

HAZING/BULLYING, HARASSMENT & INTIMIDATION
Classrooms, Hall and Grounds Conduct (includes lunchroom)

The Hasbrouck Heights Board of Education believes that an integral part of each student's academic, personal and social growth is the acquisition of life skills that will assure success over the entire course of his/her life's journey.

It is the policy of the Board of Education and school district that hazing/bullying, harassment and intimidation activities of any type are inconsistent with the education process and will be prohibited at all times. These rules and policies regarding student conduct are distributed through the student handbook at the beginning of each school year.

I. Hazing

For purposes of this policy hazing is defined as any activity that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or membership in or affiliation with any organization recognized by the Board.

Activities that endanger physical health shall include but not be limited to any brutality of a physical nature, such as whipping; beating; branding; forced calisthenics; exposure to the elements; forced consumption of any food, alcoholic beverage, drug, or controlled substance; or any other forced physical or sexual activity that could adversely affect the physical health or safety of the individual.

Activities that endanger mental health shall include any activity, that would subject an individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact, forced conduct, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.

Any hazing activity, whether by an individual or a group, shall be presumed to be a forced activity, even if a student willingly participates.

No administrator, faculty member, or other employee of the school district will encourage, permit, condone, or tolerate hazing activities. No student, including leaders of student organizations, will plan, encourage, or engage in any hazing.

Administrators, faculty members and all other employees of the school district will be particularly alert to possible situations, circumstances or events which might include hazing. If hazing or planned hazing is discovered, involved students will be informed by the discovering school employee of the prohibition contained in this policy and will be required to end all hazing activities immediately. All hazing incidents will be reported immediately to the building principal.

II. Harassment, Intimidation and Bullying

The Board of Education promotes a secure and civil climate, conducive to teaching and learning, that is free from threat, harassment, intimidation or any type of bullying behavior. Therefore, it shall be the policy of the board that harassment, intimidation and bullying of a student by another student or Hasbrouck Heights employee is prohibited.

The Board of Education expects students 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 Board of Education believes that standards for student behavior must be set cooperatively through interaction among the students, parents/guardians, staff and community members 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 district and community property on the part of students, staff and community members.

Definition

"Harassment, intimidation or bullying: means any gesture or written, verbal or physical act that takes place on school property, at any school-sponsored function or on a school bus and that:

- a. is motivated 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 another other distinguishing characteristic; and
- c. under the circumstances, that the act(s) will have the effect of harming a student or damaging the student's property, or placing a student in reasonable fear of harm to his person or damage to his property; or
- d. has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

Harassment, intimidation or bullying takes many forms and can include many different behaviors, such as but not limited to:

- physical violence and attacks
- verbal or written taunts, name-calling, insults and put-downs including ethnically-based verbal abuse and gender based put-downs that instills fear and/or bodily harm
- threats and intimidation
- extortion or stealing money and possessions
- exclusion from peer group
- damage to personal property

Reporting and Investigation Procedures

At each school, the principal or the principal's designee is responsible for receiving complaints alleging violations of this policy. 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. The principal must develop a report form which should be made available to teachers and parents. Oral reports also shall be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report. The principal must devise a procedure of handling reports so that the reporter can submit reports without fear of being observed. Any person who engages in an act of reprisal or retaliation against a person who reports such actions, or who falsely accuses another of bullying as a means of harassment, intimidation or bullying will be disciplined in accordance with school rules in the form of suspension and the matter will be reported to the law enforcement agency based on the severity of the situation.

1. Violations when school is in session

Any incident of possible violation of this policy must be brought to the attention of the building principal immediately. Staff members must not conduct any preliminary investigation.

The principal shall inform the superintendent that an incident of possible violation has occurred.

The principal shall conduct a complete investigation to determine the veracity of the incident. The investigation may include interviews with staff members, coaches and students.

Based on the results of the investigation the principal shall file a report with the superintendent including recommended sanctions, if appropriate, ie. Contact to the Affirmative Action Officer, the Hasbrouck Heights Police Department and/or depending on the incident a call to the DYFS hotline (see section below - Appropriate Response).

Following the filing of the report with the superintendent, the principal shall meet with the student(s) involved, shall inform them of the results of the investigation and inform them of the appropriate disciplinary action.

