



## SUMMIT SPEECH SCHOOL

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### **ANTI BULLYING and HARASSMENT POLICY**

Summit Speech School prohibits acts of HIB of a student. Summit Speech School has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards; HIB, 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. 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 HIB.

Summit Speech School establishes that "HIB" 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 is:

- a) reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or
- b) by any other distinguishing characteristic; and that
- c) 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, that substantially disrupts or interferes with the orderly operation of the school or the rights of other students; and that
- d) 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 person or damage to his property; or
- e) has the effect of insulting or demeaning any student or group of students; or
- f) 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.

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Summit Speech School recognizes that bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance.

Summit Speech School expects students to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities, with a 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.

Summit Speech School believes that standards for student behavior must be set cooperatively through interaction among the parents and other community representatives, school administrators, school employees, school volunteers and students of the school, 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 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. Summit Speech School believes that the best discipline is self-imposed, and that it is the responsibility of staff to use instances of violations of the code of student conduct as opportunities for helping 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.

Summit Speech School expects that students will act in accordance with the student behavioral expectations.

- 1) Student responsibilities (e.g., requirements for students to conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority; and respond to those who hold that authority);
- 2) Appropriate recognition for positive reinforcement for good conduct, self-discipline, and good citizenship;
- 3) Student rights; and
- 4) Appropriate consequences for violations of the code of student conduct.

Summit Speech School 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 HIB, consistent with the code of student conduct,

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and the consequences and remedial responses for staff members who commit one or more acts of HIB.

In every incident found to be HIB, the school principal, in consultation with appropriate school staff, may apply disciplinary consequences and/or remedial actions, such as the provision of counseling, behavioral interventions, or other measures.

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 HIB by students. Appropriate consequences and remedial actions are those that are graded according to the severity of the offenses, consider the developmental ages of the student offenders, the nature of the student's disability, if any and to the extent relevant, and students' histories of inappropriate behaviors, per the code of student conduct and N.J.A.C. 6A:16-7.

The principal, in consultation with appropriate school staff, including sending district representative, shall develop an individual student intervention plan when a student is found to be an offender in three HIB incidents and each subsequent incident occurring within one school year. Each student intervention plan must be approved by the Executive Director.

Should a student be found to be an offender in a HIB incident, a copy of the results of the HIB investigation shall be included in the student's record pursuant to N.J.A.C. 6A:16-32-7.

While the majority of incidents may be addressed solely by school officials, the Executive Director or designee and the principal shall report a HIB incident to law enforcement officials if the conduct rises to the level of a mandatory report as outlined in the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials.

Summit Speech School requires the principal to be responsible for receiving all complaints alleging HIB committed by an adult or youth against a student. All board of director members, school employees, and volunteers and contracted service providers who have contact with students, are required to verbally report alleged acts of HIB 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 of director members, school employees, and contracted service providers who have contact with students, also shall submit a report in writing to the school principal within two school 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

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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.

The principal is required to inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. When providing notification to the parents of all students involved, the principal shall take into account the circumstances perceived category motivating the alleged offense. The principal shall keep a written record of the date, time, and manner of notification to parents.

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. The school shall provide a person 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.

A member of a board of directors or a school employee who promptly reports an incident of HIB 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.

The principal shall promptly submit a copy of each completed official form to the Executive Director.

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 within the scope of N.J.S.A. 18A:37-14.

Should the principal, or his or designee, in consultation with the anti-bullying specialist determine that a reported incident or complaint, assuming all facts presented are true, is not a report within the scope of N.J.S.A. 18A:37-14, the incident will be addressed through the board of director's code of student conduct policy. The HIB 338 Form shall be completed, even if a preliminary determination is made not to conduct an investigation of HIB because the reported incident or complaint is a report outside the scope of the definition of HIB, and must be submitted to the executive director. The principal will provide the parents of the alleged offender(s) and victim(s) with formal notice of the decision not to initiate an HIB investigation.

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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.

The executive director may require the principal to conduct an HIB investigation of the incident if the executive director determines that the incident is within the scope of HIB and shall notify the principal of this determination in writing. Should the executive director require the principal to conduct a HIB investigation, the school principal will immediately initiate an investigation of HIB by referring the matter to the school anti-bullying specialist.

Additionally, any preliminary determination that finds the incident or complaint is a report outside the scope of N.J.S.A. 18A:37-14 may be appealed to the board of directors, pursuant to board of directors policies and procedures governing pupil grievances, and thereafter to the Commissioner (N.J.A.C. 6A:16-7.7(a)ix(1) and (a)ix(1)(A)). Should the preliminary determination not to conduct an investigation of HIB be overturned, the school principal will immediately initiate an investigation of HIB by referring the matter to the school anti-bullying specialist.

The board of directors requires a thorough and complete investigation to be conducted for each reported incident or complaint, assuming all facts presented are true, that is determined to be a report within the scope of N.J.S.A. 18A:37-14. 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 appointed by the principal. The principal may appoint additional personnel who are not school anti-bullying specialists to assist the school anti-bullying specialist in the investigation.

