

1648.11 THE ROAD FORWARD COVID-19 – HEALTH AND SAFETY (M)

[See **POLICY ALERT No. 224**]

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The Board of Education plans to provide full-day, full-time, in-person instruction and operations for the 2021-2022 school year. In June 2021, the New Jersey Department of Health (NJDOH) and the New Jersey Department of Education (NJDOE) worked collaboratively to develop guidance, The Road Forward – Health and Safety Guidance for the 2021-2022 School Year (The Road Forward).

The Road Forward replaces the mandatory anticipated minimum standards outlined in the NJDOE’s “The Road Back – Restart and Recovery Plan for Education” (June 2020) and provides a range of recommendations rather than mandatory standards. These recommendations are meant to assist school districts in implementing protocols to reduce risks to students and staff from COVID-19 while still allowing for full-time learning.

The Board considered many factors as they prepared for the 2021-2022 school year, including the level of COVID-19 transmission in the community at large and in the school community, as well as vaccination coverage rates in both the community at large and the school community.

For the purpose of this Policy, “Order” shall mean any Governor of New Jersey Executive Order, New Jersey State Agency mandate, Centers for Disease Control and Prevention (CDC) guidance, New Jersey statute, or administrative code requiring compliance by the school district.

The Board considered the recommendations outlined in The Road Forward to develop health and safety protocols. The Board will consider all recommended Orders and comply with all mandatory Orders when developing health and safety protocols and reviewing them periodically.

The Board considered the recommendations outlined in The Road Forward to develop the school district’s COVID-19 protocols in the following areas and included in corresponding Appendices.

The absence of one or more of the recommendations outlined in The Road Forward and/or in the school district’s health and safety protocols will not prevent the reopening of the school(s) in the district for full-day in-person operation with all enrolled students and staff members present.

Pursuant to N.J.S.A. 18A:7F-9, schools must be in session for 180 days to receive State Aid. The statute requires that school facilities be provided for at least 180 days during the school year. N.J.S.A. 18A:7F-9(b) indicates when a school district is required to close the schools of the district for more than three consecutive school days due to a declared state of emergency, declared public health emergency, or a directive and/or recommendation by the appropriate health agency or officer to institute a public health-related closure, days of virtual or remote

instruction commensurate with in-person instruction will count toward the school district's 180-day requirement.

The school district may be confronted with the incidence of COVID-19 positive cases among staff and/or students. If the school district is required to exclude a student, group of students, a class, or multiple classes as a result of possible exposure to COVID-19, while the school itself remains open for in-person instruction, the school district may offer virtual or remote instruction to those students in a manner commensurate with in-person instruction to the extent possible. In circumstances when the school facilities remain open and in-person instruction continues in those classrooms that are not required to quarantine, those days in session will also count toward the school district's 180-day requirement in accordance with N.J.S.A. 18A:7F-9.

The school district anticipates updates to The Road Forward and as such this Policy is subject to review by the Superintendent to ensure compliance with Orders that may arise after Board adoption of this Policy. All revisions to Orders affecting this Policy and corresponding Appendices shall be reviewed by the Superintendent with the Board Attorney, School Physician, and Board of Education, if appropriate. The Superintendent may revise the health and safety protocols included in any Appendix as necessary and appropriate. All students, parents, and staff members will be notified of any changes to school district-developed protocols implemented as a result of this Policy, as appropriate.

Appendices

1. Maintaining Health and Safety

A. Universal and correct wearing of masks

Currently, the Nutley Public Schools are following the requirements and guidelines established by the New Jersey Department of Health for universal and correct wearing of masks. The following procedures are based on the directives given through executive orders by the Governor in conjunction with health officials and guidance from the CDC. The Board of Education has worked to adopt and communicate the behaviors determined by health officials and guidance from the CDC that reduce the spread of COVID-19 such as requiring the use of face masks, encouraging staff and students to stay home when feeling unwell, consistent hand hygiene and respiratory etiquette, and maintaining cleaning and sanitizing protocols. Currently, aligned with the mandates, masks are required indoors in all school district buildings, unless documented that wearing a mask inhibits the individual's health. This requirement is regardless of social distancing capabilities in classrooms, in common areas, and on school buses.

Outdoor masking is currently optional with the exception of waiting in line to enter or exit school buildings. Exceptions to requirements for face coverings include extreme heat outdoors, a staff member's or student's documented medical condition or a disability reflected in a student's IEP

that prevents the use of face covering, and if the student is under the age of two and could be at risk for suffocation. There are currently no visitors permitted indoors in our buildings. In the case of an election all voters, poll workers, and security officers are also required to wear a face mask. As per policy 1648, face masks are the responsibility of the individual student and teacher to have and use throughout the school day and on school buses. Extra masks will be provided to any individual who requests, forgets to bring a mask for the day, loses or breaks their mask, or if the mask becomes unwearable or damaged. Face shields to supplement masks are provided to appropriate staff (nurses, child study team members, PK and ABA teachers, etc..) In cases of high temperature, when in any school area that does not have air conditioning, the building administrator determines when and where to rotate staff and students to cooled areas for relief, and for mask breaks outdoors. When the executive orders of the Governor, in conjunction with health officials, expires on March 7th, 2022, face masks will be optional for all staff, students, and visitors, pending an extension by executive order, or decision by the Nutley Board of Education. This includes for summer programming in the district buildings, and when returning to school in the Fall of 2022. This plan is based on the current health and safety data, and will only be accepted in the instance of new directives that remove this discretion.

