

5512P HARASSMENT, INTIMIDATION, AND BULLYING - APSSD

Table of Contents

<u>Section</u>	<u>Section Title</u>
A.	Policy Statement
B.	Harassment, Intimidation, and Bullying Definitions
C.	Student Expectations
D.	Consequences and Appropriate Remedial Actions
E.	Harassment, Intimidation, and Bullying Reporting Procedure
F.	Anti-Bullying Specialist and School Safety/School Climate Team
G.	Harassment, Intimidation, and Bullying Investigation
H.	Range of Responses to an Incident of Harassment, Intimidation, or Bullying
I.	Reprisal or Retaliation Prohibited
J.	Consequences and Appropriate Remedial Action for False Accusation
K.	Harassment, Intimidation, and Bullying Policy Publication and Dissemination
L.	Harassment, Intimidation, and Bullying Training and Prevention Programs
M.	Harassment, Intimidation, and Bullying Policy Reevaluation, Reassessment, and Review
N.	Reporting Requirements
O.	Reports to Law Enforcement



A. Policy Statement

The North Hudson Academy 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 the school's ability to educate its students in a safe and disciplined environment. Harassment, intimidation, or bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance. Since students learn by example, school administrators, faculty, and staff should be commended for demonstrating appropriate behavior; treating others with civility and respect; and refusing to tolerate harassment, intimidation, or bullying.

Sending district Board of Education personnel are required to address harassment, intimidation, and bullying occurring on a sending district Board of Education bus, at a sending district Board of Education school-sponsored function, and off school grounds.

The North Hudson Academy shall address harassment, intimidation, and bullying on the school's property, at any school-sponsored function, or on a North Hudson Academy provided school vehicle.

B. Harassment, Intimidation, and Bullying Definitions

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

"Harassment, intimidation, or bullying" means any gesture, 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 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;
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;
3. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students; and that



POLICY

NORTH HUDSON ACADEMY

STUDENTS

5512P/page 3 of 19

Harassment, Intimidation, and Bullying - APSSD

- a. 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
- 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.

"Parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a student. Where parents are separated or divorced, "parent" means the person or agency which has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

C. Student Expectations

The North Hudson Academy 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 school facilities and equipment consistent with the Code of Student Conduct.

The North Hudson Academy believes that standards for student behavior must be set cooperatively through interaction among the students, parents, school employees, and school administrators 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 school property on the part of students and staff.

Students are expected to behave in a way that creates a supportive learning environment. The North Hudson Academy 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' abilities to grow in self-discipline.



The North Hudson Academy 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 acceptable 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. Student rights; and
4. Sanctions and due process for violations of the Code of Student Conduct.

Pursuant to N.J.S.A. 18A:37-15(a) and N.J.A.C. 6A:16-7.8(a)2, the North Hudson Academy has developed this Policy in consultation with, at a minimum, parents, school employees, school administrators, and, as appropriate, students. Based on locally determined and accepted core ethical values adopted by the school, pursuant to N.J.A.C. 6A:16-7.1(a)2, the school must develop guidelines for student conduct pursuant to N.J.A.C. 6A:16-7.1. These guidelines for student conduct will take into consideration the developmental ages of students, the severity of the offenses and student history of inappropriate behaviors, and the mission and physical facilities of the school. This Policy requires all students to adhere to the rules established by the North Hudson Academy and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules.

Pursuant to N.J.A.C. 6A:16-7.1, the North Hudson Academy must annually provide the school's Code of Student Conduct to school staff, students, and parents. Provisions shall be made for informing parents whose primary language is other than English.

D. Consequences and Appropriate Remedial Actions

Consequences and Appropriate Remedial Actions - Students

The North Hudson Academy 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. The following factors, at a minimum, shall be given full consideration by the North Hudson Academy administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by students.



Appropriate remedial action for a student who commits an act of harassment, intimidation, or bullying takes into account the nature of the behavior; the nature of the student's disability; the developmental age of the student; and the student's history of problem behaviors and performance. The appropriate remedial action may also include a behavioral assessment or evaluation including, but not limited to, a referral to the individualized education program (IEP) team of the sending district Board of Education, as appropriate; and supportive interventions and referral services, including those at N.J.A.C. 6A:16-8.

