

# *Livingston Public Schools*

*Empowering All to Learn, Create, Contribute, and Grow*



## **CODE OF CONDUCT**

**2020-2021**

# LIVINGSTON PUBLIC SCHOOLS

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## SUPERINTENDENT'S MESSAGE

**Dear Parents/Legal Guardians and Students of the Livingston Public Schools:**

The Livingston Board of Education (LBOE) is committed to providing a safe and secure learning environment for students and working environment for staff. We believe that appropriate behaviors and positive character must be modeled and maintained by our staff and students in order to have safe and orderly schools.

To help students, parents/legal guardians, and staff understand expectations for acceptable conduct on school property, the LBOE established a Livingston Public Schools (LPS) Code of Conduct. This document is reviewed and revised annually.

Every student and parent/legal guardian should review the Code of Conduct electronically at the beginning of each school year. Principals are required to review the document with their faculty and students at the beginning of each school year. School personnel will take appropriate disciplinary action for violations of the Code of Conduct, as outlined in the individual school's student handbook.

It is our collective responsibility to ensure that our staff and students are treated with fairness, respect, and dignity. Your support is needed to reinforce the expectations of good behavior as outlined in this Code of Conduct. Please contact your student's principal if you have any questions regarding this document.

*Dr. Matthew Block, Superintendent of Schools*

## PHILOSOPHY

It is the philosophy of the Livingston Public Schools that students should commit themselves to learning and to the development of their unique potential. Students should understand that their attitudes and actions affect the learning of both their classmates and themselves.

A critical part of maintaining a positive school community environment is developing our students' understanding of their role in maintaining an atmosphere that supports the health, safety and welfare of everyone. We expect our students to be respectful, courteous, and responsible, and to take pride in themselves and in their school. They should accept responsibility for helping to create and maintain a positive learning environment. With the support and assistance of school staff and parents/legal guardians, all students can contribute to the effectiveness of the school and the value of their education.

This LPS Code of Conduct extends beyond the classroom into the halls, the cafeteria, at assemblies, school functions, and while traveling by school bus to and from school and school activities. All students, commensurate with their age, are expected to follow the LPS Code of Conduct.

The LPS Code of Conduct will be implemented in all schools and at related events and it should be understood that the spirit of the document will be maintained and enforced.

# EXPECTATIONS

## **Students are expected to:**

- Be on time for school and classes.
- Be prepared for classes (e.g. books or electronic device on hand, homework in on time, studying, completing assignments, actively participating).
- Take responsibility for their own behavior, realizing there are always options and consequences for their choices.
- Respect one another's differences and resolve interpersonal conflicts using discussion, peer mediation or assistance from school personnel.
- Commit themselves to constant personal growth and improvement.
- Contribute to the life of the school through active participation.
- Use appropriate language and show common courtesy in school, on the way to and from school, and at school functions.
- Follow all directions the first time they are given.
- Dress in an appropriate and safe fashion.
- Be substance free.

## **Parents/legal guardians are expected to:**

- Be supportive of the staff's authority and responsibility to establish and maintain a positive, productive, safe, orderly and non-threatening learning environment.
- Provide space, time and necessary supervision in which their child can study and complete assignments.
- Be responsible for property lost or damaged by their child.
- Ensure that their child attends school punctually and regularly.
- Respect and follow the traffic, parking and safety rules at all schools.
- Respect and follow the visitor policy at all schools.
- Be substance free when visiting school or when attending school events.

## **Faculty and staff are expected to:**

- Establish and maintain a positive, productive, safe, orderly and non-threatening learning environment.
- Be good role models by dressing in a professional manner, being courteous and respectful to all, using appropriate language, and being sensitive to individual needs.
- Follow and support school rules.
- Treat individual students fairly and consistently.
- Communicate student progress and behavior to students, parents/legal guardians and staff in a timely, consistent and effective manner.
- Be substance free when in school or when attending school events.

# STUDENT INTEGRITY

## ACADEMIC DISHONESTY

- Cheating, plagiarism, forgery and unauthorized computer use (see *Technology Misuse* section below) is strictly prohibited.
- Cheating includes, but is not limited to, the unauthorized use of books, electronic devices, notes, crib sheets, copying from other students and/ or obtaining copies of examinations illegally.
- Plagiarism is defined as stealing or using, without acknowledgement, the ideas, words, formulas, textual materials, online services, computer programs, etc. of another person as one's own.
- Other breeches of academic integrity include forging signatures, altering answers after they have been graded, inserting answers after the fact, erasure of a grader's markings and other acts that allow for falsely taking credit.