B. Physical distancing (e.g., including use of cohorts/podding)

Currently, the Nutley Public Schools are following the requirements and guidelines established by the New Jersey Department of Health for physical or social distancing. The following procedures are based on the directives given through executive orders by the Governor in conjunction with health officials and guidance from the CDC. Social distancing is defined as one of several actions being taken to limit where and when people can gather in order to stop or slow the spread of infectious disease. Social distancing has been recommended in any setting where there is close contact of people, defined as less than six feet for more than fifteen minutes in 24 hours. Currently, social distancing is to be maintained in schools for the remainder of the school year under the executive order. The CDC has changed its recommendation for social distancing in schools to include three feet between masked students, six feet between staff and students, and six feet between students when masks are removed. Entry and dismissal times, snack and mask breaks will incorporate staggered times to allow for social distancing, and minimize crowding. Each school in the district will provide physical guides, such as tape on floors, blocked seats, and signs on doors and walls to help ensure that staff and students remain at least six feet apart from one another (three feet between students). Additionally, guides for one-way routes in hallways and in stairways will be provided. While lining up and passing, student to student interactions will be three feet apart. When the executive orders of the Governor, in conjunction with health officials, expires on March 7th, 2022, social distancing will be done to the maximum extent possible. This includes for Summer programming in the district buildings, and when returning to school in the Fall of 2022. This plan is based on the current health and safety data, and will only be accepted in the instance of new directives that remove this discretion. Surplus funds from

food services will allow us to upgrade our current tents to all-weather restaurant quality tents with sides at the 5 elementary buildings, including gas generators and heaters. These can be used for outdoor classrooms or meal service if necessary.

C. Handwashing and respiratory etiquette

The Nutley Public Schools will continue to follow the requirements and guidelines established by the New Jersey Department of Health for handwashing and respiratory etiquette. The following procedures are based on the directives given through executive orders by the Governor in conjunction with health officials and guidance from the CDC. The Board of Education has worked to adopt and communicate the behaviors determined by health officials and guidance from the CDC that reduce the spread of COVID-19. Hand hygiene in schools will continue to include the teaching and reinforcement of frequent hand hygiene among students and staff, coughing or sneezing into the elbow, and disposing of tissues in a waste receptacle. In schools, students and staff should practice frequent handwashing including at entry and exit, before and after snack and mask breaks, after blowing their nose, sneezing, or coughing, after going to the restroom, and at other key times such as after handling touchpoints (doorknobs, banisters, etc...) Soap and water are effective against COVID-19. All surfaces of hands (front, back, between fingers, fingernails) should be scrubbed with soap and water for at least 20 seconds and dried using single-use hand drying materials (when available) or air dried. If hands are not visibly dirty, hand sanitizer with at least 65% alcohol content can be used as an alternative to washing hands with soap and water. All schools will maintain hand sanitizing stations with alcohol-based hand sanitizers. The stations are in each classroom, at entrances and exits of buildings, and near main offices, lunchrooms and common spaces. These practices will remain in place.

D. Cleaning and maintaining healthy facilities, including improving ventilation

Following the requirements and guidelines as established by the New Jersey Department of Health, and the directives given through executive orders by the Governor in conjunction with health officials and guidance from the CDC, the Nutley Board of Education adopted Board Policy 1648 including facilities cleaning, disinfecting, and maintenance during the COVID-19 pandemic. This guidance is still appropriate for ensuring health and safety. These practices also serve to mitigate the spread of infection not just from COVID-19, but also from the common cold, flu, and other viruses. The custodial/maintenance protocols and cleaning schedule remains in-force with daily cleaning and sanitizing of all facilities and outside common areas on a daily basis. After dismissal each day of instruction, custodial staff will continue to disinfect and/or sanitize all surfaces and classroom/common area spaces. Restrooms are maintained on an hourly basis. The district will continue to adhere to existing required facilities cleaning practices and procedures, and any new specific requirements of the local health department as they arise. The continued plan follows established cleaning and disinfecting schedules, and emphasizes touchpoint areas to be cleaned such as doorknobs, light switches, desktops, chair backs, and counters. Additionally, ventilation and HVAC systems are monitored to ensure proper operations and acceptable levels of air circulation. All system filters are changed on a regular schedule. Currently, restrooms are limited to approximately one-half of the capacity to provide for social