Factors for Determining Consequences - Student Considerations

Factors may include, but are not limited to, the following:

1. Age, and 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/or
7. Context in which the alleged incidents occurred.

Factors for Determining Consequences - School Considerations

Factors may include, but are not limited to, the following:

1. School culture, climate, and general staff management of the learning environment;
2. Social, emotional, and behavioral supports;
3. Student-staff relationships and staff behavior toward the student; and/or
4. Alignment with school policy and regulations/procedures.

Factors for Determining Remedial Measures

Factors may include, but are not limited to, the following:

Personal

1. Life skill deficiencies;
2. Social relationships;
3. Strengths;



4. Talents;
5. Interests;
6. Hobbies;
7. Classroom participation;
8. Academic performance; and/or
9. Relationship to other students and the school.

Environmental

1. School culture;
2. School climate;
3. General staff management of classrooms or other educational environments;
4. Staff ability to prevent and manage difficult or inflammatory situations;
5. Social-emotional and behavioral supports;
6. Social relationships; and/or
7. Family situation.

Consequences for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension of students, as set forth in the North Hudson Academy'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 nature of the student's disability to the extent relevant; the developmental age of the student; the student's history of problem behaviors and performance; and consistent with the provisions of N.J.A.C. 6A:7, as appropriate, and N.J.A.C. 6A:14-7.6(f). The use of negative consequences should occur in conjunction with remediation and not be relied upon as the sole intervention approach.

The North Hudson Academy shall ensure all responses take into account the circumstances of the incident when responding and, at a minimum, shall include support for the victim of harassment, intimidation, or bullying and corrective actions, pursuant to N.J.A.C. 6A:14-7.6, 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, as determined to be appropriate for the school and the student population.

Examples of Consequences

Examples may include, but are not limited to, the following:



1. Admonishment;
2. Temporary removal from the classroom;
3. Deprivation of privileges;
4. In-school suspension;
5. Out-of-school suspension (short-term or long-term); and/or
6. Reports to law enforcement or other legal action.

Examples of Remedial Measures

Examples may include, but are not limited to, the following:

Personal - Student Exhibiting Bullying Behavior

1. Develop a behavioral contract with the student that ensures the student has a voice in the outcome and can identify ways he or she can solve the problem and change behaviors;
2. Meet with parents to develop a family agreement to ensure the parent and the student understand school rules and expectations;
3. Explain the long-term negative consequences of harassment, intimidation, and bullying on all involved;
4. Ensure understanding of consequences, if harassment, intimidation, and bullying behavior continues;
5. Develop a learning plan that includes consequences and skill building;
6. Provide social skill training, such as impulse control, anger management, developing empathy, and problem solving;
7. Arrange for an apology, preferably written;
8. Arrange for restitution (i.e., compensation, reimbursement, amends, repayment), particularly when personal items were damaged or stolen;
9. Explore age-appropriate restorative (i.e., healing, curative, recuperative) practices; and/or
10. Schedule a follow-up conference with the student.

Personal - Target/Victim

1. Meet with their school counselor to explore the student's feelings about the incident;
2. Develop a plan to ensure the student's emotional and physical safety at school;
3. Ask that student to log behaviors in the future;
4. Help the student develop skills and strategies for resisting bullying; and/or
5. Schedule a follow-up conference with the student.



Parents and Family

1. Develop a family agreement; and/or
2. Refer the family for family counseling.

Examples of Remedial Measures - Environmental (Classroom or School Building)

Examples may include, but are not limited to, the following:

1. Analysis of existing data to identify bullying issues and concerns;
2. School culture change;
3. School climate improvement;
4. Increased supervision in "hot spots" (e.g., school buses, bathrooms, hallways, cafeteria);
5. Adoption of evidence-based systemic bullying prevention practices and programs;
6. Training for all certificated and non-certificated staff to teach effective prevention and intervention skills and strategies;
7. Professional development plans for involved staff;
8. School policy and procedure revisions;
9. Adjustments in hallway traffic and supervision;
10. Parent conferences;
11. Family counseling;
12. Development of a general harassment, intimidation, and bullying response plan;
13. Behavioral expectations communicated to students and parents; and/or
14. Involvement of law enforcement officers or other appropriate legal action.

