The Board is encouraged to set the parameters for the range of responses to be established by the Director. The range of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, or school, responses, as appropriate to the findings from each incident. Examples of responses that apply to each of these categories are provided below:

1. Individual responses can include positive behavioral interventions (e.g. peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion, law enforcement report, or other legal action).

2. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays, research projects, observing and discussion audio-visual materials on these subjects, and skill building lessons in courtesy, tolerance, assertiveness, and conflict management.
3. School responses can include theme days, learning station programs, parent programs, and information disseminated to pupils and parents or guardians, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices or strategies for fostering expected student behavior. In all instances, the school should respond in a manner that provides relief to victims and does not stigmatize victims or further their sense of persecution. In terms of prevention, social skills training provided to all students or a data-driven school climate improvement process are examples of a school response for addressing victimization.
4. Other responses can include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs, coordination with community-based organization (e.g., mental health, health services, health facilities, law enforcement officials, faith-based organization), and disseminating information on the core values in the Golden Door School Code of Civility.

The school will identify a range of strategies and resources, which could include, but not be limited to the following actions for individual victims: counseling; teacher aids; hallway and playground monitors; schedule changes; before and after school supervision; school transfers; and therapy.

Reprisal or Retaliation Prohibited

The Golden Door Charter School Board of Trustees prohibits a Board member, 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, 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 Director after consideration of the nature, severity and circumstances of the act, in accordance with case law, Federal and State statutes and regulations and school 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 are listed in the Consequences and Appropriate Remedial Actions section of this policy.

Consequences and Appropriate Remedial Action for False Accusation

The Golden Door Charter School Board of Trustees prohibits any person from falsely accusing another as a means of harassment intimidation or bullying.

1. 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

Pupils 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.

2. School Employees – Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with pupils 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.\
3. 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.

Harassment, Intimidation, and Bullying Policy Publication and Dissemination

This Policy will be disseminated annually by the Director to all school employees, contracted service providers who have contact with students, school volunteers, students, and parents who have children enrolled in the Golden Door Charter 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 school property or at school sponsored functions, as appropriate, acts that occur off school grounds.

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

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. The school will notify students and parents this Harassment, Intimidation, and Bully Policy is available on the school district's website.

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