distancing. If a student is waiting to use a restroom, he/she must follow all social distancing signage outside the bathroom. Additionally, waste baskets are emptied more frequently throughout the school day to accommodate the increased use of paper towels. For Spring and Summer programming, and for the return to school Fall 2022, restroom spaces will return to full capacity. Currently, the use of water fountains is restricted to water bottle refilling stations only. For Spring and Summer programming, and for the return to school Fall 2022, full use of water fountains will be reinstated. Currently, every school bus, either district-owned or contracted, is cleaned and disinfected before and after each bus route. This will continue for spring and summer programming, and for the return to school Fall 2022. Currently, the use of playground and physical education equipment is significantly limited due to possible the risk of sharing equipment. If equipment must be shared, the use is staggered, and the equipment is cleaned and disinfected between each use. For Spring and Summer programming, and for the return to school Fall 2022, there are no limitations on the sharing of equipment. These plans for summer programming and for the return to school are based on the current health and safety data, and will only be modified in the instance of new directives that remove this discretion. The school district used ESSER allocations to repair, upgrade and add to the current ventilation systems. This includes air filtration systems in each classroom (280) and office space district wide to clean the inside air, upgrading old exhaust fans and adding new exhaust fans to maximize the natural ventilation in the buildings and to create an increased air exchange, the repair of the HVAC system at Radcliffe School, and the repair of the Zone 5 geothermal unit at Lincoln School. In addition, following a thorough review of district buildings, "hot spots" were identified in four buildings that cannot be cooled by the current system, and there is also a need for several scattered units for medical requirements. Therefore, 59 air conditioning units have been installed. They have been installed primarily in Spring Garden School, Radcliffe School, Yantacaw School, and Nutley High School. The locations are detailed as part of the ESSER grant submission and were reviewed for the public on June 21, 2021 at the regular Board of Education meeting. To facilitate these repairs, upgrades, and additions to the ventilation system electrical service upgrades in four buildings is also required, as well as the installation of dedicated lines and window panels.

E. Contact tracing in combination with isolation and quarantine, in collaboration with the State, local, territorial, or Tribal health departments

The Nutley Public Schools will continue to follow the requirements and guidelines as established by the New Jersey Department of Health for contact tracing in combination with isolation and quarantine. We are currently following procedures and directives given through executive orders by the Governor in collaboration with health officials and guidance from the CDC. Contact tracing has been an effective strategy for identifying positive cases and their contacts, and then working with individuals to interrupt disease transmission to others. This has been successful in Nutley not only for COVID-19, but also pre-pandemic with cases of measles. Therefore, the district will continue to assist state, county, and local health officials with contact tracing when necessary. In collaboration with local health officials, trained Nutley staff members will continue to implement the contact tracing protocols, provide support, and communicate regarding exposure, quarantine, and isolation. In an effort to support local officials with the task of contact

tracing, members of the Nutley Public Schools staff completed a six-hour introductory course through Johns Hopkins University. This course provides training on the science of SARS-CoV-2, including the infectious period, the clinical presentation of COVID-19, and the evidence for how SARS-CoV-2 is transmitted from person-to-person and why contact tracing can be such an effective public health intervention. Trained staff work with a positive individual to identify everyone with whom he/she believes there has been close contact, which is defined as within six feet (three feet for students) for more than 15 minutes in 24 hours, during the time he/she may have been contagious. The infectious period begins 48 hours before the person begins having symptoms until the time the positive individual is isolated. If the individual is asymptomatic, it is within 48 hours of the positive test. Individuals are notified of their potential exposure as quickly as possible, not revealing the positive individual's identity. Contacts are provided with education, information, and support to help them understand the risk, what they should do to separate themselves from others who have not been exposed, and how to monitor themselves for symptoms of illness. In addition, they are informed of the possibility that they could still spread the infection to others, even if they themselves do not feel ill. On Monday, January 10, 2022, the NJ Department of Health adopted the CDC's guidance to move the quarantine period to five days, regardless of vaccination status. Beginning on Wednesday, January 12, 2022, a Covid-positive individual will stay home and isolate for five days. (This includes anyone who tests positive, but is free of symptoms.) If symptoms resolve or improve and the individual is fever-free for 24 hours, they may return to school after five-days of quarantine. If symptoms and fever persist, please continue to quarantine to help mitigate the spread. If needed, schools will be reaching out to student current quarantining to adjust the timeline. After consultation with the health department, updated and more specific guidance will become available in the near future to maximize the safety of our students. Diagnostic and screening testing Following the requirements and guidelines as established by the New Jersey Department of Health, and the directives given through executive orders by the Governor in conjunction with health officials and guidance from the CDC, the Nutley Board of Education adopted Board Policy 1648. This policy includes the daily screening procedures for symptoms and history of exposure for all students and employees upon arrival at school or work. These screening procedures will continue through the end of the 2021-2022 school year. Staff must visually check students for symptoms upon arrival, before entry to the buildings. Individuals with a temperature reading of 100 degrees or more will be excluded from entering any district space. The results are documented when signs/symptoms of COVID-19 are observed. The Board adopted procedures include that students and staff with symptoms related to COVID-19 must be isolated from others. If the school district becomes aware that an individual who has spent time in a district facility tests positive for COVID-19, officials must immediately notify local health officials, staff, and students in close contact, defined as within six feet (three feet for students) for more than 15 minutes in 24 hours, and advise related staff and families of a confirmed case in their classroom, activity or event, even if they or their child did not have close contact. This is communicated while maintaining confidentiality. There will no longer be a daily electronic screening tool for students, staff, or faculty. Program supervisors, building administrators and district staff will continue to encourage parents to be on alert for symptoms of illness in their children, and are asked to keep their child home when they are feeling unwell. Temperature checks will no longer be required prior to entering the buildings. Additionally, the district has engaged in required COVID-19 testing of

staff and those students participating in in-person clubs, activities, athletics and events, as well as surveillance testing. These plans are related to diagnostic screening and testing and are based upon the current health and safety data, and will only be accepted in the instance of new directives that require reinstatement of the policy items.