Consequences and Appropriate Remedial Actions - Staff Member

The North Hudson Academy 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 are not limited to, verbal or written reprimand, legal action, disciplinary action, and/or termination. Remedial measures may include, but are not limited to, in or out-of-school counseling, professional development programs, and work environment modifications.

Target/Victim Support

The North Hudson Academy shall identify a range of strategies and resources that are available to individual victims of harassment, intimidation, and bullying, and respond in a manner that provides relief to victims and does not stigmatize victims or further their sense of persecution. The type, diversity, location, and degree of support will be directly related to the student's perception of safety.



Sufficient safety measures shall be undertaken to ensure the victim's physical and social-emotional well-being and their ability to learn in a safe, supportive, and civil educational environment.

Examples of support for student victims of harassment, intimidation, and bullying may include, but are not limited to, the following:

1. An individually assigned bus aide;
2. Seating changes; and/or
3. Counseling.

E. Harassment, Intimidation, and Bullying Reporting Procedure

The North Hudson Academy requires the Director to be responsible for receiving complaints alleging violations of this Policy.

A school employee, contracted service provider, or student who has witnessed an incident of harassment, intimidation, or bullying, or who has reliable information that a student has been subject to harassment, intimidation, or bullying, shall report, verbally or in writing, the incident to the Director, or any school administrator who shall immediately report it to the Director. If the initial report was a verbal report, the Director shall obtain or develop a written report within two school days of the initial verbal report. The Director shall initiate a harassment, intimidation, and bullying investigation within one school day of the initial report of the incident.

The Director 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 Director shall take into account the circumstances of the incident when providing the notification to parents 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 category motivating the alleged offense. 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.



The Director shall report to the appropriate sending district Board of Education personnel any complaint or report of harassment, intimidation, or bullying pursuant to N.J.A.C. 6A:16-7.7(a)2.ix, occurring on sending district Board of Education school buses, at sending district Board of Education school-sponsored functions, and off school grounds involving a student who attends the school. These complaints or reports shall be investigated by the appropriate sending district personnel, in consultation with the North Hudson Academy. When a complaint or report of harassment, intimidation, or bullying involves students from more than one sending school district, the sending district Board(s) of Education of the victim(s) involved shall initiate the investigation.

A person may report, verbally or in writing, an act of harassment, intimidation, or bullying committed by an adult or youth against a student anonymously. The North Hudson Academy will not take formal disciplinary action based solely on the anonymous report.

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.

The North Hudson Academy may consider every mechanism available to simplify reporting, including standard reporting forms.

A school administrator who receives a report of harassment, intimidation, and bullying, or who determines a reported incident or complaint, assuming all the facts are true, is a report of an act of harassment, intimidation, or bullying pursuant to N.J.A.C. 6A:16-7.8(a)3.ix(8), and fails to initiate or conduct an investigation, or has reason to believe an incident of harassment, intimidation, or bullying occurred and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.

- F. Anti-Bullying Specialist and School Safety/School Climate Team
1. The Director shall appoint an Anti-Bullying Specialist from currently employed staff to act as the primary official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, and bullying in the school and the functions identified pursuant to N.J.A.C. 6A:16-7.8(a)3.ix, ix(1), and x.



The Anti-Bullying Specialist shall:

- a. Chair the School Safety/School Climate Team as provided in N.J.S.A. 18A:37-21; and
 - b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school.
2. The North Hudson Academy School Safety/School Climate Team will develop, foster, and maintain a positive school climate by focusing on on-going systemic processes and practices to address school climate issues, such as harassment, intimidation, or bullying and perform the following functions:
- a. Meet two times per school year;
 - b. Receive any complaint(s) of harassment, intimidation, or bullying of students that has been reported to the Director;
 - c. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;
 - d. Identify and address patterns of harassment, intimidation, or bullying of students in the school;
 - e. Review and strengthen school climate and school policies to prevent and address harassment, intimidation, or bullying of students;
 - f. Educate the school community, including students, staff, and parents to prevent and address harassment, intimidation, or bullying of students; and
 - g. Execute other duties related to harassment, intimidation, and bullying as requested by the Director.
3. The School Safety/School Climate Team shall consist of the Director, or his or her designee, and the following members appointed by the Director: a teacher; the Anti-Bullying Specialist; a parent of a student in the school; and other members determined by the Director. The team shall be chaired by the Anti-Bullying Specialist.



