

LEARNING COMMUNITY CHARTER SCHOOL (LCCS)

HARASSMENT, INTIMIDATION, OR BULLYING POLICY

I. PROHIBITION OF HARASSMENT, INTIMIDATION, OR BULLYING

Pursuant to *N.J.S.A. 18A:37-15(3)(b)(1)* and *N.J.A.C. 6A:16-7.9(a)2i*, the Learning Community Charter School Board of Trustees (“board”) has established the following harassment, intimidation or bullying policies to achieve and maintain compliance with all state and federal laws.

The board recognizes that all members of the school community, including students and staff, have a right to learn and work in a safe and civil environment. The board recognizes that bullying, harassment, and intimidation have a negative effect on the learning process. Students who are intimidated and fearful cannot give their education the focus needed for success. In fact, bullying can also lead to more serious violence. The board prohibits and does not tolerate acts of harassment, intimidation, or bullying on school grounds or at any school activity—on or off campus. Such acts are gravely inconsistent with Learning Community Charter School’s efforts to provide and safe learning environment. Any incident of harassment, intimidation or bullying must be reported immediately through the following procedures.

II. DEFINITION OF HARASSMENT, INTIMIDATION, OR BULLYING

Pursuant to *N.J.S.A. 18A:37-15(3)(b)(2)* and *N.J.A.C. 6A:16-7.9(a)2ii*, this section provides definitions for harassment, intimidation, and bullying.

“Harassment, intimidation or bullying” means any gesture or written, verbal or physical act that takes place on school property or at any school activity—on or off campus—and that is motivated by any actual or perceived characteristic, such as race; color; religion; ancestry; national origin; age; gender; sexual orientation; gender identity and expression; marital status; a mental, physical or sensory disability, or any other distinguishing characteristics; and

- a) has the effect of harming a student or damaging the student’s property, or placing a student in reasonable fear of harm to his person or damage to his property; or
- b) has the effect of insulting or degrading any student or group of students in such a way as to disrupt or interfere with the school’s educational mission or the education of any student.

Bullying is a pattern of abuse. Bullying may include, but is not limited to: harassment; physical intimidation or assault; extortion; oral or written threats; teasing; put-downs; name-calling; threatening looks; gestures or actions; spreading cruel and/or false rumors/accusations; and social isolation. Bullying also applies to the use of school property (i.e. school computers) or wireless devices on school grounds and may include cyber-bullying and the use of electronic communication (i.e. the use of computers to harass, intimidate or bully), pursuant to *N.J.S.A. 18A:37-14 and 15.1*.

III. EXPECTATIONS FOR STUDENT AND STAFF CONDUCT

Pursuant to *N.J.S.A. 18A:37-15(3)(b)(3)* and *N.J.A.C. 6A:16-7.9(a)2iii*, this section includes the board's expectations for student and staff conduct.

The board expects students to conduct themselves in a way that is socially appropriate and respectful of the person, property, rights of others. Students are also expected to obey constituted authority; and respond to those who hold that authority. A student who is a victim of harassment, intimidation or bullying should not retaliate or take matters into his/her own hands; rather, students are expected to stay "stop," walk away, and report the acts to school officials. Furthermore, since bystander support of harassment, intimidation or bullying can support these behaviors, student bystanders are encouraged to walk away from these acts when they see them and report them to the principal.

Since students learn by example, the administrators, faculty, staff and volunteers at LCCS are the models for demonstrating appropriate behavior and, treating others with civility and respect and refusing to tolerate harassment, intimidation or bullying. Classroom teachers support this endeavor by teaching conflict resolution skills, active listening skills and strategies for finding solutions when conflicts arise. Furthermore, it is the responsibility of school administrators and staff to respond clearly, appropriately, and effectively to all reports of bullying.

IV. REPORTING AND INVESTIGATING A COMPLAINT

Pursuant to *N.J.S.A. 18A:37-15(3)(b)(6)* and *N.J.A.C. 6A:16-7.9(a)2viii*, this section contains the procedures for reporting and investigating complaints of harassment, intimidation, or bullying.

Students, parents, and staff members who become aware of any act of harassment, intimidation, or bullying are required and encouraged to report the incident to the school principal for investigation. Students, parents, and staff members may report such acts to the school principal anonymously, through a variety of channels that include, but are not limited to: an unsigned letter; an anonymous telephone call to the main office; or a third party who promises to keep the source of the report confidential.

Upon receipt of a harassment, intimidation, or bullying complaint, the principal or designee will contact the parents of the aggressor(s) and the parents of the victim(s). The principal or designee will interview the students involved and conduct a complete and thorough investigation. The investigation may include, but is not limited to: interviews with other students or witnesses; interviews with involved parents' interviews with school staff and/or administrators; review of school records to identify a potential pattern of bullying or other abuse; or the identification of family and other external issues that may be the root of the problem.