The investigation shall be completed, and the written findings submitted to the principal as soon as possible, but not later than 10 school days from the date of the written report of the alleged incident of HIB or 10 school days from the date of the written notification from the executive director to the principal to initiate an investigation. Should information regarding the reported incident and the investigation be received after the end of the 10-day period, the school anti-bullying specialist or the principal 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 executive director 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

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seq.). As appropriate to the findings from the investigation, the executive director shall ensure the code of student conduct has been implemented and provide intervention services, order counseling, establish training programs to reduce HIB and enhance school climate, or take or recommend other appropriate action, including seeking further information as necessary.

The executive director shall report the results of each investigation to the board of directors no later than the date of the regularly scheduled board of directors meeting following the completion of the investigation. The executive director's report also shall include information on any consequences imposed under the code of student conduct, intervention services provided, counseling ordered, training established or other action taken or recommended by the executive director.

Parents of the students who are parties to the investigation shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents includes the nature of the investigation, whether the school found evidence of HIB, or whether consequences were imposed or services provided to address the incident of HIB. This information shall be provided in writing within five school days after the results of the investigation are reported to the board of directors.

A parent or guardian may request a hearing before the board of directors after receiving the information. Any request by the parents or guardians for a hearing before the board of directors concerning the written information about a HIB investigation, pursuant to N.J.S.A. 18A:37-15(b)(6)(d), must be filed with the board of directors secretary no later than 60 calendar days after the written information is received by the parents or guardians. The hearing shall be held within 10 business days of the request. Prior to the hearing, the executive director shall confidentially share a redacted copy of the official investigation form that removes all student identification information with the board of directors. The board of directors shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the board of directors may hear testimony from and consider information provided by the school anti-bullying specialist and others, as appropriate, regarding the alleged incident, the findings from the investigation of the alleged incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination.

At the regularly scheduled board of directors meeting following its receipt of the report or following a hearing in executive session, the board shall issue a decision, in writing, to affirm, reject, or modify the executive director's decision. The board of directors' decision may be appealed to the Commissioner of Education, in accordance

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with N.J.A.C. 6A:3, no later than 90 days after the issuance of the board of directors' decision.

A school staff member who receives a report of HIB and fails to initiate or conduct an investigation, or who should have known of an incident of HIB and fails to take sufficient action to minimize or eliminate the HIB, may be subject to disciplinary action.

[HIB Incident Form: Families \(nj.gov\)](#)

Summit Speech School authorizes the principal of to define the range of ways in which school staff will respond once an incident of HIB is confirmed, and the Executive Director shall respond to confirmed HIB, according to the parameters described below and in this policy. Summit Speech School recognizes that some acts of HIB may be isolated incidents requiring that the school officials respond appropriately to the individuals committing the acts. Consequences and appropriate remedial actions for a student who commits an act of HIB may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.

In considering whether a response beyond the individual is appropriate, school officials shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based HIB prevention program models, to training for certificated and non-certificated staff, to participation of parents and other community members and organization 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, and to the involvement of law enforcement officers, including safe schools resource officers.

This policy and the code of student conduct shall apply to instances when a school employee is made aware of alleged HIB occurring off school grounds.

Summit Speech School prohibits a board of director 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 any other person who has reliable information about an act of HIB or who reports an act of HIB. The consequence and appropriate remedial action for a person who

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engages in reprisal or retaliation shall be determined by the executive director 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.

Summit Speech School prohibits any person from falsely accusing another as a means of HIB.

1) Students: positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.4, Expulsions;

2) School Employees: discipline in accordance with district policies, procedures and agreements; and

3) Visitors or Volunteers: be determined by the executive director after consideration of the nature, severity and circumstances of the act, including law enforcement reports or other legal actions, removal of building or grounds privileges, or prohibiting contact with students or the provision of student services.

Summit Speech School requires the Executive Director to annually disseminate the HIB policy 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 that the policy applies to all acts of HIB, 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 Executive Director shall post a link to the policy that is prominently displayed on the home page of the school's website. The Executive Director shall ensure that notice of the policy appears in the student handbook and all other publications of the school that set forth the comprehensive rules, procedures and standards for schools within the school.

The Executive Director shall post the name, school phone number, school address and school email address of the anti-bullying coordinator on the home page of the school's website. Additionally, the Executive Director shall post the contact information for the School Climate State Coordinator on the school's home page alongside the school's HIB policy.

The principal shall post the name, school phone number, school address and school email address of the school anti-bullying specialist on the home page of the school's website.



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The Executive Director shall post the Department of Education's Guidance for Parents on the Anti-Bullying Bill of Rights Act on the homepage.

The Executive Director and the principal shall provide training on the school's HIB policies to school employees, contracted service providers and volunteers who have significant contact with students. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, HIB. The school's employee training program shall include information regarding the school policy against HIB, which shall be provided to full-time and part-time staff, contracted service providers and school volunteers who have significant contact with students.

The Executive Director shall develop and implement a process for annually discussing the school policy on HIB with students. The Executive Director and the principal shall annually conduct a re-evaluation, reassessment, and review of the HIB policy and any report(s) and/or finding(s) of the school safety/school climate team, with input from the school anti-bullying specialist, and recommend revisions and additions to the policy as well as to HIB prevention programs and approaches based on the findings from the evaluation, reassessment, and review.