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SHEPARD SCHOOL AND SHEPARD PREPARATORY HIGH SCHOOL HARRASSMENT, INTIMIDATION, AND BULLYING POLICY

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A. Policy Statement

Shepard School’s and Shepard Preparatory High School’s (collectively referred to here as “Shepard Schools”) Board of Directors believes that harassing, intimidating, bullying and hazing activities (HIB) of any type are inconsistent with the educational process and, pursuant with N.J.A.C. 6A:16-7.8, prohibits all such harassing, intimidating, bullying and/or hazing behavior at any time on Shepard Schools’ premises, at any Shepard Schools’ school-sponsored function and/or on any Shepard Schools’ bus.

Per NJ 6A:16-7.7-7.8, as approved private schools for students with disabilities, Shepard Schools’ HIB policy applies to incidents that occur on Shepard Schools’ property, at any Shepard Schools’ school-sponsored function, and/or on a Shepard Schools’ school bus.

For incidents occurring on a sending district board of education bus, at a sending district board of education school-sponsored function, and off school grounds, it is the responsibility of the sending district board of education of the students involved to investigate a HIB complaint or report. All Shepard Schools’ employees, volunteers, and contracted service providers who have contact with students are required to verbally report all HIB incidents to the school director and/or principal on the same day when the individual witnessed or received reliable information regarding any such incident. If a reported incident occurs on a sending district board of education bus, at a sending district board of education school-sponsored function, and off school grounds the Shepard Schools’ director, principal, and/or their designee will (1) notify the involved students parents verbally (phone) and/or via email communication, (2) notify the appropriate sending district board of education personnel of the students involved verbally (phone) and via email communication, and (3) will cooperate and consult with the sending districts anti-bullying specialist regarding the incident’s investigation.

Table 1. HIB roles and responsibilities of Shepard Schools and Sending Districts

	Receiving reports/complaints of HIB	Investigating HIB reports/complaints
HIB occurring on Shepard school grounds, on Shepard school buses, and at Shepard school-sponsored functions	Shepard will respond to complaints by following the Shepard HIB policy, and will initiate an investigation according to NJ 6A:16-7.8	Shepard will investigate the HIB incident following the Shepard HIB policy according to NJ 6A:16-7.8
HIB occurring on a sending district board of education school bus, at a sending district board of education school-sponsored function, and off school grounds	Shepard will notify the appropriate sending district board of education personnel (typically the case manager) of the HIB report/complaint following NJ 6A:16-7.8	<p>- The sending district will investigate the HIB report/complaint, and the sending district anti-bullying specialist will consult with Shepard as part of their HIB investigation following NJ 6A:16-7.7-(a)2ix(2)</p> <p>-When a complaint or report of harassment, intimidation, or bullying involves students from more than one school district, the sending district board(s) of education of the victim(s) involved shall initiate the investigation following NJ 6A:16-7.8(a)3ix(9)(A)</p>

The Shepard Schools HIB policy was developed in consultation with parents and other community members, school employees, school administrators, and students.

B. Definition of Harassment, Intimidation and Bullying

"Harassment, intimidation and bullying" means any gesture, any written, verbal or physical act, or any electronic communication, as defined by 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 either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability
2. Or by any other distinguishing characteristic, and that
3. Takes place on Shepard Schools property, at any Shepard Schools' school-sponsored function, and/or on a Shepard Schools' school bus as provided for in N.J.S.A. 18A:37-14 and 15.3 and 6A:16-7.8
4. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:
 - a. A reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property;
 - b. Has the effect of insulting or demeaning any student or group of students; or
 - c. Creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

C. Statement on Bullying and Power

Shepard Schools recognizes that bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance.

D. Student Behavior Expectations

The Board of Directors 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 of Directors believes that standards for student behavior must be set cooperatively through interaction among the pupils, parents, school employees, school administrators, school volunteers, and community representatives, producing an atmosphere that encourages pupils to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school and community property on the part of student, staff, and community members.

