

## **East Windsor Public Schools Safe School Climate Plan**

### **Safe School Climate Plan**

The Board is committed to creating and maintaining a physically, emotionally, and intellectually safe educational environment free from bullying, harassment and discrimination. In order to foster an atmosphere conducive to learning, the Board has developed the following Safe School Climate Plan, consistent with state law and Board Policy. This Plan represents a comprehensive approach to addressing bullying and cyberbullying and sets forth the Board's expectations for creating a positive school climate and thus preventing, intervening, and responding to incidents of bullying.

Bullying behavior is strictly prohibited, and students who are determined to have engaged in such behavior are subject to disciplinary action, which may include suspension or expulsion from school. The district's commitment to addressing bullying behavior, however, involves a multi-faceted approach, which includes education and the promotion of a positive school climate in which bullying will not be tolerated by students or school staff.

#### **I. Prohibition Against Bullying and Retaliation**

- A. The Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional Board of Education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education.
- B. The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school.

- C. In addition to prohibiting student acts which constitute bullying, the Board also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying.
- D. Students who engage in bullying behavior in violation of Board Policy and the Safe School Climate Plan shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

## **II. Definition of Bullying**

- A. **“Bullying”** means the repeated use by one or more students of a written, verbal or electronic communication, such as cyberbullying, or a physical act or gesture directed at another student attending school in the same district that:
  - 1. causes physical or emotional harm to such student or damage to such student's property;
  - 2. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
  - 3. creates a hostile environment at school for such student;
  - 4. infringes on the rights of such student at school; or
  - 5. substantially disrupts the education process or the orderly operation of a school.
- B. Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

## **III. Other Definitions**

- A. **“Cyberbullying”** means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications;

- B. **“Electronic communication”** means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system;
- C. **“Hostile environment”** means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate;
- D. **“Mobile electronic device”** means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted;
- E. **“Outside of the school setting”** means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional Board of Education;
- F. **“Prevention and intervention strategy”** may include, but is not limited to, (1) implementation of an evidence-based model for safe school climate or for the prevention of bullying identified by the Department of Education, (2) school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts, (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur, (4) inclusion of grade-appropriate education for bullying prevention and social emotional learning in kindergarten through high school, (5) individual interventions with the student found to have engaged in bullying or other similar behaviors, parents and school employees, and interventions with the targeted child, parents and school employees, (6) school-wide training related to safe school climate, (7) student peer mentoring, support, and (8) promotion of parent involvement in facilitating a safe school climate through individual or team participation in meetings, trainings and individual interventions;
- G. **“School climate”** means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults;
- H. **“School employee”** means (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional Board of Education or working in a public elementary, middle or high school; or (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with

the local or regional Board of Education; **“School-Sponsored Activity”** shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Board of Education.

#### **IV. Leadership and Administrative Responsibilities**

##### **A. Safe School Climate Coordinator**

For the school year commencing July 1, 2012, and each school year thereafter, the Superintendent shall appoint, from existing school district staff, a District Safe School Climate Coordinator (“Coordinator”). The Coordinator shall:

1. Be responsible for implementing the district’s Safe School Climate Plan (“Plan”);
2. Collaborate with Safe School Climate Specialists, the Board, and the Superintendent to prevent, identify and respond to bullying in district schools;
3. Provide data and information, in collaboration with the Superintendent, to the Department of Education regarding bullying;
4. Meet with Safe School Climate Specialists at least every other month during the school year to discuss issues relating to safe school climate in the school district and to make recommendations concerning amendments to the district’s Plan.
5. Successfully complete, for the school year commencing July 1, 2014, the mental health first aid training provided by the Commissioner of Mental Health and Addiction Services (Such training only required once.)
6. In coordination with the Superintendent and/or Assistant Superintendent, oversee the development and implementation of a curriculum addressing social emotional learning competencies and continuous improvement of safe school climate.

##### **B. Safe School Climate Specialist**

For the school year commencing July 1, 2012, and each school year thereafter, the principal or his/her designee of each school shall serve as the Safe School Climate Specialist. The Safe School Climate Specialist shall investigate reported acts of bullying and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school in conjunction with the Safe School Climate Coordinator.