## DISHONESTY

- Students shall not make false accusations against staff or other students and shall not give false information in any form about others.
- Students shall not purposely withhold information.

## TECHNOLOGY MISUSE

- Computers, computer networks, and other electronic technology shall only be used for valid educational purposes and only with the approval of a school staff member.
- Unacceptable uses of technology include, but are not limited to, violating others' privacy; using, producing, transmitting, sharing or storing profanity or obscene material; copying commercial software in violation of copyright law; using technology for financial gain or illegal activity; and re-posting personal communication without the author's prior consent.

## PARTICIPATION IN CO-CURRICULAR ACTIVITIES

Participation in co-curricular activities is a privilege that comes with additional expectations for student conduct. Students will be expected to:

- Present themselves in a positive and respectful manner.
- Act responsibly when being transported to and from co-curricular activities.
- Be alcohol and drug free.
- Adhere to all school rules.
- Compliance with all rules and regulations as stated in the school's student handbook.

***Violations of these expectations could result in disciplinary action as outlined in the individual school's student handbook.***

# SCHOOL PROCEDURES

## **ATTENDANCE**

Livingston Public Schools places a high emphasis on student attendance to ensure that all children meet State mandated criteria and to hold the expectation that every student will attend every day to assure maximum progress.

Specific attendance reporting procedures may be found in the individual school handbooks and within the district attendance policy (Policy # 5200) and regulations.

### **Absences, tardiness and/or truancy**

- Students must report to school/class on time.
- Absences, tardiness and early dismissals must have documented approval from a parent/legal guardian. Medical dismissals should be processed through the school nurse.
- Students who are truant, whether absent, tardy or dismissed early, are subject to attendance proceedings as outlined in the individual school's student handbook.

### **High School Credit**

- High school students will lose credit for any course if absences exceed ten percent of scheduled class time as specified in N.J.A.C. 6A:32-13.1(a). Please refer to the LBOE Policy and Regulation # 5200.

### **Co-Curricular Activities**

- Participation in co-curricular activities must be compliant with individual school rules and are at the discretion of the principal.

## **LEAVING SCHOOL GROUNDS**

No student shall leave school grounds during the academic day without permission from the administrator/designee of the building.

## **PROMOTION AND RETENTION**

A student will be promoted to the next succeeding grade level when he/she has completed the assigned course requirements; has achieved the instructional objectives set for that student for the present grade; and has demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade, and meet all attendance requirements. Please refer to LBOE Policy #5410.

# SCHOOL PROCEDURES

## **SCHOOL-SPONSORED PUBLICATIONS**

- For purposes of this provision, “school-sponsored publications” shall include all printed materials or other media, sponsored by the school or the District, used to communicate with students, including, but not limited to, newspapers, magazines, articles, brochures, pamphlets, posters, buttons, or audio or video publications.
- Students must submit all school-sponsored publications to the principal or principal’s designee prior to distribution.
- The principal or principal’s designee may restrict distribution of any school-sponsored publication which, if not restricted, would undermine or disrupt the basic educational activities of the school, interfere with the educational continuity of instruction, subject the LBOE to legal action for libel or copyright infringement, or is profane, lewd, obscene or inappropriate for a specific age group.
- Publications that are not considered school-sponsored publications are not subject to pre-approval by the principal or the principal’s designee.

In the event that the principal or principal’s designee elects to restrict the distribution of school-sponsored publications, the affected student(s) will have the right to appeal that determination to the Superintendent or his/her designee. If the student is not satisfied with the Superintendent’s determination, he/she may appeal the decision to the LBOE. Please refer to LBOE Policy #2432.

## **SCHOOL SAFETY**

Livingston Public School grounds are under electronic surveillance 24 hours per day; please refer to LBOE Policy #7441. Violation of school security measures will result in disciplinary actions as outlined in school’s student handbook.

## **STUDENT DRESS CODE**

The Livingston Public Schools recognize that each student’s mode of dress and grooming is a reflection of that student’s personal style and individual preferences. LPS will impose its judgment on students and parents/legal guardians only when a student’s dress and grooming are distracting, distasteful or affect the educational program of the school.