Students are expected to behave in a way that creates a supportive learning environment. The Board of Directors 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 of Directors 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 Board of Directors 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.

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 schools. This policy requires all students to adhere to the rules established by the school and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules.

Annually pupils and their parents or guardians are provided the rules of the school regarding student conduct. Provisions shall be made for informing parents or guardians whose primary language is other than English.

Shepard Schools 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 pupils who have been subjected to harassment, intimidation, or bullying; and
4. Report acts of harassment, intimidation, and bullying to the designated school

E. Appropriate Remedial Action for a Student Who Commits an act of HIB

The Shepard Schools' Board of Directors requires its school administrators to implement procedures that ensure appropriate 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 remedial measures for each act of harassment, intimidation, or bullying by students.

Remedial Actions

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, the developmental age of the student, and the student's history of problem behaviors and performance, and that may include the following:

1. A behavioral assessment or evaluation, including, but not limited to, a referral to the individualized education program team of the sending district board of education, as appropriate; and
2. Supportive interventions and referral services including those at N.J.A.C. 6A:16-8

Remedial actions shall be designed to correct the problem behavior, prevent another occurrence of the problem, as well as protect and provide support for the victim of the act of harassment, intimidation, or bullying.

Factors for Determining Remedial Actions May include

Personal

1. Life skill deficiencies;
2. Social relationships;
3. Strengths;
4. Talents;
5. Traits;
6. Interests;
7. Hobbies;
8. Extra-curricular activities;
9. Classroom participation;
10. Academic performance;
11. Relationship to peers; and
12. Relationship between student/family and the school

Environmental

1. School culture;
2. School climate;
3. Pupil-staff relationships and staff behavior toward the pupil;
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.

Examples of Remedial Actions

Personal – Student Exhibiting Bullying Behavior

1. Restitution and restoration;
2. Peer support group;
3. Recommendations of a pupil behavior or ethics council;
4. Corrective instruction or other relevant learning or service experience;
5. Supportive pupil interventions
6. Behavioral assessment or evaluation
7. Behavioral management plan, with benchmarks that are closely monitored;
8. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
9. Involvement of school “disciplinarian;”
10. Student counseling;
11. Parent conferences;
12. Alternative placements;

13. Student treatment; and,
14. Student therapy.

Examples of Remedial Actions – Environmental (Classroom, School Building)

1. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying;
2. School culture change;
3. School climate improvement;
4. Adoption of research-based, systemic bullying prevention programs;
5. School policy and procedures revisions;
6. Modifications of schedules;
7. Adjustments in hallway traffic;
8. Modifications in student routes or patterns traveling to and from school;
9. Supervision of pupil before and after school, including school transportation;
10. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
11. Teacher aides;
12. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
13. General professional development programs for certificated and non-certificated staff;
14. Professional development plans for involved staff;
15. Disciplinary action for school staff who contributed to the problem;
16. Supportive institutional interventions;
17. Parent conferences;
18. Family counseling;
19. Involvement of parent-teacher organizations;
20. Involvement of community-based organizations;
21. Development of a general bullying response plan;
22. Recommendations of a pupil behavior or ethics council;
23. Peer support groups;
24. Alternative placements
25. School transfers; and
26. Law enforcement (e.g., safe schools resource officer, juvenile officer)

F. Consequences for Students Who Commit an Act of HIB

The Shepard Schools' Board of Directors requires its school administrators to implement procedures that ensure appropriate consequences 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 consequences for each act of harassment, intimidation, or bullying by students.

Consequences for a student who commits an act of harassment, intimidation, or bullying:

1. Are 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, and the student's history of problem behaviors and performance; and
2. Consistent with the provisions of N.J.A.C. 6, as appropriate, and N.J.A.C. 6A:14-7.6(f).

3. May range from positive behavioral interventions up to and including suspension or expulsion of pupils, as set forth in the Board of Directors approved Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.1
4. Must be consistent with the Code of Student Conduct and N.J.A.C. 6A:16-7.
5. The use of negative consequences should occur in conjunction with remediation and not be relied upon as the sole intervention approach.