F. Efforts to provide vaccinations to educators, other staff, and students, if eligible

The district continues to coordinate with county and local health officials to promote vaccination availability for students, faculty, and staff. Additionally, the district will be continuing its partnership with Hackensack Meridian Medical. They coordinated the district wide scheduling of vaccinations for faculty and staff, and are prepared to do the same for eligible students.

G. Appropriate accommodations for children with disabilities with respect to the health and safety policies

The Safe Reopening Plan is inclusive of all children in the Nutley learning community, including those students with disabilities. Accommodations for students who are unable to wear a face mask are addressed according to the student's individual need and in accordance with applicable laws and regulations. The screening policy/protocol also takes into account students with disabilities and accommodations they may need as a part of the screening process. In order to meet the needs of all children with disabilities with respect to the health and safety policies, the Department of Special Services and the Director of Transportation will continue to communicate with other district departments and building and district administration to ensure that all aspects of education detailed in the policy and reentry plan are being considered with regard to the needs of individual students. In particular, they will coordinate transportation for students who require transportation, arrange schedules to meet the IEP/best practice needs, communicate the individualized schedules to families, ensure the virtual learning plan aligns with the special education programs described in IEP's, and ensure the five day schedule and staggered start times do not interfere with special needs students' ability to participate fully in instruction, any clubs, teams, or other activities. This work is on-going. Additionally, they will coordinate the PPE needs (masks, face shields, gloves, gowns, head covering, partitions, etc....) for their departments and ensure delivery of the necessary items for instruction and/or related services, for as long as these are necessary or required. Academic, social emotional and mental health supports will continue to be integrated into lessons, classroom programs, and extended opportunities. In addition to increased school counseling support for students, staff and families, the district has implemented social emotional learning curricular supports, and has expanded academic support at each instructional level. These will all be significant as we re-engage students and staff, provide support to families and the community, rebuild relationships, and continue to prioritize individual student's learning needs.

2. Ensuring Continuity of Services

A. In addition to implementing policy and protocols to protect the physical health of the district's students, faculty and staff, the impact of virtual learning, social isolation, and the trauma of the

pandemic on both educators and students also must be considered. Increased school counseling support for students, staff and families, implementation of social emotional learning curricular supports, and expanded academic support at each instructional level begun in 2020 will continue throughout the school year. All will be significant to re-engaging students and staff, providing support to families, rebuilding relationships, and continuing to prioritize individual student's learning needs. These programs were detailed in the June 21, 2021 public presentation. The district is continuing to provide daily meal distribution for all resident Nutley students through June, 2022, and reinstating the Extended Day program for grades K-6 providing before school and after school care with an improved focus on academics and enrichment.

3. Public Comment

A. The proposed Safe Return to School Plan was posted on the district website, sent to all families, staff, and key community stakeholders for review and public comment via ReentryPlan@NutleySchools.org. The ESSER II proposal for learning loss, mental health, and infrastructure was presented at a public meeting on May 24, 2021 for the Board of Education and administration to receive public comment. The additional ESSER allocation and proposal was presented at a public meeting on June 21, 2021 for the Board of Education and administration to receive additional public comment prior to the Plan submission on June 24, 2021. Public comment was considered and incorporated into each phase of the development of the Plan.

B. Translation, or accommodations pursuant to ADA can be provided to any parent or community member who needs assistance to read, understand, or receive the Plan.

Adopted:

5512 HARASSMENT, INTIMIDATION, AND BULLYING (M)

[See **POLICY ALERT Nos. 163, 179, 180, 181, 182, 183, 188, 193, 194, 200 and 216**]

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- A. Policy Statement

The Board of Education 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. 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, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation, or bullying.

For the purposes of this Policy, the term "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.

B. Harassment, Intimidation, and Bullying Definition

“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 including the choice to wear or not wear a mask used for the purpose of preventing disease transmission;
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

- 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.

Schools are required to address harassment, intimidation, and bullying occurring off school grounds, when there is a nexus between the harassment, intimidation, and bullying and the school (e.g., the harassment, intimidation, or bullying substantially disrupts or interferes with the orderly operation of the school or the rights of other students).

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

C. Student Expectations

The Board 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 Board believes that standards for student 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 school district 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' abilities 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 bullying, including:

1. Student responsibilities (e.g., requirements for students to conform to reasonable standards of socially accepted 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:16-7.1(a)1, the district has involved a broad-base of school and community members, including parents, students, instructional staff, student support services staff, school administrators, and school volunteers, as well as community organizations, such as faith-based, health and human service, business and law enforcement, in the development of this Policy. Based on locally determined and accepted core ethical values adopted by the Board, pursuant to N.J.A.C. 6A:16-7.1(a)2, the Board 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 students' histories of inappropriate behaviors, and the mission and physical facilities of the individual school(s) in the district. This Policy requires all students in the district to adhere to the rules established by the school district 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 Superintendent must annually provide to students and their parents the rules of the district regarding student conduct. Provisions shall be made for informing parents whose primary language is other than English.