Should students report to school or to a school activity in clothing which does not conform to the Dress Code, school staff will review the circumstances and determine the measures to be taken to properly address the violation. Please refer to the individual school’s student handbook.

## **UNAUTHORIZED SALES OR DISTRIBUTIONS**

All distribution of goods and collection of money must be authorized by the principal or a school district administrator in advance.



# SCHOOL BUS PROCEDURES

The Livingston Public Schools make every effort to operate a safe and dependable system of busing for all students in accordance with State guidelines. In order to meet this expectation, the following rules will be enforced.

**Please note that only approved students may ride the bus; riders with a bus pass may not bring guests on the bus.**

## **Students Meeting the Bus Should:**

- Arrive at their bus stop at least 10 minutes before the regular pick-up time.
- Stand away from the road. Do not stand on the traveled portion of the roadway while waiting for a bus.
- Wait until the bus has stopped, then walk to the front door. Do not run alongside a moving bus.
- Board the bus in an orderly fashion.
- Use only their assigned bus, bus stop and route.
- Not engage in any manner with strangers at the bus stop.

## **Students Riding the Bus Should:**

- Obey instructions of bus driver and/or bus attendant.
- Not distract the bus driver.
- Refrain from horseplay.
- Wear seatbelts at all times.
- Not throw objects in or from the bus.
- Be seated immediately. Remain seated, facing forward.
- Share seats equally.
- Not have any glass objects.
- Not tamper with bus equipment.
- Be courteous.
- Not shout on the bus or out of the bus windows.
- Keep all body parts inside bus.
- Not eat or drink without bus driver/teacher permission.
- Not bring large objects on the bus.
- Keep aisles clear.

## **Students Leaving the Bus Should:**

- Remain seated until the bus comes to a full stop.
- Leave the bus in an orderly manner; students in the front seats exit first.
- Leave the bus stop area when safety permits when discharged from the bus.
- If necessary, cross the street. Crossing should be at a point at least 10 feet in front of the bus and not be initiated until the driver has signaled that it is safe to do so.
- Use their assigned bus stop and route only.

## SCHOOL BUS PROCEDURES

### **Students Leaving the Bus Should (continued):**

- Not engage in any manner with strangers at the bus stop.
- Parents of children in Kindergarten, 1<sup>st</sup> or 2<sup>nd</sup> grade must ensure that a responsible individual or older sibling is at the bus stop to meet their child each day. If a child is grades K through 2<sup>nd</sup> is not met at the bus stop, the bus driver will return the child to the school office to ensure the safety of the child.

If a disciplinary problem should occur in the afternoon, and the problem is such that, in the judgment of the driver, it is unsafe to proceed, the driver may return to the school to seek immediate disciplinary action and/or assistance. Bus drivers are instructed to report any infractions to the school principal/designee.

### **Trespassing**

Only authorized persons are permitted aboard a school bus (school property).

### **Riding the School Bus is a Privilege**

Should a student be reported to the principal for an infraction, the principal will be responsible for disciplinary action, which may include the loss of the privilege of bus transportation until the parent/legal guardian, the bus driver, the principal, (and in some instances, a Transportation Department representative) can arrive at an understanding which will correct the problem. The parent/legal guardian will be responsible for the transportation of their child who has lost school bus transportation privileges.

## JURISDICTION OF SCHOOL OFFICIALS

School officials may discipline students for misconduct, as defined in the individual school's student handbook or in this Code of Conduct, which occurs in and around school property or activities. While misconduct which occurs outside the school environment is an issue to be addressed by local law enforcement, school officials may discipline students for such conduct when the conduct impacts the school environment, educational objectives and the greater interests of the school district. Accordingly, school officials may discipline students for conduct occurring:

- While on or about school premises.
- While en route to and from school in school vehicles, including bus stops.
- While on school-sponsored field trips.
- While attending or participating in co-curricular activities.
- While engaged in school related activities on or off premises.
- While on school property, but during non-school hours.

Appropriate disciplinary action for a student who commits an infraction of the LPS Code of Conduct will be administered as outlined in the individual school's student handbook and as permitted by the provisions of N.J.A.C. 6A:16-7, as appropriate.

## DEFINITION OF PROHIBITED ACTIVITIES/ITEMS IN SCHOOL

The LBOE recognizes the need to provide a safe and secure environment for students and staff. Therefore, the possession and/or use of weapons, or other instruments which can be used as weapons, are prohibited from school property, at any school-sponsored activity under the supervision of professional school staff, or while en route to or from school or any school-sponsored function.