Factors for Determining Consequences – Student Considerations

1. Age, disability (if any and to the extent relevant), 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.

Examples of Consequences

1. Admonishment;
2. Temporary removal from the classroom;
3. Permanent change of class placement;
4. Deprivation of privileges;
5. Classroom or administrative detention;
6. Referral to disciplinarian;
7. In-school suspension during the school week;
8. Out-of-school suspension (short-term or long-term);
9. Reports to law enforcement or other legal action;
10. Expulsion; and
11. Bans from providing services, participating in school sponsored programs, or being in school buildings or on school grounds.

G. Appropriate Remedial Actions and Consequences – Staff

Shepard Schools will also impose appropriate remedial actions and consequences for a staff member who commits 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 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.

H. Target/Victim Support

A range of strategies and resources will be available to individual victims of harassment, intimidation, and bullying, to provide relief to victims and not stigmatize 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.

I. Harassment, Intimidation, and Bullying Reporting Procedure

1. Any person who believes that he or she has been the victim of harassment, intimidation, bullying and/or hazing, or any person with knowledge or belief of conduct which may constitute harassment, bullying or hazing, shall report the alleged acts immediately to the principal and/or director.

All school employees, contracted service providers, students, or volunteers who have contact with students are required to verbally report incidents of harassment, intimidation, and bullying to the school director and/or principal on the same day when the individual witnessed or received reliable information regarding any such incident.

The principal is the person responsible for receiving reports of harassment, bullying or hazing at the building level.

2. Students, parents, and visitors are encouraged to report alleged acts of HIB to the principal on the same day when the individual witnessed or received reliable information regarding any such incident. Shepard Schools will provide an online means to complete the HIB 338 Form issued by the Department to anonymously report an act of HIB. Formal action for violations of the code of student conduct may not be taken solely on the basis of an anonymous report.

2. All school employees, volunteers, and contracted service providers who have contact with students, also shall promptly submit a report in writing to the school principal within two days of the verbal report. The written report shall be completed on the HIB 338 Form and submitted to the principal. The HIB 338 Form shall be kept on file at the school but shall not be included

in any student record unless the incident results in disciplinary action or is otherwise required to be contained in a student's record under State or Federal law.

3. The principal shall inform the parents or guardians of the alleged incidents, and may discuss, as appropriate, the availability of counseling and other intervention services. When providing notification to the parents of all students involved, the principal shall take into account the circumstances of the incident when conveying the nature of the incident, including the actual or perceived category motivating the alleged offense. The principal shall keep a written record of the date, time, and manner of notification to parents.

4. The director and/or 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 HIB incident investigation.

5. 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.

6. Anonymous reporting provision: All school employees, volunteers, contracted service providers, students, parents, and visitors may report an act of harassment, intimidation, or bullying anonymously. Shepard Schools' shall not take formal disciplinary action based solely on the anonymous report.

7. A school employee who promptly reports an incident of harassment, intimidation or bullying, to the Director and/or Principal, and who makes this report in compliance with the procedures in the school's policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident. N.J.S.A. 18A:37-16(c)

8. A school employee who receives a report of HIB and fails to initiate or conduct an investigation, or who should have known of a HIB incident and fails to take sufficient action to minimize or eliminate the HIB by following these reporting procedures may be subject to disciplinary action.