The district prohibits active or passive support for acts of harassment, intimidation, or bullying. Students are encouraged to support other students who:

1. Walk away from acts of harassment, intimidation, and bullying when they see them;
2. Constructively attempt to stop acts of harassment, intimidation, or bullying;
3. Provide support to students who have been subjected to harassment, intimidation, or bullying; and
4. Report acts of harassment, intimidation, and bullying to the designated school staff member.

D. Consequences and Appropriate Remedial Actions

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Consequences and Appropriate Remedial Actions – Students

The Board of Education 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 school 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 that takes into account the nature of the behavior; the nature of the student's disability, if any, and to the extent relevant; 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 Child Study Team as appropriate; and supportive interventions and referral services, including those at N.J.A.C. 6A:16-8.

Factors for Determining Consequences – Student Considerations

1. Age, developmental and maturity levels of the parties involved and their relationship to the school district;
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 Consequences – School Considerations

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;
4. Family, community, and neighborhood situation; and
5. Alignment with Board policy and regulations/procedures.

Factors for Determining Remedial Measures

Personal

1. Life skill deficiencies;
2. Social relationships;

3. Strengths;
4. Talents;
5. Interests;
6. Hobbies;
7. Extra-curricular activities;
8. Classroom participation;
9. Academic performance; and
10. Relationship to students and the school district.

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.

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 or expulsion of students, as set forth in the Board'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 are those that are varied and graded according to the nature of the behavior; the nature of the student's disability, if any, and to the extent relevant; the developmental age of the student; and the student's history of problem behaviors and performance consistent with the Board's approved Code of Student Conduct and N.J.A.C. 6A:16-7, Student Conduct. The use of negative consequences should occur in conjunction with remediation and not be relied upon as the sole intervention approach.

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. The consequences and remedial measures may include, but are not limited to, the examples listed below:

Examples of Consequences

1. Admonishment;
2. Temporary removal from the classroom;
3. Deprivation of privileges;

4. Classroom or administrative detention;
5. Referral to disciplinarian;
6. In-school suspension;
7. Out-of-school suspension (short-term or long-term);
8. Reports to law enforcement or other legal action; or
9. Expulsion.

Examples of Remedial Measures

Personal – Student Exhibiting Bullying Behavior

1. Develop a behavioral contract with the student. Ensure 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. Meet with school counselor, school social worker, or school psychologist to decipher mental health issues (e.g., what is happening and why?);
6. Develop a learning plan that includes consequences and skill building;
7. Consider wrap-around support services or after-school programs or services;
8. Provide social skill training, such as impulse control, anger management, developing empathy, and problem solving;
9. Arrange for an apology, preferably written;
10. Require a reflective essay to ensure the student understands the impact of his or her actions on others;
11. Have the student research and teach a lesson to the class about bullying, empathy, or a similar topic;
12. Arrange for restitution (i.e., compensation, reimbursement, amends, repayment), particularly when personal items were damaged or stolen;
13. Explore age-appropriate restorative (i.e., healing, curative, recuperative) practices; and
14. Schedule a follow-up conference with the student.

Personal – Target/Victim

1. Meet with a trusted staff member 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. Have the student meet with the school counselor or school social worker to ensure he or she does not feel responsible for the bullying behavior;
4. Ask students to log behaviors in the future;
5. Help the student develop skills and strategies for resisting bullying; and
6. Schedule a follow-up conference with the student.

Parents, Family, and Community

1. Develop a family agreement;
2. Refer the family for family counseling; and
3. Offer parent education workshops related to bullying and social-emotional learning.

Examples of Remedial Measures – Environmental (Classroom, School Building, or School District)

1. Analysis of existing data to identify bullying issues and concerns;
2. Use of findings from school surveys (e.g., school climate surveys);
3. Focus groups;
4. Mailings – postal and email;
5. Cable access television;
6. School culture change;
7. School climate improvement;
8. Increased supervision in “hot spots” (e.g., locker rooms, hallways, playgrounds, cafeterias, school perimeters, buses);
9. Adoption of evidence-based systemic bullying prevention practices and programs;
10. Training for all certificated and non-certificated staff to teach effective prevention and intervention skills and strategies;
11. Professional development plans for involved staff;
12. Participation of parents and other community members and organizations (e.g., Parent Teacher Associations, Parent Teacher Organizations) in the educational

- program and in problem-solving bullying issues;
13. Formation of professional learning communities to address bullying problems;
 14. 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;
 15. School policy and procedure revisions;
 16. Modifications of schedules;
 17. Adjustments in hallway traffic;
 18. Examination and adoption of educational practices for actively engaging students in the learning process and in bonding students to pro-social institutions and people;
 19. Modifications in student routes or patterns traveling to and from school;
 20. Supervision of student victims before and after school, including school transportation;
 21. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
 22. Targeted use of teacher aides;
 23. Disciplinary action, including dismissal, for school staff who contributed to the problem;
 24. Supportive institutional interventions, including participation in the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
 25. Parent conferences;
 26. Family counseling;
 27. Development of a general harassment, intimidation, and bullying response plan;
 28. Behavioral expectations communicated to students and parents;
 29. Participation of the entire student body in problem-solving harassment, intimidation, and bullying issues;
 30. Recommendations of a student behavior or ethics council;
 31. Participation in peer support groups;
 32. School transfers; and
 33. Involvement of law enforcement officers, including school resource officers and juvenile officers or other appropriate legal action.