**V. Development and Review of Safe School Climate Plan**

- A. For the school year commencing July 1, 2012 and each school year thereafter, the Principal of each school shall establish a committee or designate at least one existing committee ("Committee") in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to social emotional learning and bullying prevention in the school. Such committee shall include at least one parent/guardian of a student enrolled in the school, as appointed by the school principal, except when such inclusion may compromise the confidentiality of students.
- B. The district Safe School Climate Plan will support the following five Standards:
- Standard 1: Develop a shared vision and plan for promoting, enhancing and sustaining a positive school climate.
- Standard 2: Develop policies that promote social, emotional, ethical, civic, and intellectual learning as well as systems that address barriers to learning.
- Standard 3: Implement practices that promote the learning and positive social, emotional, ethical and civic development of students and student engagement as well as addressing barriers to learning.
- Standard 4: Create an environment where all members are welcome, supported, and feel safe in school: socially, emotionally, intellectually and physically.
- Standard 5: Develop meaningful and engaging practices, activities and norms that promote social and civic responsibilities and a commitment to social justice.
- C. The Safe School Climate Committee shall: 1) receive copies of completed reports following bullying investigations; 2) identify and address patterns of bullying among students in the school; 3) review and amend school policies relating to bullying; 4) review and make recommendations to the Coordinator regarding the Safe School Climate Plan based on issues and experiences specific to the school; 5) educate students, school employees and parents/guardians on issues relating to bullying; 6) collaborate with the Coordinator in the collection of data regarding bullying; and 7) perform any other duties as determined by the Principal that are related to the prevention, identification and response to school bullying.
- D. Any parent/guardian serving as a member of the Committee shall not participate in any activities which may compromise the confidentiality of any student, including, but not limited to, receiving copies of investigation reports, or identifying or addressing patterns of bullying among students in the school.
- E. Not later than January 1, 2012, the Board of Education shall approve the Safe School Climate Plan developed pursuant to Board policy and submit such plan to the Department of Education. Not later than thirty (30) calendar days after

approval by the Board, the Board shall make such plan available on the Board's and each individual school in the school districts web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

## **VI. Procedures for Reporting and Investigating Complaints of Bullying**

- A. Students and parents (or guardians of students) may file written reports of bullying. Written reports of bullying shall be reasonably specific as to the basis for the report, including the time and place of the alleged conduct, the number of incidents, the target of the suspected bullying, and the names of potential witnesses. Such reports may be filed with any building administrator and/or the Safe School Climate Specialist and all reports shall be forwarded to the Safe School Climate Coordinator for review and actions consistent with this Plan.
- B. Students may make anonymous reports of bullying to any school employee. Students may also request anonymity when making a report, even if the student's identity is known to the school employee. In cases where a student requests anonymity, the Safe School Climate Specialist or Coordinator shall meet with the student (if the student's identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the complaint, and is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous complaint.
- C. School employees who witness acts of bullying or receive reports of bullying shall orally notify the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable, not later than one (1) school day after such school employee witnesses or receives a report of bullying. The school employee shall then file a written report not later than two (2) school days after making such oral report.
- D. The Safe School Specialist, in conjunction with the Safe School Climate Coordinator shall be responsible for reviewing any anonymous reports of bullying and shall investigate all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.

- E. In investigating reports of bullying, the Safe School Climate Specialist, in conjunction with the Safe School Climate Coordinator will consider all available information known, including the nature of the allegations and the ages of the students involved. The Safe School Climate Specialist or Coordinator will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and will result in disciplinary action.

## **VII. Responding to Verified Acts of Bullying**

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist, in conjunction with the Safe School Climate Coordinator shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding not later than forty-eight hours after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying. In providing such notification, however, care must be taken to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.
- B. In any instance in which bullying is verified, the Safe School Climate Specialist, in conjunction with the Safe School Climate Coordinator shall also invite the parents or guardians of the student who commits any verified act of bullying and the parents or guardian of the student against whom such act was directed to separate meetings to communicate the measures being taken by the school to ensure the safety of the student/target and to prevent further acts of bullying. The invitation may be made simultaneous with the notification described above in Section VII. A., as it must include a description of the school's response to such acts, along with consequences, as appropriate.
- C. If bullying is verified, the Safe School Climate Specialist, in conjunction with Safe School Climate Coordinator and mental health personnel in the school shall develop a student safety support plan for any student against whom an act of bullying was directed. Such support plan will include safety measures to protect against further acts of bullying.
- D. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. This plan may include safety provisions, as described above, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial or restorative actions as determined by the responsible administrator.

## **VIII. Notice to Law Enforcement**

- A. If the Principal of a school (or his/her designee) reasonably believes that any act of bullying constitutes a criminal offense, the Safe School Climate Coordinator, on behalf of the principal, shall notify appropriate law enforcement. Notice shall be consistent with the Board's obligations under state and federal law and Board policy regarding the disclosure of personally identifiable student information. In making this determination, the Safe School Climate Coordinator, on behalf of the principal, may consult with the school resource officer, and other individuals deemed appropriate.
- B. If a bullying complaint raises concern about discrimination or harassment on the basis of a legally protected classifications (such as race, religion, color, national origin, sex, sexual orientation, age or disability), the Safe School Climate Specialist, in conjunction with the Safe School Climate Coordinator shall also coordinate any investigation with other appropriate personnel within the district as appropriate (e.g. Title IX Coordinator, Section 504 Coordinator etc.).

