

# **HOPE COMMUNITY CHARTER SCHOOL**

**HARASSMENT INTIMIDATION AND BULLYING  
DEFINITION & INVESTIGATION PROCEDURE**


# 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
2. By any other distinguishing characteristic; and that
3. 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 pupils; and that
4. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a pupil or damaging the pupil’s property, or placing a pupil in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
5. Has the effect of insulting or demeaning any pupil or group of pupils; or
6. Creates a hostile educational environment for the pupil by interfering with a pupil’s education or by severely or pervasively causing physical or emotional harm to the pupil.


# INVESTIGATION PROCEDURE

1. An investigation shall be initiated by the Executive Director or the Executive Director's designee within one school day of the verbal report of the incident and shall be conducted by a school's Anti-Bullying Specialist, in coordination with the Executive Director.
    - a. The Executive Director may appoint additional personnel who are not school Anti-Bullying Specialists to assist in the investigation.
  2. The investigation shall be completed as soon as possible, but not later than ten school days from the date of the written report of the incident of harassment, intimidation, or bullying.
    - a. In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the ten-day period, the school Anti-Bullying Specialist may amend the original report of the results of the investigation to reflect the information.
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# INVESTIGATION PROCEDURE

3. The results of the investigation shall be reported to the Executive Director within two school days of the completion of the investigation, and in accordance with regulations promulgated by the State Board of Education pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).
  4. The Executive Director may decide to provide intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommend other appropriate action.
  5. The results of each investigation shall be reported to the Board of Trustees no later than the date of the next Board of Education Meeting following the completion of the investigation, along with information on any services provided, training established, discipline imposed, or other action taken or recommended by the Executive Director.
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# INVESTIGATION PROCEDURE

6. Parents of individual student offenders and targets/victims shall be entitled to receive information about the investigation, in accordance with Federal and State law and regulation, including the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether discipline was 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 Trustees.
  7. A parent may request a hearing before the Board of Trustees after receiving the information.
    - This hearing shall be held within ten school days of the request;
    - The Board shall meet in executive session for the hearing to protect the confidentiality of the students; and
    - At the hearing the Board may hear from the school Anti-Bullying Specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.
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# INVESTIGATION PROCEDURE

8. At the next regularly scheduled Board of Trustee meeting following its receipt of the Executive Director's report on the results of each investigation to the Board 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's decision may be appealed to the Commissioner of Education, in accordance with the procedures set forth in law and regulation, no later than ninety days after the issuance of the Board's decision.
  9. 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.).
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