V. CONSEQUENCES OF HARASSMENT, INTIMIDATION, OR BULLYING

Pursuant to *N.J.S.A. 18A:37-15(3)(b)(4)* and *N.J.A.C. 6A:16-7.9(a)2iv* as well as *N.J.S.A. 18A:37-15(3)(b)(7)* and *N.J.A.C. 6A:16-7.9(a)2ix*, this section provides a range of ways the board will respond once an incident of harassment, intimidation, or bullying is identified.

Each incident will be judged on an individual basis. Actions to address the situation will include appropriate consequences and remedial responses to a student or staff member who commits one or more acts of harassment, intimidation or bullying.

The consequences for students and staff members who harass, intimidate or bully others will depend on the following: the result of the investigation; the severity of the situation and degrees of harm; the age, developmental and maturity levels of the parties involved; the relationship between the parties involved; past incidences or past or continuing patterns of behavior; and the surrounding circumstances and context in which the incidents occurred. Appropriate consequences may include, but are not limited to: deprivation of privileges; detention; and positive behavior interventions up to and including suspension or expulsion, as permitted under *N.J.S.A. 18A:37-1*, Discipline of Pupils as set forth in *N.J.A.C. 6A:16-7.2*, Short-term suspensions, *N.J.A.C. 6A:16-7*, Long-term Suspensions and *N.J.A.C. 6A:16-7.5*, Expulsions.

The factors for determining remedial measures will depend on personal and environmental factors, which can include, but is not limited to the following: life skill deficiencies; social relationships; academic performance; hobbies and interests; school culture and climate; general staff management of classrooms or other educational environments; or family and community situations. Remedial measures for personal factors may include, but are not limited to: mediation, peer support group; parent conferences, supportive student interventions including participation of the Intervention and Referral Services team, pursuant to *N.J.A.C. 6A:16-8*; behavioral assessment or evaluation, including, but not limited to, a referral to the Child Student Team, as appropriate; behavioral management plan, with benchmarks that are closely monitored; or student counseling and/or treatment. Remedial measures for environmental factors may include, but are not limited to: school culture and climate change; modifications of schedules; adjustments in hallway traffic through monitors; small or large group presentations for fully addressing the behaviors and responses to the behaviors; general professional development programs for all staff members; family counseling; involvement of community-based organizations; or involvement of law enforcement.

Depending on the severity of the harassment, intimidation or bullying incident, the principal may also take appropriate steps to ensure the safety of the students. These steps may include, but are not limited to: implementing a school-wide safety plan; separating and supervising the students involved; providing staff support for students involved; reporting incidents to law enforcement if appropriate; or developing a supervision plan with parents/guardians.

VI. RETRIBUTION POLICY AND FALSE ACCUSATIONS

Pursuant to *N.J.S.A. 18A:37-15(3)(b)(8)* and *N.J.A.C. 6A:16-7.9(a)2x* as well as *N.J.S.A. 18A:37-15(3)(b)(9)* and *N.J.A.C. 6A:16-7.9(a)2xi*, this section outlines the policies regarding reprisals or retaliation against any person who reports an act of harassment, intimidation, or bullying.

The board forbids reprisals or retaliation against any person who reports an act of harassment, intimidation, or bullying. Any student or staff member who retaliates against another for reporting such an incident may be subject to the ramifications outlined in “Consequences of Harassment, Intimidation, or Bullying” above. Furthermore, any student or staff member who falsely accuses another as a means of retaliation, or as a means of bullying, harassment, or intimidation, may be subject to the same actions outline in “Consequences of Harassment, Intimidation, or Bullying” above.

VII. PUBLICATION OF HARASSMENT, INTIMIDATION, OR BULLYING POLICY

Pursuant to *N.J.S.A. 18A:37-15(3)(b)(10)* and *N.J.A.C. 6A:16-7.9(a)2xii* as well *N.J.S.A. 37-17(5)(c)(10)*, *N.J.A.C. 6A:16-7.9(d)1*, *N.J.A.C. 6A:16-7.9(d)1i*, *N.J.A.C. 6A:16-7.9(d)2*, and *N.J.A.C. 6A:16-7.9(d)3*, this section outlines the procedures for the review and publication of Learning Community Charter School’s harassment, intimidation or bullying policy as well as training of its staff members in the use of the policy.

The board will annually revise the harassment, intimidation or bullying policy, disseminate the policy to all school staff, students and parents, and post the policy on the school’s website. The principal will also annually address the school’s policy with students and provide training of staff members.