Consequences and Appropriate Remedial Actions – Adults

The district will also impose appropriate consequences and remedial actions to an adult who commits an act of harassment, intimidation, or bullying of a student. The consequences may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

Target/Victim Support

Districts should identify a range of strategies and resources that will be 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 are directly related to the student's perception of safety.

Sufficient safety measures should be undertaken to ensure the victims' 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 include:

1. Teacher aides;
2. Hallway and playground monitors;
3. Partnering with a school leader;
4. Provision of an adult mentor;
5. Assignment of an adult "shadow" to help protect the student;
6. Seating changes;
7. Schedule changes;
8. School transfers;
9. Before- and after-school supervision;
10. School transportation supervision;
11. Counseling; and
12. Treatment or therapy.

E. Harassment, Intimidation, and Bullying Reporting Procedure

The Board of Education requires the Principal at each school to be responsible for receiving complaints alleging violations of this Policy. All Board 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 Principal or the Principal'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 Principal within two school days of the verbal report.

The Principal or designee 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 Principal or designee shall take into account the circumstances of the incident when providing 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 protected category motivating the alleged offense. The Principal, 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 this Policy to the Principal on the same day when the individual witnessed or received reliable information regarding any such incident.

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 Board will not take formal disciplinary action based solely on the anonymous report.

A Board member or school employee who promptly reports an incident of harassment, intimidation, or bullying and who makes this report in compliance with the procedures set forth in this Policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

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 district may consider every mechanism available to simplify reporting, including standard reporting forms and/or web-based reporting mechanisms. For anonymous reporting, the district may consider locked boxes located in areas of a school where reports can be submitted without fear of being observed.

A school administrator who receives a report of harassment, intimidation, and 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.

- F. Anti-Bullying Coordinator, Anti-Bullying Specialist, and School Safety/School Climate Team(s)
1. The Superintendent shall appoint a district Anti-Bullying Coordinator. The Superintendent shall make every effort to appoint an employee of the school district to this position.

The district Anti-Bullying Coordinator shall:

- a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of students;
 - b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, or bullying of students in the district;
 - c. Provide data, in collaboration with the Superintendent, 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 Superintendent; and
 - e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.
2. The Principal in each school shall appoint a school Anti-Bullying Specialist. The Anti-Bullying Specialist shall be a guidance counselor, school psychologist, or other certified staff member trained to be the Anti-Bullying Specialist from among the currently employed staff in the school.

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety/School Climate 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/School Climate Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going systemic operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect school climate and culture. Each School Safety/School Climate Team shall meet, at a minimum, two times per school year. The School Safety/School Climate Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: 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 Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety/School Climate Team.

The School Safety/School Climate Team shall:

- a. Receive records of all complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;
- b. Receive copies of all reports 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 Principal or the district Anti-Bullying Coordinator may request. The School Safety/School Climate Team shall be provided professional development opportunities that may address effective practices of successful school climate programs or approaches; and
- g. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety/School Climate 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, consistent with, at a minimum, the requirements of the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232 and 34 CFR Part 99), N.J.A.C. 6A:32-7, Student Records and N.J.A.C. 6A:14-2.9, Student Records.

G. Harassment, Intimidation, and Bullying Investigation

The Board requires a thorough and complete 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.

~~[Option—Principal’s Preliminary Determination~~

~~However, prior to initiating the investigation, the Principal or designee, 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 within the scope of the definition of harassment, intimidation, and bullying under the Anti-Bullying Bill of Rights Act, N.J.S.A. 18A:37-14. The Superintendent or designee may sign off on the preliminary determination.~~

~~The Principal or designee, upon making a preliminary determination the incident or complaint is not within the scope of the definition of harassment, intimidation, and bullying, shall inform the parents of the parties involved, who may appeal the preliminary determination to the Board of Education and thereafter to the Commissioner of Education in accordance with N.J.A.C. 6A:3-~~

~~A Board hearing shall be held within ten business days of receipt of the request for a Board 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 Principal or the Principal’s designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist in coordination with the Principal. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist with the investigation. Investigations or complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation. An investigation concerning a staff member shall not be conducted by a staff member who is supervised by the staff member being investigated or who is an administrator in the district. The Principal or designee, in consultation with the Superintendent or designee, will appoint a staff member to complete these investigations.