2. Violations when school is not in session

No inappropriate activity away from our campus, even when school is not in session, will be tolerated which would inhibit the Hasbrouck Heights District from maintaining a safe, orderly and disciplined atmosphere. Such actions include, but are not limited to, bullying, hazing, possession and distribution of drugs and /or possession of a weapon, verbal or physical assault, or defiance of school staff member's authority. When the administration learns of such actions occurring off-campus, they can initiate disciplinary action including suspension(s) as if the action had taken place on our school grounds.

Appropriate Response

In determining the appropriate response to students who commit one or more acts of harassment, intimidation or bullying, the principal should 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 incidences or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. It is only after meaningful consideration of these factors that an appropriate consequence should be determined, consistent with the case law, Federal and State statutes, regulations and policies, and district 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 expulsion.

In all cases, the principal should attempt to actively involve parents/guardians in the remediation of the behaviors of concern.

A. Disciplinary Action Extra Curricular Activities

Any student who violates this policy shall be removed from the sports team, band, club, etc. co-curricular activity or group in which the incident occurred commensurate with the seriousness of the offense.

Removal from the activity will be for the remainder of the entire season or length of time the group is active. If more than 50% of the season (number of competitions) or of the activity (number of school days) has occurred, then the student will not be able to participate in the activity for the remainder of the current season and during the following school year.

If the student desires to participate in the activity after satisfying the sanctions stated above, then the student must petition the principal for reinstatement.

Criteria for reinstatement shall include but not be limited to adherence to the school's code of conduct, the results of community service activities and conduct of the student in other sports, co-curricular or other group activities. Community service activities should have an educational relationship to this policy.

Student's removal from an activity for the violation of this policy will not reduce or eliminate other disciplinary sanctions based on the student's behavior.

If a student violates this policy, the student will be subject to out of school suspension commensurate with the seriousness of the offense.

If a student violates this policy more than once, the student will be prohibited from participating in the activity again.

If a classified student is removed from an activity for violating this policy, the principal shall forward a copy of the action to the student's child study team case manager.

B Non-participating students

In the event a student is in violation of this policy who is not engaged in an extra curricular activity, he/she will be subject to out of school suspension commensurate with the seriousness of the offense, and prohibited from future attendance at this activity.

Note: Classified Pupils

Classified pupils are subject to the same disciplinary procedures as nondisabled pupils and may be disciplined in accordance with their IEP. However, before disciplining a classified pupil, it must be determined that:

- A. The pupil's behavior is not primarily caused by his/her educational disability.
- B. The program that is being provided meets the pupil's needs.

Staff shall comply with state and federal law and the regulations of the New Jersey administrative code in dealing with discipline and/or suspension of all pupils with disabilities.

C. Right of Appeal

The student shall have the right of appeal for sanctions imposed as the result of the violation of this policy.

The right to appeal shall follow the district's chain of command to the superintendent and, ultimately, to the Board of Education.

D. Bullying Prevention Program

A comprehensive program, involving everyone in the schools and the community, to address bullying at all school levels is essential to reducing incidences of bullying. Such a program must involve interventions at all levels, schoolwide, classroom and individual. In addition, the norms that are established by adults through consistent enforcement of all policies pertinent to conduct and modeling appropriate behavior at school and at home will reduce the damage of bullying. It is necessary for students to promote the concept that caring for others is a valued quality, one that is accepted and encouraged.

AIMS: The program within the district schools seeks to accomplish the following goals:

- To promote a secure and civil environment free from threat, harassment and any type of bullying behavior.
- To take positive action to prevent bullying from occurring.
- To inform parents and students of the school's expectations and to foster a productive partnership which helps to maintain a bully-free environment.
- To make staff aware of their role in fostering the knowledge and attitudes which will be required to achieve the above aims.

The superintendent shall provide that students and parents of students are notified of this prohibition against bullying and the penalties for violating the prohibition by ensuring inclusion of such information in student and parent handbooks.

Administrators, faculty members, students and all other employees who fail to abide by this policy may be subject to disciplinary action, and may be liable for civil and criminal penalties in accordance with state law.

Date: October 31, 2002

Revised : December 20, 2004

Legal References: N.J.S.A. 18A:42.5
 N.J.S.A. 18A:42.6
 Senate Bill 149
 Assembly Bill 1526