9. Disciplinary action shall be consistent with the provisions of N.J.A.C. 6A:14-7.6(f)

J. Harassment, Intimidation, and Bullying Investigation Procedure

1. Preliminary determination of HIB: Prior to initiating an investigation regarding a reported incident or complaint, the principal, or his or her designee, in consultation with the anti-bullying specialist, shall make a preliminary determination as to whether a reported incident or complaint assuming all facts are presented as true, is a report of an act of harassment, intimidation, or bullying, pursuant to the HIB definition in section B above. If a preliminary determination finds the incident or complaint is a report outside the scope of the harassment, intimidation, or bullying definition in section B above, the incident will be addressed through Shepard Schools' code of student conduct policy. The determination may be appealed to the sending district board of education pursuant to district board of education policies and procedures governing pupil grievances, and thereafter to the Commissioner in accordance with N.J.A.C. 6A:16-7.7(a)ix(1) and (a)ix(1)(A)). The HIB 338 Form shall be completed, even if a preliminary determination is a report outside the scope of the definition of HIB, and must be submitted to the principal. The principal or her designee will provide the parents of the alleged offender(s) and victims(s) with formal notice of the decision not to initiate an HIB investigation. The HIB 338 Form shall be kept

on file at the school and will only be added to a student record if the alleged incident is founded, disciplinary action is imposed or is otherwise required to be contained in a student's record under State or Federal Law.

2. Within one school day of receiving a verbal report of a HIB incident, the principal, or the principal's designee as the person responsible for the investigation, will promptly initiate the investigation.

The school anti-bullying specialist shall conduct the investigation and the principal may appoint additional personnel who are not school anti-bullying specialists to assist in the investigation.

The investigation shall be completed and the written finding 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, and shall ensure there is an accurate and current record of the facts and activities concerning the reported 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 investigation will seek to identify those individuals involved in the reported incident; descriptions of the incident(s) including different viewpoints; sources of information; interim actions taken since the incident; a comment on as to whether or not the reported incident meets the definition of HIB; a comment on general concerns; and recommendations for interventions.

3. The anti-bullying specialist shall report the investigation results to the principal within two days of the investigation's completion.

4. As appropriate to the findings from the HIB investigation, the director and/or principal 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.

5. The director or principal 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's completion, along with information on any service(s) provided; training established; and pursuant to N.J.A.C. 6A14-7.6(f), discipline imposed or other action taken or recommended by the director or principal.

6. In accordance with Federal and State law and regulation, the director or principal shall provide parents or guardians 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 or principal shall provide the information in writing within five school days following the investigation's completion.

7. To protect the victim, the investigation procedure also shall take into account the circumstances of the incident when communicating with parents.

8. If the principal receives a report of harassment, intimidation, or bullying, or determines a reported incident or complaint, assuming all facts presented are true, is a report of an act of harassment, intimidation, or bullying, pursuant to N.J.A.C. 6A:16-7.8(a)3ix(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, they may be subject to disciplinary action.

9. *Reporting to the appropriate district board of education incidents occurring on district board of education school buses, at district board of education school-sponsored functions, and off school grounds involving a student who attends Shepard Schools.*

For incidents of harassment, intimidation, and bullying that occur on district board of education school buses, at district board of education school-sponsored functions, and off school grounds involving a student who attends Shepard Schools', the Shepard Schools' director, principal, and/or their designee will (1) notify the involved students parents verbally (phone) and/or via email communication, (2) notify the appropriate sending district board of education personnel of the students involved verbally (phone) and via email communication, and (3) will cooperate and consult with the sending districts anti-bullying specialist regarding the incident's investigation. It is the responsibility of the sending district board of education of the students involved to investigate a HIB complaint or report if a reported incident occurs on a sending district board of education bus, at a sending district board of education school-sponsored function, and off school grounds

When a complaint or report of harassment, intimidation, or bullying involves students from more than one school district, the sending district board(s) of education of the victim(s) involved shall initiate the investigation.

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

The principal and anti-bullying specialist 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 director shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy.

Shepard Schools' shall 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;

Once an incident of harassment, intimidation, or bullying is identified, the director and/or principal shall determine the appropriate response to address the individual circumstances in consultation and conjunction with appropriate sending district board of education personnel, pursuant to N.J.A.C. 6A:14-7.6(f), as necessary. For more information on specific responses, please see the above sections on remedial actions and consequences.