- a. A parent 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.
- b. Other members of the School Safety/School 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.
- c. The school shall provide School Safety/School Climate Team members with development opportunities that address effective practices of successful school climate programs or approaches.

G. Harassment, Intimidation, and Bullying Investigation

The North Hudson Academy requires a prompt investigation to be conducted for each report of violations and complaints which either identify harassment, intimidation, or bullying or describe behaviors that indicate harassment, intimidation, or bullying.

Director's Preliminary Determination

However, prior to initiating the investigation and before notifying the parents of the students involved in the incident, the Director, in consultation with the Anti-Bullying Specialist, may make a preliminary determination as to whether the reported incident or complaint, assuming all facts presented are true, is a report of an act of harassment, intimidation, and bullying pursuant to N.J.A.C. 6A:16-7.8(a)3.ii.

If a preliminary determination finds the incident or complaint is a report outside the scope of the harassment, intimidation, and bullying definition set forth at N.J.A.C. 6A:16-7.8(a)3.ii., the preliminary determination may be appealed to the student's sending district Board of Education pursuant to the sending district Board of Education policies and procedures governing student grievances, and thereafter to the Commissioner of Education in accordance with N.J.A.C. 6A:3. The Director will inform the parents of all students involved in the reported harassment, intimidation, or bullying incident if the preliminary determination found the complaint is a report outside the scope of the harassment, intimidation, and bullying definition set forth in N.J.A.C. 6A:16-7.8(a)3.ii. The Director will inform the parents of their right to appeal the determination to their sending district Board of Education by submitting a letter to the sending district Board Secretary requesting a hearing within sixty calendar days of receiving notice of the preliminary determination.



POLICY

NORTH HUDSON ACADEMY

STUDENTS

5512P/page 13 of 19

Harassment, Intimidation, and Bullying - APSSD

A hearing before the sending district Board of Education shall be scheduled in collaboration with the North Hudson Academy and held by the sending district Board of Education within ten business days of receipt of the request. The North Hudson Academy and the sending district Board of Education shall coordinate the policies and procedures for conducting the hearing. If the preliminary determination, upon review of the facts presented in the reported incident or complaint, is to continue with the harassment, intimidation, and bullying investigation, the investigation shall be completed in accordance with N.J.S.A. 18A:37-15.b.(6) and this Policy.

The investigation shall be initiated by the Director within one school day of the initial report of the incident. The Anti-Bullying Specialist shall conduct the investigation and the Director may appoint additional personnel who are not the Anti-Bullying Specialist to assist with the investigation.

Investigations or complaints concerning adult conduct shall not be conducted by a staff member who is supervised by the staff member being investigated. The Director may appoint a staff member to complete these investigations.

The investigation shall be completed as soon as possible, but not later than ten school days from the date of the written report of the incident of harassment, intimidation, or bullying. If information relevant to the investigation is anticipated, but not yet received by the end of the ten school-day period, the Anti-Bullying Specialist may amend the initial report of the investigation results to reflect the information.

The Anti-Bullying Specialist shall report the investigation results to the Director within two school days of the investigation's completion. The Director may provide intervention services; establish training programs to reduce harassment, intimidation, or bullying and to enhance school climate; and in consultation and conjunction with the sending district Board of Education pursuant to N.J.A.C. 6A:14-7.6(f), impose discipline, order counseling as a result of the investigation findings, or take or recommend other appropriate action.

The North Hudson Academy will ensure all responses take into account the circumstances of the incident when responding and, at a minimum, shall include support for a victim of harassment, intimidation, or bullying and corrective actions, pursuant to N.J.A.C. 6A:14-7.6, for documented systemic problems related to harassment, intimidation, or bullying.