## **IX. Documentation and Maintenance of Log**

- A. Each school shall maintain written complaints of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Board's obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without written prior written consent of a parent, guardian or eligible student, except as permitted under Board policy and state and federal law.
- B. The Principal of each school shall maintain a list of the number of verified acts of bullying in the school and this list shall be available for public inspection upon request. Consistent with district obligations under state and federal law regarding student privacy, the log shall not contain any personally identifiable student information, or any information that alone or in combination would allow a reasonable person in the school community to identify the students involved. Accordingly, the log should be limited to basic information such as the number of verified acts, name of school and/or grade level and relevant date. Given that any determination of bullying involves repeated acts, each investigation that results in a verified act of bullying for that school year shall be tallied as one verified act of bullying unless the specific actions that are the subject of each report involve separate and distinct acts of bullying. The list shall be limited to the number of verified acts of bullying in each school and shall not set out the particulars of each verified act, including, but not limited to any personally identifiable student information, which is confidential information by law.



- C. The Principal of each school shall report the number of verified acts of bullying in the school annually to the Department of Education in such manner as prescribed by the Commissioner of Education.

## **X. Other Prevention and Intervention Strategies**

- A. There is no one prescribed response to verified acts of bullying. Traditional disciplinary action against the perpetrator of such bullying, whether, and to what extent, to impose disciplinary action is a matter for the professional discretion of the building principal (or his/her designee). No disciplinary action may be taken solely on the basis of an anonymous complaint. As discussed below, schools may also consider appropriate alternative to traditional disciplinary sanctions, including age-appropriate consequences and other restorative or remedial interventions.
- B. The following sets forth possible interventions which may also be utilized to enforce the Board's prohibition against bullying:

### **i. Non-disciplinary Interventions**

When verified acts of bullying are identified early and/or when such verified acts of bullying do not reasonably require a disciplinary response, students may be counseled as to the definition of bullying, its prohibition, and their duty to avoid any conduct that could be considered bullying. Students may also be subject to other forms of restorative practices or remedial actions, appropriate to the age of the students and nature of the behavior.

### **ii. Disciplinary Interventions**

When acts of bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences up to and including suspension and expulsion. Anonymous complaints, however, shall not be the basis for disciplinary action.

### **iii. Interventions for Bullied Students**

The building principal or his/her designee shall intervene in order to address incidents of bullying against a single individual. A student who is the target of bullying will have a Safety and Support Plan which may include the following:

- a. Counseling;
- b. Increased supervision and monitoring of student to observe and intervene in bullying situations;

- c. Encouragement of student to seek help when victimized or witnessing victimization;

**iv. General Prevention and Intervention Strategies**

In addition to the prompt investigation of complaints of bullying and direct intervention when acts of bullying are verified, other district actions may ameliorate potential problems with bullying in school or at school-sponsored activities. While no specific action is required, and school needs for specific prevention and intervention strategies may vary from time to time, the following list of potential prevention and intervention strategies shall serve as a resource for administrators, teachers and other professional employees in each school. Such prevention and intervention strategies may include, but are not limited to:

- a. School rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts;
- b. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur;
- c. Inclusion of grade-appropriate social emotional learning and bullying prevention curricula in kindergarten through high school, which will include instruction regarding building safe and positive school communities including developing healthy relationships, sexual abuse education and preventing dating violence as deemed appropriate for older students;
- d. Individual interventions with the perpetrator, parents and school employees, and interventions with the targeted student, parents and school employees;
- e. School-wide training related to safe school climate, which may include Title IX/sexual harassment training, Section 504/ADA training, mental health first aid, sexual abuse prevention and intervention, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;
- f. Student peer mentoring, education and support;
- g. Promotion of parent involvement in bullying prevention through meetings, trainings and individual interventions;
- h. Implementation of an evidence-based model approach for safe school climate and for the prevention of bullying, including any such program identified by the Department of Education;

- i. Use of discipline strategies that promote social and civic learning;
  - j. Planned professional development addressing prevention and intervention strategies, which may include building health relationships, preventing sexual abuse and dating violence, school violence prevention, with a focus in evidence-based practices
  - k. Use of peer mentors to help support a healthy school
  - l. Avoidance of sex-role stereotyping;
  - m. Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;
  - n. Modeling by teachers of positive, respectful, and supportive behavior that promotes a physically, intellectually, and emotionally safe and supportive teaching environment;
  - o. Building a community that celebrates individual and collective accomplishments and promotes a collaborative and supportive atmosphere.
- C. In addition to prevention and intervention strategies, administrators, teachers and other professional employees educate students about socially appropriate behavior. Administrators, teachers and other professional employees will intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of “bullying.”

## **XI. Annual Notice and Training**

- A. Students, and parents or guardians of students shall be notified annually of the process by which students may make reports of bullying.
- B. The Board shall provide for the inclusion of language in student codes of conduct concerning bullying.
- D. At the beginning of each school year, each school shall provide all school employees with a written or electronic copy of the school district’s safe school climate plan and require that all school employees annually complete training on the identification, prevention and response to bullying as required by law.

## **XII. School Climate Assessments**

On and after July 1, 2012, and biennially thereafter, the Board shall require each school in the district to complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the Department of Education. The Board shall collect the school climate assessments for each school in the district and submit such assessments to the Department.