Systemic levels of response: The Board of Directors 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, 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., peer mentoring, short-term counseling, life skills groups) intended to remediate the problem behaviors as well as disciplinary actions as described in the above Consequences and Appropriate Remedial Actions section.
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. They may also comprise of 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), launching harassment, intimidation, and bullying prevention campaigns.

L. Parent Request for a Hearing Before the Sending District Board of Education

Parents or guardians of students who are parties to a harassment, intimidation, or bullying investigation may request a hearing before the sending district board of education concerning the information received about an 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.

- (1) Any request for a hearing before the sending district board of education shall be filed within 60 calendar days after the written information about the harassment, intimidation, or bullying investigation is received by the sending district board of education and the parents or guardians.
- (2) The hearing before the sending district board of education shall be scheduled in collaboration with Shepard Schools and held by the sending district board of education within 10 business days of the request. Shepard Schools and the sending district board of education shall coordinate the policies and procedures for conducting such hearings.

M. Reprisal or Retaliation Prohibited

Shepard Schools prohibits a board of directors 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 school 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 Appropriate Remedial Actions and Consequences sections of this Policy.

Examples of consequences for a school employee or a contracted service provider who has contact with students who engages 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 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.

N. Consequences and Appropriate Remedial Action for False Accusation as a Means of HIB

The Board of Directors prohibits any person from falsely accusing another as a means of retaliation or as a means of harassment, intimidation, or bullying. If this should occur, consequences and appropriate remedial action will 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).

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 school 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 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 Director 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.

O. Complaints Filed with New Jersey Division on Civil Rights

A parent, student, guardian, or organization may file a complaint with the New Jersey Division on Civil Rights within 180 days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the Law Against Discrimination, P.L.1945, c.169 (N.J.S.A. 10:5-1 et seq.);

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

This HIB policy shall appear in any publication of Shepard Schools that sets forth the code of student conduct, pursuant to N.J.A.C. 6A:16-7.1, including notice that the policy applies to participation in Shepard Schools sponsored functions and on school grounds operated by Shepard Schools.

The HIB policy shall be posted prominently on the homepage of the Shepard Schools website www.shepardschools.org

Information about the policy will be disseminated annually by the Director to all school employees, contracted service providers who have contact with students, school volunteers, 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 school-sponsored functions, or on a school bus and, as appropriate, acts that occur off school grounds.

The name, school phone number, school address, and school email address of the school's Anti-Bullying Specialist will be publically available on the homepage of the school's website at <http://www.shepardschools.org>

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 comprehensive school rules, procedures, and standards.

Q. Individuals Required to Report HIB

A Shepard Schools employee, contracted service provider, student, or volunteer who has witnessed an incident of harassment, intimidation, or bullying, or has reliable information that a student has been subject to harassment, intimidation, or bullying, shall report the incident to the director or principal, pursuant to (a)3viii above, or to any school administrator who shall immediately initiate the approved PSSD's procedures concerning harassment, intimidation, and bullying. See the HIB reporting section above for more information.

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

Shepard Schools will annually examine the training needs of school employees and volunteers who have significant contact with students for the effective implementation of the harassment, intimidation, or bullying policies, procedures, programs, and initiatives and implement training programs for school employees and volunteers who have significant contact with students. 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:16-7.1(a)2. Information regarding the approved PSSD's policy against harassment, intimidation, or bullying shall be incorporated into its training program.

The training program shall be provided to full- and part-time staff, volunteers who have significant contact with students, and persons contracted to provide services to students. The training shall include information on the HIB policy, instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying.

The school shall provide time during the usual school schedule for each 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 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 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 school 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 will annually establish, implement, document, and assess harassment, intimidation, and bullying prevention programs or approaches, and other initiatives in consultation with school staff, pupils, administrators, volunteers, parents or guardians, 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.

S. Annual Discussion of HIB Policy

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

T. HIB Policy Re-evaluation, Reassessment and Review

The Director and the Principal(s) 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 team (see below). Necessary revision(s) to this HIB policy should be made, 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. Program changes or other responses shall be planned in

consultation with, at a minimum, parents and other community members, school employees, law enforcement, school administrators, and, as appropriate, school volunteers and students.