The Director shall report to the appropriate sending district Board(s) of Education personnel of the students who are parties to the harassment, intimidation, or bullying investigation the results of each investigation no later than five school days following the investigation completion, along with information on any service(s) provided; training established; and pursuant to N.J.A.C. 6A:14-7.6(f), discipline imposed or other action taken or recommended by the Director.

In accordance with Federal and State law and regulation, the Director shall provide parents of students who are parties to the harassment, intimidation, or bullying investigation with information about the investigation, including the nature of the investigation, the findings, and whether discipline was imposed or services were provided, as appropriate to address the incident of harassment, intimidation, or bullying. The Director shall provide the investigation information in writing within five school days following the investigation's completion. To protect the victim, the Director shall take into account the circumstances of the incident when communicating with parents.

Parents of students who are parties to a harassment, intimidation, or bullying investigation may request a hearing before their sending district Board of Education concerning the information received about the investigation. Any request for a hearing before the sending district Board of Education shall be filed with the sending district Board Secretary within sixty calendar days after the written information about the investigation is received by the sending district Board of Education and the parents. The hearing before the sending district Board of Education shall be scheduled in collaboration with the North Hudson Academy and held by the sending district Board of Education within ten business days of the request. The North Hudson Academy and the sending district Board of Education shall coordinate the policies and procedures for conducting such hearings.

In accordance with N.J.S.A. 18A:37-15(e), the sending district Board of Education shall affirm, reject, or modify the investigation results upon conclusion of the appeal hearing and the decision shall be provided in writing to the parents of the students involved in the investigation. The sending district Board of Education 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 sending district Board of Education's decision.

A parent, student, or organization may file a complaint with the New Jersey Division on Civil Rights within one hundred eighty 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 (N.J.S.A. 10:5-1 et seq.).



H. Range of Responses to an Incident of Harassment, Intimidation, or Bullying

The North Hudson Academy will establish a range of responses to harassment, intimidation, and bullying incidents and the Director and the Anti-Bullying Specialist shall appropriately apply these responses once an incident of harassment, intimidation, or bullying is confirmed. The Director shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The range of ways in which the school staff will respond shall include an appropriate combination of counseling, support services, intervention services, and other programs. The North Hudson Academy recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring school officials to 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, school level, or by law enforcement officials.

For every incident of harassment, intimidation, or bullying, school officials will respond appropriately to the individual who committed the act. 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 consistent and appropriate positive behavioral interventions (e.g., short-term counseling, life skills groups) intended to remediate the problem behaviors.
2. Classroom responses may include class discussions of examples of harassment, intimidation, or bullying; role plays (when implemented with sensitivity to a previous situation or involvement with harassment, intimidation, and bullying); research projects; observing and discussing audio-visual materials on these subjects; skill-building lessons in courtesy, tolerance, and assertiveness; and conflict management.
3. The school responses may include theme days; learning station programs; "acts of kindness" programs or awards; use of student survey data to plan prevention and intervention programs and activities; posters; "upstander" programs; parent programs; the dissemination of information to students and parents explaining acceptable uses of electronic and wireless communication devices; and harassment, intimidation, and bullying prevention curricula or campaigns.



4. The school-wide responses may be comprised of the adoption of school-wide programs, including enhancing the school climate; providing professional development; coordinating with community-based organizations (e.g., mental health, health services, health facilities, law enforcement, faith-based organizations); and harassment, intimidation, and bullying prevention campaigns.

I. Reprisal or Retaliation Prohibited

The North Hudson Academy prohibits a school employee, student, or contracted service provider from engaging in reprisal, retaliation, or false accusation against a victim, witness, or any person who reports or who has reliable information about 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 the school's 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.

J. Consequences and Appropriate Remedial Action for False Accusation

The North Hudson Academy prohibits any person from falsely accusing another as a means of retaliation or 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, as permitted under N.J.S.A. 18A:37 - Discipline of Students; as set forth in N.J.A.C. 6A:16-7.2 - Short-term Suspensions; N.J.A.C. 6A:16-7.3 - Long-term Suspensions; and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy. These consequences and appropriate remedial actions shall be identified in consultation and conjunction with the sending district Board of Education and pursuant to N.J.A.C. 6A:14-7.6(f).