The investigation shall be completed and the written findings submitted to the Principal as soon as possible, but not later than ten school days from the date of the written report of the incident. Should information regarding the reported incident and the investigation be received after the end of the ten-day period, the school Anti-Bullying Specialist 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 Principal shall proceed in accordance with the Code of Student Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Superintendent within two school days of the completion of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Superintendent 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 Superintendent shall report the results of each investigation to the Board of Education no later than the date of the regularly scheduled Board of Education meeting following the completion of the investigation. The Superintendent's report shall include information on any consequences imposed under the Code of Student Conduct, any services provided, training established, or other action taken or recommended by the Superintendent.

Parents of involved student offenders and targets/victims shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents shall include the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, and 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 Education.

A parent may request a hearing before the Board of Education after receiving the written information about the investigation. Any request for such a hearing shall be filed with the Board Secretary no later than sixty calendar days after the written information is provided to the parents. The hearing shall be held within ten business days of the request. The Board of Education 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 incident, the findings from the investigation of the 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 Education meeting following its receipt of the Superintendent's report on the results of the investigations to the Board or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent'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 Education's decision.

A parent, student, or organization may file a complaint with the 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 (C.10:5-1 et seq.).

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

As per FERPA 34 CFR § 99.12. If the education records of a student contain personally identifiable information on other students, the parent or eligible student may inspect or review or be informed of only the specific information about the student in question.

The New Jersey Anti-bullying Bill of Rights Act investigative and interview process is one in which the personally identifiable information of students other than the individual student in attendance will be discussed. The Nutley Board of Education values and respects the privacy rights of its students and therefore shall not permit parents or their representative(s) to participate in or observe the harassment, intimidation, or bullying investigative and interview process.

If a suspected criminal offense is involved, the investigation would be conducted in accordance with N.J.A.C. 6A:16-6, Law Enforcement Operations for Alcohol, Other Drugs, Weapons and Safety and the Memorandum of Agreement Between Education and Law Enforcement Officials.

The New Jersey Anti-bullying Bill of Rights Act states all reports of harassment, intimidation or bullying (HIB) must be investigated by the school anti-bullying specialist in coordination with the principal. The purpose of the investigation is to determine the facts of each report, which would include assessing whether there was HIB according to the statutory definition or some other behavior of concern. Determinations on the nature of a behavior are not made prior to conducting an investigation, but are made based on the findings from an investigation. Additionally, in all cases when HIB is initially reported, regardless of the investigation findings, the district must engage in the entire procedure cited in N.J.S.A. 18A:37-15.

Therefore, parents may not deny school staff the ability to interview their child as part of the investigative process. Any attempt by a parent to deny school staff access to their child shall be deemed an attempt to impede or hinder the school's requirement to investigate all reports of harassment, intimidation or bullying.

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

The Board shall establish a range of responses to harassment, intimidation, and bullying incidents and the Principal and the Anti-Bullying Specialist shall appropriately apply these responses once an incident of harassment, intimidation, or bullying is confirmed. The Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The range of ways in which school staff will respond shall include an appropriate combination of counseling, support services, intervention services, and other programs. 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, school building, or school district level or by law enforcement officials.

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The range of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, school, or district 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., peer mentoring, short-term counseling, life skills groups) intended to remediate the problem behaviors.
2. Classroom responses can include class discussions about an incident of harassment, intimidation, or bullying, role plays (when implemented with sensitivity to a student's situation or involvement with harassment, intimidation, and bullying), research projects, observing and discussing 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, "acts of kindness" programs or awards, use of student survey data to plan prevention and intervention programs and activities, social norms campaigns, posters, public service announcements, "natural helper" or peer leadership programs, "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. District-wide responses can comprise of adoption of school-wide programs, including enhancing the school climate, involving the community in policy review and development, providing professional development coordinating with community-based organizations (e.g., mental health, health services, health facilities, law enforcement, faith-based organizations), launching harassment, intimidation, and bullying prevention campaigns.

I. Reprisal or Retaliation Prohibited

The Board 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 one with reliable information, 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 administrator after consideration of the nature, severity, and circumstances of the act, in accordance with case law, Federal and State statutes and regulations, and district 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 for students who engage in reprisal or retaliation are listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.

Examples of consequences for a school employee or a contracted service provider who has contact with students who engage in reprisal or retaliation may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

Examples of consequences for a Board member who engages in reprisal or retaliation may include, but not be limited to: reprimand, legal action, and other action authorized by statute or administrative code. Remedial measures may include, but not be limited to: counseling and professional development.

J. Consequences and Appropriate Remedial Action for False Accusation

The Board 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 or expulsion, as permitted under N.J.S.A. 18A:37-1 et seq., Discipline of Students 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 and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.
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 district policies, procedures, and agreements which may include, but not be limited to: reprimand, suspension, increment withholding, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

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. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

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

This Policy will be disseminated annually by the Superintendent 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 district, 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 school-sponsored functions, or on a school bus and, as appropriate, acts that occur off school grounds.

The Superintendent shall ensure that notice of this 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 Superintendent shall post a link to the district's Harassment, Intimidation, and Bullying Policy that is prominently displayed on the homepage of the school district's website. The district will notify students and parents this Harassment, Intimidation, and Bullying Policy is available on the school district's website.