U. Bullying Prevention Programs and Approaches

Shepard Schools annually establishes, implements, documents, and assesses bullying-prevention programs or approaches and other initiatives designed to create school-wide conditions to prevent or intervene in harassment, intimidation, and bullying. Programs, approaches, and initiatives shall be planned in consultation with, at a minimum, parents and other community members, school employees, law enforcement, school administrators, and, as appropriate, school volunteers and students.

V. Submitting a Copy of HIB policy to the county superintendent

Shepard Schools shall submit to the executive county superintendent a copy of its harassment, intimidation, and bullying policy in the 2018-2019 school year or within 30 days of revision (current revision 11/29/22).

W. Anti-Bullying Specialist

The Principal shall appoint a school anti-bullying specialist from currently employed school staff to act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, and bullying in the school and the functions identified pursuant to this policy.

Shepard School – Dr. Katie Dulfer, PsyD
Shepard Preparatory High School – Mr. Flavio Acitelli

X. School Climate State Coordinator

The duties and responsibilities of the State coordinator shall include:

1. Identifying and disseminating research and resources to promote best practice in student social-emotional learning and the development of a positive, supportive school climate.
2. Providing information regarding the provisions of all relevant HIB laws including but not limited to the Anti-Bullying Bill of Rights Act (P.L.2002, c.83) and Laws Against Discrimination (P.L.1945, c.169).
3. Reviewing and reporting data collected on harassment, intimidation and bullying pursuant to section 1 of P.L.1982, c.163 to identify and report to the Department of Education any patterns of HIB.
4. Assisting the Department of Education in creating public information programs that educate parents, educators, and the public concerning the duties of the State coordinator, the issue of harassment, intimidation, and bullying.
5. Working collaboratively with law enforcement, the Department of Education, the Division on Civil Rights in the Department of Law and Public Safety, and the Department of Health to develop a training program on the impact of harassment, intimidation, and bullying on students and schools, to be used in anti-bullying programs and intervention plans.

6. Working collaboratively with law enforcement to develop resources and training for law enforcement concerning the impact of harassment, intimidation, and bullying on students and schools, and the appropriate role of law enforcement in such matters pursuant to the Uniform Memorandum of Agreement Between Education and Law Enforcement Officials.
7. Annually providing to the Commissioner of Education, the State Board of Education, and pursuant to section 2 of P.L.1991, c.164 the Legislature, a report summarizing the activities of the State coordinator, and any specific recommendations concerning school climate best practices and procedure.

NJDOE's State School Climate Coordinator Contact – hib@doe.nj.gov

Y. School Safety Team

Shepard Schools shall form a school safety/school climate team to develop, foster, and maintain a positive school climate by focusing on the on-going systemic processes and practices in the school and to address school climate issues, such as harassment, intimidation, or bullying and perform the following functions:

1. Meet two times per school year;
2. Receive any complaint(s) of harassment, intimidation, or bullying of students that has been reported to the full-time non-teaching principal;
3. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;
4. Identify and address patterns of harassment, intimidation, or bullying of students in the school;
5. Review and strengthen school climate and school policies to prevent and address harassment, intimidation, or bullying of students;
6. Educate the school community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students; and
7. Execute other duties related to harassment, intimidation, and bullying as requested by the full-time non-teaching principal;

Z. Civil, Criminal and Educational Law

The HIB policy's requirements shall not be interpreted to prevent a victim of harassment, intimidation, or bullying from seeking redress under any applicable civil or criminal law.

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.

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.

References:

N.J.S.A. 18A:17-47

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

N.J.A.C. 6A:16-1.3; 6A:16-7.8, 6A:16

Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses – Revised August 2022 – 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

Memorandum – New Jersey Commissioner of Education – Implementing Amendments to the Anti-Bullying Bill of Rights Act – August 29, 2022