

## ***POLICY TO COMBAT BULLYING, HARASSMENT AND INTIMIDATION***

### ***Statement of Purpose; Harassment, Intimidation and Bullying Prohibited***

The Princeton Charter School Board of Trustees expects the members of the PCS community, including students, administrators, faculty and staff members and volunteers, to treat each other with civility and respect. Expectations for student behavior are described in detail in the Code of Student Conduct and the school's Rules, published in the Parent and Student Handbook and on the school's website, [www.pcs.k12.nj.us](http://www.pcs.k12.nj.us).

Acts of harassment, intimidation or bullying by students, faculty or staff are prohibited, and are subject to disciplinary and remedial action. Such acts interfere with the learning process, undermine the provision of a safe, civil and respectful environment. Bullying takes many forms, from verbal cruelty or intimidation to physical aggression. **For ease of reference, every use of the term "bullying" in this policy includes harassment, intimidation or bullying as defined below.**

Since students learn by example, school administrators, faculty and staff members, volunteers and peers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation, or bullying. **The Board requests the commitment of every member of the PCS community to enforcing this policy and fostering an environment of safety, civility and respect.**

This policy:

- **defines harassment, intimidation and bullying;**
- specifies both **consequences** and **remedial actions**;
- describes the process for ongoing **dissemination** of the policy, including publication on the **school website** and notice of such publication;
- requires staff and student **education and training** regarding the subject-matter; and
- provides for **annual review** of the extent and characteristics of harassment, intimidation and bullying, with community involvement.

### ***Definition***

In defining acts of harassment, intimidation or bullying (HIB), Princeton Charter School follows New Jersey statute 18A:37-14

"Harassment, intimidation or bullying" means 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 property, at any school-sponsored function, on a school bus, or off school grounds as provided for in section 16 of P.L.2010, c.122 (C.18A:37-15.3), 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 person or damage to his property;
- 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 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, tablet or pager;

As prescribed by law, behavior that meets this definition is subject to disciplinary and remedial action under this policy.

In cases in which a school employee is made aware, bullying between students that occurs outside the School Environment also may be subject to disciplinary and remedial action by PCS, as prescribed by law:

- (a) if reasonably necessary for the affected students' physical or emotional safety or well-being or for reasons relating to the safety and well-being of other students, faculty or school facilities; or
- (b) if the conduct materially and substantially interferes with the requirements of appropriate discipline in the operation of the school.

***Observations of Bullying; Reporting Procedures and Investigation***

All administrators, faculty, staff members and volunteers shall be alert to possible circumstances of bullying. An administrator, faculty or staff member or volunteer who detects bullying or planned bullying shall immediately inform those involved of the prohibition against bullying and direct them to cease all bullying behavior or intentions to bully.

Additionally, students are encouraged to report instances of bullying, and are expected not to participate actively, or passively as an "audience", to bullying behavior initiated by others because such participation may reinforce bullying behavior.

*The Board of Trustees requires the Head of School to be responsible for receiving all complaints alleging violations of this policy. All Board of Trustees members, school employees, and volunteers and contracted service providers who have contact with students, are required to verbally report alleged violations of this policy to the Head of School or the Head of School's designee on the same day when the individual witnessed or received reliable information regarding any such incident. All Board of Trustees members, school employees, and volunteers and contracted service providers who have contact with students, also shall submit a report in writing to the Head of School within two school days of witnessing or receiving reliable information that a student has been subject to harassment, intimidation, or bullying. The Head of School is required to inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services.*

*Students, parents, and visitors are encouraged to report alleged violations of this policy to the Head of School 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; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report. A member of a Board of Trustees or a school employee who promptly reports an incident of harassment, intimidation or bullying, and who makes this report in compliance with the procedures in the district's policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.*

*The 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 investigation shall be initiated by the Head of School or the Head of School's designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school anti-bullying specialist appointed by the Head of School. The Head of School 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 Head of School as soon as possible, but not later than 10 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 10-day period, the school anti-bullying specialist or the Head of School 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.*

*The results of the investigation shall be reported to the Head of School within two school days of the completion of the investigation, and in accordance with regulations promulgated by the State Board of Education pursuant to the "Administrative Procedure Act" P.L. 1968, c. 410 (C.52:14B-1 et seq).*

*The Head of School shall proceed in accordance with the code of student conduct, as appropriate, based on the investigation findings. As appropriate to the findings from the investigation, the Head of School shall ensure the code of student conduct has been implemented and may decide to provide intervention services, order counseling, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, or take or recommend other appropriate action, as necessary.*

*The Head of School shall report the results of each investigation to the Board of Trustees no later than the date of the regularly scheduled Board of Trustees meeting following the completion of the investigation. The Head of School'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 Head of School.*

*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 includes 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 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 within 10 school days of the request. 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 of Trustees 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 Trustees meeting following its receipt of the report, the board shall issue a decision, in writing, to affirm, reject, or modify the Head of School's decision. The Board of Trustees's decision may be appealed to the Commissioner of Education, in accordance with the procedures set forth in law and regulation, no later than 90 days after the issuance of the Board of Trustees's decision.*

*A parent, student, 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.).*

*A school administrator who receives a report of harassment, intimidation, or bullying from a district 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.*

### **Range of Ways in Which the School Will Respond to an Incident of HIB**

*The Head of School is authorized to define, in conjunction with the anti-bullying specialist, the range of ways in which the school will respond once an incident of harassment, intimidation, or bullying is identified. The school's response shall include an appropriate combination of services that are available within the district such as counseling, support services, intervention services, and other programs, as defined by the commissioner. In the event that the necessary programs and services are not available within the district, the district may apply to the Department of Education for a grant from the "Bullying Prevention Fund" established pursuant to section 25 of P.L.2010, c. 122 (C.18A:37-28) to support the provision of out-of-district programs and services.*

### **Consequences and Remedial Actions**

Violations of this policy will be addressed in a manner appropriate to the circumstances by the Head of School, through consequences and remedial actions. Any student, administrator, faculty or staff member or volunteer failing to adhere to the mandate of this policy will be subject to disciplinary action, as provided in the school's disciplinary procedures and the school's Code of Student Conduct.

With respect to students, acts of bullying are a "Major Offense" as defined in the disciplinary procedures of PCS, with the range of disciplinary responses described in those procedures (which also will take into account relevant New Jersey case law, statutes or regulations). In determining the appropriate response to student bullying, faculty and school administrators will consider the following factors:

- the age and 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. The Head of School will determine on a case by case basis what remedial actions (other than disciplinary actions) are appropriate, and will attempt to actively involve parents in the remediation of the behavior(s) of concern.

With respect to faculty and staff members, acts of bullying are subject to disciplinary and remedial actions in accordance with the Faculty and Staff Handbook and applicable law and regulations.

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. Consideration shall be given to the school's climate and culture, and whether the incident(s) indicate a need for additional staff training or other programmatic responses. Resources and protective strategies shall be implemented as appropriate by the Head of School to assist students that have been victims of bullying.

***Retaliation and False Accusations Prohibited***

There shall be no false accusation, retaliation or reprisals against any person for filing a complaint or assisting, testifying, or participating in the investigation of such complaint. Any act of false accusation, retaliation, or reprisal shall be considered an infraction of this policy and school rules. The consequence or remedial action for any act of false accusation, reprisal, or retaliation shall be determined by the Head of School (or School Administrator) in accordance with school policies and procedures and state and federal law.

***Dissemination; Records; Annual Review***

The prohibition against bullying shall be disseminated through the following means:

- it shall be posted in all buildings;
- it shall be published on the school's web site; and
- it shall be disseminated annually to parents, students, faculty and staff by the administrators, by means of inclusion in the Student and Parent Handbook and the Faculty and Staff Handbook.

PCS maintain records of violations, as well as preventive and remedial programs initiated by the Student Life and/or Discipline Committees, as required by law. Annually, administrators will deliver a report on incidences of harassment, intimidation and bullying at a public Board of Trustees meeting, and parents, faculty, staff and community members shall be given notice of such meeting.

***Establishment of Bullying Prevention and Remedial Program.*** Information regarding the district's policy against harassment, intimidation and bullying shall be incorporated into the PCS faculty training program. The Head of School shall oversee the development and execution of a program for prevention of bullying and remedial actions to combat it, through such committees and community organizations as the Head deems appropriate in consultation with the Board of Trustees. This program may include, for example, workshops or assemblies for faculty, parents or students. Faculty also are encouraged to identify and use instructional opportunities (such as literature in which bullying is depicted) to address the topic of bullying and reinforce this policy.

***Community Involvement; Training; Publication of Policy.***

The Student Life Committee will be selected by the Board of Trustees with the concurrence of the Head of School, and shall include representation from faculty, staff, parents and community members. Each member shall serve a term of one year. This Committee will research the applicable regulations and such other sources as they deem appropriate, as a resource for

recommendations for policy development, and shall be available to the Head of School as resources for remediation and training efforts.

*The Board of Trustees requires the Head of School to annually disseminate the harassment, intimidation and bullying policy to all school employees, contracted service providers who have contact with students, school volunteers, students and parents who have children enrolled in a school in the school district, along with a statement explaining that the policy applies to all acts of harassment, intimidation and bullying, pursuant to N.J.S.A. 18A:37-14, that occur on school property, at school-sponsored functions or on a school bus and, as appropriate, acts that occur off school grounds. The Head of School shall post a link to the policy that is prominently displayed on the home page of the school district's Website. The Head of School shall ensure that notice of the district's policy appears in the student handbook and all other publications of the school district that set forth the comprehensive rules, procedures and standards for schools within the school district.*

*The Head of School shall post the name, school phone number, school address and school email address of the district anti-bullying coordinator on the home page of the school district's Website. The Head of School shall post the name, school phone number, school address and school email address of the both the school anti-bullying specialist and the district anti-bullying coordinator on the home page of each school's Website.*

*The Head of School and the Assistant Heads shall provide training on the school's harassment, intimidation, or bullying policies to 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 the school policy against harassment, intimidation or bullying, which shall be provided to full-time and part-time staff, contracted service providers and school volunteers who have significant contact with students.*

*The Head of School shall develop and implement a process for annually discussing the school district policy on harassment, intimidation and bullying with students. The Head of School and the Assistant Heads of School shall annually conduct a re- evaluation, reassessment, and review of the harassment, intimidation and bullying policy, with input from the school 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.*

Adopted by the PCS Board of Trustees- August 31, 2011

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