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

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

The Superintendent and Principal(s) shall provide training on the school district's Harassment, Intimidation, and Bullying Policy to current and new school employees; including administrators, instructors, student support services, administrative/office support, transportation, food service, facilities/maintenance; contracted service providers; and volunteers who have significant contact with students; and persons contracted by the district to provide services to 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.

Each public school teacher and educational services professional shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention within each five year professional development period as part of the professional development requirement pursuant to N.J.S.A. 18:37-22.d. The required two hours of suicide prevention instruction shall include information on the risk of suicide and incidents of harassment, intimidation, or bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

Each newly elected or appointed Board member must complete, during the first year of the member's first term, a training program on harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:12-33.

The school district shall provide time during the usual school schedule for the Anti-Bullying Coordinator and each school Anti-Bullying Specialist to participate in harassment, intimidation, and bullying training programs.

A school leader shall complete school leader training that shall include information on the prevention of harassment, intimidation, and bullying as required in N.J.S.A. 18A:26-8.2.

The school district shall annually observe a "Week of Respect" beginning with the first Monday in October. In order to recognize the importance of character education, the school district will observe the week by providing age-appropriate instruction focusing on the prevention of harassment, intimidation, and bullying as defined in N.J.S.A. 18A:37-14. Throughout the school year the district will provide ongoing age-appropriate instruction on preventing harassment, intimidation, or bullying, in accordance with the Core Curriculum Content Standards, pursuant to N.J.S.A. 18A:37-29.

The school district and each school in the district will annually establish, implement, document, and assess harassment, intimidation, and bullying prevention programs or approaches, and other initiatives in consultation with school staff, students, administrators, volunteers, parents, law enforcement, and community members. The programs or approaches and other initiatives shall be designed to create school-wide conditions to prevent and address harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:37-17 et seq.

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

The Superintendent shall develop and implement a process for annually discussing the school district's Harassment, Intimidation, and Bullying Policy with students.

The Superintendent, Principal(s), and the Anti-Bullying Coordinator, with input from the schools' Anti-Bullying Specialists, shall 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(s). The Superintendent shall recommend to the Board necessary revisions and additions to the Policy consistent with N.J.S.A. 18A:37-15.c., as well as to harassment, intimidation, and bullying prevention programs and approaches based on the findings from the evaluation, reassessment, and review.

N. Reports to Board of Education and New Jersey Department of Education

The Superintendent shall report two times each school year, between September 1 and January 1 and between January 1 and June 30 at a public hearing all acts of violence, vandalism, and harassment, intimidation, and bullying which occurred during the previous reporting period in accordance with the provisions of N.J.S.A. 18A:17-46. The information shall also be reported to the New Jersey Department of Education in accordance with N.J.S.A. 18A:17-46.

O. School and District Grading Requirements

Each school and each district shall receive a grade for the purpose of assessing their efforts to implement policies and programs consistent with the provisions of N.J.S.A. 18:37-13 et seq. The grade received by a school and the district shall be posted on the homepage of the school's website and the district's website in accordance with the provisions of N.J.S.A. 18A:17-46. A link to the report that was submitted by the Superintendent to the Department of Education shall also be available on the school district's website. This information shall be posted on the websites within ten days of receipt of the grade for each school and the district.

P. Reports to Law Enforcement

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

Q. Collective Bargaining Agreements and Individual Contracts

Nothing in N.J.S.A. 18A:37-13.1 et seq. may be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the Anti-Bullying Bill of Rights Act's effective date (January 5, 2011). N.J.S.A. 18A:37-30.

The Board of Education prohibits the employment of or contracting for school staff positions with individuals whose criminal history record check reveals a record of conviction for a crime of bias intimidation or conspiracy to commit or attempt to commit a crime of bias intimidation.

R. Students with Disabilities

Nothing contained in N.J.S.A. 18A:37-13.1 et seq. may alter or reduce the rights of a student with a disability with regard to disciplinary actions or to general or special education services and supports. N.J.S.A. 18A:37-32.

S. Approved Private Schools for Students with Disabilities (APSSD)

In accordance with the provisions of N.J.A.C. 6A:16-7.7(a).2.ix.(2), the Board of Education shall investigate a complaint or report of harassment, intimidation, or bullying, pursuant to N.J.A.C. 6A:16-7.7(a).2.ix. and Section G. of this Policy, occurring on Board of Education school buses, at Board of Education school-sponsored functions, and off school grounds involving a student who attends an APSSD. The investigation shall be conducted by a Board of Education Anti-Bullying Specialist, in consultation with the APSSD.

The school district shall submit all subsequent amended Harassment, Intimidation, and Bullying Policies to the Executive County Superintendent of Schools within thirty days of Board adoption.

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

N.J.A.C. 6A:16-7.1 et seq.; 6A:16-7.9 et seq.

Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses – April 2011 – New Jersey Department of Education Memorandum – New Jersey Commissioner of Education – Guidance for Schools on Implementing the Anti-Bullying Bill of Rights Act – December 16, 2011

Adopted: