R 5512 HARASSMENT, INTIMIDATION OR BULLYING INVESTIGATION PROCEDURE (M)

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The Board of Trustees authorizes a prompt investigation of reports and violations and complaints of harassment, intimidation and bullying in accordance with the provisions of N.J.S.A. 18A:37-15(b)6.

The following investigation procedure shall be used for all allegations of harassment, intimidation, or bullying:

1. An investigation shall be initiated by the Principal or the Principal's designee within one school day of the report of the incident and shall be conducted by a school's Anti-Bullying Specialist.

    a. The Principal 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.

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 Trustees 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.

6. Parents or legal guardians of the pupils who are parties to the investigation 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 school 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 or legal guardian may request a hearing before the Board of Trustees after receiving the information.

   a. This hearing shall be held within ten days of the request;

   b. The Board shall meet in executive session for the hearing to protect the confidentiality of the pupils; and

   c. 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.

8. At the next Board of Trustees meeting following its receipt of the report, the Board of Trustees 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, pupil, legal guardian, 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.).

REGULATION

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