2. 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 are not limited to, reprimand, suspension, and/or termination. Remedial measures may include, but are not limited to, in or out-of-school counseling, professional development programs, and work environment modifications.
3. Visitors - Consequences and appropriate remedial action for a visitor 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 Director after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions. Consequences and remedial measures may include, but not be limited to, removal of buildings or grounds privileges or prohibiting contact with students.

K. Harassment, Intimidation, and Bullying Policy Publication and Dissemination

This North Hudson Academy Policy will be disseminated annually by the Director to all school employees, contracted service providers, students, and parents who have children enrolled in the 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, at approved school-sponsored functions, and on vehicles provided by the school.

The sending district Board of Education HIB Policy applies to acts of harassment, intimidation, or bullying occurring on sending district Board of Education buses, at sending district Board of Education school-sponsored functions, and off school grounds involving a student who attends North Hudson Academy.

The Director shall ensure that notice of this Policy appears in the student handbook and all other publications of the school that set forth the Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1.

The North Hudson Academy will post a link to the Harassment, Intimidation, and Bullying Policy that is prominently displayed on the homepage of the school website. The school will notify students and parents this Harassment, Intimidation, and Bullying Policy is available on the school website.



The North Hudson Academy will post the name of the Anti-Bullying Specialist and their school telephone number, school address, and school email address on the home page of the school website.

L. Harassment, Intimidation, and Bullying Training and Prevention Programs

The North Hudson Academy will annually examine the training needs of school employees who have significant contact with students for the effective implementation of the Harassment, Intimidation, and Bullying Policy, procedures, programs, and initiatives and implement training programs for school. The annual examination of training needs shall take into consideration the findings of the annual review and update of the Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.(a)2. Information regarding this Policy shall be incorporated into the school training program which shall be provided to full- and part-time staff and persons contracted by the school to provide services to students.

The North Hudson Academy will provide time during the usual school schedule for administrative staff members and the Anti-Bullying Specialist to participate in harassment, intimidation, and bullying training programs.

The North Hudson Academy will recognize the importance of character education by providing age-appropriate instruction focusing on the prevention of harassment, intimidation, and bullying as defined in N.J.S.A. 18A:37-14 and as required by the New Jersey Department of Education.

The North Hudson Academy will annually establish, implement, document, and assess harassment, intimidation, and bullying prevention programs or approaches, and other initiatives, as needed, shall be planned in consultation with, at a minimum, parents, school employees, law enforcement, school administrators, and, as appropriate, students. The programs or approaches and other initiatives shall be designed to create school-wide conditions to prevent or intervene in harassment, intimidation, and bullying in the school.

M. Harassment, Intimidation, and Bullying Policy Reevaluation, Reassessment, and Review

The Director will develop and implement a process for annually discussing the Harassment, Intimidation, and Bullying Policy with students.



POLICY

NORTH HUDSON ACADEMY

STUDENTS

5512P/page 19 of 19

Harassment, Intimidation, and Bullying - APSSD

The North Hudson Academy will annually conduct a reevaluation, reassessment, and review of the Harassment, Intimidation, and Bullying Policy, and any report(s) and/or finding(s) of the School Safety/School Climate Team. The school shall make any necessary revisions to the Policy, consistent with N.J.A.C. 6A:14-7.3(a), to strengthen the Policy to prevent, identify, and address harassment, intimidation, and bullying of students. The programs or other responses shall be planned in consultation with, at a minimum, parents, school employees, law enforcement, school administrators, and as appropriate, students.

N. Reporting Requirements

The North Hudson Academy shall report all acts of violence, vandalism, and harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:17-46 and as required by the New Jersey Department of Education.

O. Reports to Law Enforcement

Some acts of harassment, intimidation, and bullying may be bias-related acts and potentially bias crimes. The Director 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.

The North Hudson Academy will submit to the Executive County Superintendent a copy of the school's Harassment, Intimidation, and Bullying Policy in the 2018-2019 school year and within thirty days of all subsequent revisions.

N.J.S.A. 18A:37-13 through 18A:37-32

N.J.A.C. 6A:16-7.1 through 6A:16-7.8

Adopted: 6/24/19