For the purposes of this document, weapons or dangerous instruments are broadly defined to include, but not limited to, those defined in N.J.S.A.2C:39-1f and N.J.S.A.2C:39-1r. Rifles, shotguns, machine guns, automatic or semiautomatic rifles, B.B. guns, dart guns, pellet guns, and other firearms; stilettos, and other knives which could inflict harm; blackjacks, bludgeons, metal knuckles, cesti or similar leather bands studded with metal fillings or razor blades embedded in wood; ice picks, razors, chains, bats, clubs, explosives; any weapon or other device which projects, releases, or emits tear gas or any other substance intended to provide temporary physical discomfort or permanent injury through being vaporized or otherwise dispensed in the air; and any other object that can reasonably be considered a weapon. The principal or designee shall make the final determination that a particular object is a dangerous instrument in any case where there is a question of its possession or use posing a threat to students, staff, or property.

A student found or observed on school property or at a school-sponsored event to be in possession of a weapon or dangerous instrument, shall be reported to the principal/designee immediately. The principal/designee shall immediately inform law enforcement officials and the Superintendent.

Disciplinary action shall be taken against students who possess, handle, transmit, or use weapons or dangerous instruments. As in all disciplinary cases, due process will be provided to the student. Disciplinary action imposed by the school may be in addition to sanctions levied by legal authorities.

Any student who is convicted or found to be delinquent for the following offenses shall be immediately removed by the principal from the District's regular education program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the LBOE to remove the student:

- A. Possessing a firearm on any school property, on a school bus, or at a school-sponsored function; or
- B. Committing a crime while possessing a firearm.

# DEFINITION OF PROHIBITED ACTIVITIES/ITEMS IN SCHOOL

Listed below are rules, that when violated, disrupt the learning environment and/or compromise the safety of students. Students who violate these rules will be referred to the principal or his/her designee. The consequences that may be assigned to the student will be listed and defined after the definitions.

## **ARSON/FIRE/FALSE REPORTING INCLUDES:**

- Violations of fire regulations.
- Making false fire reports.
- Falsely activating a fire alarm.
- Lighting matches or any flame that is not an approved part of classroom instruction.
- Use of incendiary or explosive materials.
- Threats to bomb, burn or destroy school property or the property of school personnel or students.

## **ASSAULT AND BATTERY**

- No student shall threaten or attempt to use force upon another student or staff member.

## **CONDUCT DANGEROUS TO THE PHYSICAL WELL-BEING OF OTHERS**

- No student, through their direct or indirect actions, shall place other students or staff in danger of physical harm.

## **FIGHTING**

- Fighting is prohibited.

## **GAMBLING**

- Students are prohibited from any type of gambling.

## **GANG ACTIVITY**

- Gang activity, recruitment and expressions of gang membership will not be tolerated.

## **HARASSMENT, INTIMIDATION, OR BULLYING (HIB)**

- Please see page 19.

# DEFINITION OF PROHIBITED ACTIVITIES/ITEMS IN SCHOOL

## HAZING

- Students shall not engage in behavior that recklessly or intentionally endangers the health or safety of others or inflicts bodily injury on a student in connection with an initiation, affiliation or admission into an athletic team, club, group organization or student body.

## LITTERING

- We all need to maintain a clean and healthy school environment by properly disposing of any and all trash in an effective and efficient manner.

## POSSESSION OF BANNED ITEMS

- Students may not have any of the following items without the permission of a school administrator or faculty member:
  - Laser pointers.
  - Lighters, matches or other incendiary devices.
  - Profane material or pornography.
  - Any other item that causes the disruption of the learning environment.
  - Any other item that compromises the safety of any student.

## SEXUAL HARASSMENT

- Sexual harassment is not permitted at school, on school grounds, on school buses or at school-sponsored activities.
- Unwelcomed words (spoken or written), actions or bodily contact connected with gender may be considered sexual harassment.
- All instances of sexual harassment should be reported to a staff member or principal.

## THEFT

- Taking, acting as a look-out, or attempting to take school property or personal property of others without permission is expressly forbidden.

## TRESPASSING

- Students are considered to be trespassing if they are present at a school other than the school in which they are enrolled unless they are attending an approved school activity, have the approval of a staff member or are accompanied by a parent/guardian.
- Students who are suspended from school are not allowed at any school or school-sponsored activity or on any school property.
- Students who trespass on any school property are subject to arrest and disciplinary actions as outlined in the school's student handbook.

# DEFINITION OF PROHIBITED ACTIVITIES/ITEMS IN SCHOOL

## **THREAT TO PROPERTY/VANDALISM**

- No student shall threaten or attempt to do damage to the school building, school property, staff or student property. A threat will be considered any expression of intent to cause harm, injury or damage to school property or to other persons on school property, at school-sponsored activities, or on school buses. This expression includes verbal, written and electronic forms.
- Graffiti is prohibited, as is computer and other electronic vandalism.

## **TOBACCO POSSESSION AND/OR USE**

- Students are not permitted to smoke or be in possession of tobacco products, vaping devices, matches or lighters on school buses, in school buildings, on school property or at school-sponsored activities. Please refer to the school's student handbook for disciplinary consequences.

## **THREATENING AND/OR ABUSIVE LANGUAGE**

- Any oral, written, or electronic expression of intent to cause harm, injury or damage to school property or to other persons on school property, at a school-sponsored activity or on school buses, will not be tolerated, including threats made off school grounds. Please refer to the school's student handbook for disciplinary consequences.

# CONSEQUENCES AND INTERVENTIONS FOR RULE VIOLATIONS

## SUSPENSION

### Definition

For the purposes of this policy “suspension” means the temporary removal of a student from the regular instructional program. “Short-term suspension” means a suspension of not more than ten days, and “long-term suspension” means a suspension of more than ten days.

### Procedure

A school administrator may suspend a student from school for misconduct which includes, but is not limited to, violations stated within the LPS Code of Conduct and the individual school’s student handbook. The administrator will give the student notice of the charge(s) against him/her, and an account of information known to school personnel about the event(s) in question. The student will be given the opportunity to present his/her version of the events.

When a suspension is imposed, the school administrator or appointed designee will notify the student’s parent/legal guardian to inform them of the reason for the suspension, the length of suspension (as determined by the administrator), and any arrangements for transportation home, if necessary.

Students who are suspended are not allowed on school property (including buses), or at any school-sponsored activities for the duration of the suspension. Suspended students who trespass on school property or at school-sponsored activities are subject to further discipline.

Students serving suspension will be expected to make up all work. In cases of long-term suspension, the student shall be provided home-based instruction after the fifth day of suspension or be assigned to an alternative educational program on the recommendation of the Superintendent.

# CONSEQUENCES AND INTERVENTIONS FOR RULE VIOLATIONS

## Suspension Appeals

Upon notification of a suspension, a parent/legal guardian or adult student may provide written notice of an appeal of the action.

- **Short-Term Suspension** – The appeal will be heard by the principal of the school within three school days of the suspension, who will review the findings regarding the event in question and make a decision to uphold, remove, or modify the suspension. Should a parent/legal guardian/adult student appeal beyond the building level, the appeal process shall then progress to the Superintendent designee within three school days. The decision of the Superintendent shall be final.
- **Long-Term Suspension** – The appeal will be heard by the principal of the school and the Superintendent within three school days of the suspension, who will review the findings regarding the event in question and make a decision to uphold, remove, or modify the suspension. Should a parent/legal guardian/adult student appeal beyond the building level, the appeal process shall then progress to the LBOE in compliance with 18A:37-4. The decision of the LBOE shall be final.

The student shall not be allowed to attend school during a suspension appeal unless permitted by the principal. Students in the appeal process may be denied participation in co-curricular activities during the appeal process.



# CONSEQUENCES AND INTERVENTIONS FOR RULE VIOLATIONS

## **Specialized Occurrences Warranting Immediate and Long-Term Suspension**

Any student possessing a firearm on school property, on a school bus or at a school-sponsored function or committing a crime while possessing a firearm shall be immediately removed from the school's regular educational program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the Board of Education to remove the student (in accordance with Policy # 5611).

Any student who commits an assault, as defined pursuant to N.J.S.A. 2C:12-1, upon a student, teacher, administrator, LBOE member or other school district employee, with a weapon other than a firearm on school property, on a school bus or at a school-sponsored function must be immediately removed from the school's regular education program and placed in an alternative education school or program, pending a hearing before the LBOE.

Any student who commits an assault, as defined pursuant to N.J.S.A. 2C:12-1, upon a teacher, administrator, LBOE member or other school district employee, acting in the performance of his/her duties in a situation where his/her authority to so act is apparent or as a result of the victim's relationship to an institution of public education in New Jersey, not involving the use of a weapon or firearm, shall be immediately suspended from school consistent with procedural due process pending suspension or expulsion hearings before the LBOE.

## **Reinstatement**

A suspended student may be reinstated:

1. By the principal within ten days of the suspension.
2. By the Superintendent at any time before the next meeting of the LBOE following the suspension.
3. For a long-term suspension, a student may be reinstated by the LBOE at the first meeting following the suspension. (However, no student suspended for reasons of assault upon a person in authority may be reinstated before the LBOE has held a hearing which must be scheduled within twenty-one calendar days of the suspension. The LBOE in this case will consider that student's expulsion from school at its second regular meeting after the suspension and thereafter, the LBOE alone may reinstate the student or continue the suspension.)

## **Students with Disabilities**

Students with disabilities are subject to suspension in accordance with IDEA.

# CONSEQUENCES AND INTERVENTIONS FOR RULE VIOLATIONS

## EXPULSION

The LBOE will consider expulsion only if:

1. The student has continue to display willful disobedience and open defiance as indicated in 18A:37-2 or;
2. The Superintendent, with his/her staff, has exhausted all means to correct the misconduct and reviewed the alternatives to expulsion or;
2. The nature of the single act presents such a clear possibility of danger to others that immediate definitive action is indicated and;
3. The parents/legal guardians of the student have been interviewed and advised of the reasons why expulsion is being considered, the rights of the pupil to a full hearing which will afford him/her procedural due process, and the right of parents/legal guardians to appeal to the Superintendent.

The student shall remain out of the school until either:

- A. An appeal made to the Superintendent is decided in the student's favor, or
- B. The appeal to the Superintendent (if made) has been denied and the LBOE has decided to reinstate the student.

If the LBOE determines that the charges may warrant expulsion, they will set a date for the hearing. The Board attorney will arrange for the giving of legal notice to all parties concerned for the preparation and presentation of evidence in support of the charges at the hearing.

The student must receive:

- A. Notification of the charges.
- B. The names of the adverse witnesses.
- C. Copies of the statements and affidavits of those adverse witnesses.
- D. The opportunity to be heard in his/her own defense.
- E. The opportunity to present witnesses and evidence in her/her own defense.
- F. The opportunity to cross-examine adverse witnesses.
- G. The opportunity to be represented by counsel.

Juvenile authorities and law enforcement agencies shall be notified or consulted if necessary.

# HARASSMENT, INTIMIDATION AND BULLYING

***Please note: Any changes and revisions to State statute or LBOE policy supersede information contained here-in.***

**Legal 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 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 by any other distinguishing characteristic;
2. 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;
3. 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, 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/her person or damage to his/her property; or
  - 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.

Interventions and procedures in place to meet the requirements of the NJ DOE policies and regulations can be found at [www.livingston.org](http://www.livingston.org):

- A District Anti-Bullying Coordinator has been designated.
- Each school will have an Anti-Bullying Specialist and School Safety/School Climate Team.
- Bullying incidents that occur off school grounds will be investigated if they disrupt or interfere with the orderly operation of the school.
- Any adult or student who witnesses an incidence of harassment, intimidation or bullying must report the incident to the principal that same day.
- The principal will inform the parents of all students involved in an incident of harassment, intimidation or bullying. Information should include the nature of the incident, what evidence was found, if consequences were imposed, and if services were provided to address the incident.
- Parents have the right to appeal any decision made regarding an incident of harassment, intimidation and bullying to the LBOE.
- The State will assess how effective LPS has implemented a system to prevent harassment, intimidation and bullying and the results will be posted on the District website.

# HARASSMENT, INTIMIDATION AND BULLYING

## ALL SCHOOLS WILL HAVE A CULTURE WHERE BULLYING IS NOT TOLERATED

Bullying will not be tolerated in any school, on school buses, during any school activities, on the way to or from school or at any other time that effects the operation of the school. To make this possible, the District has developed a system for reporting and responding to instances of harassment, intimidation and bullying. Below are questions and answers that will help to explain the system put in place to stop harassment, intimidation and bullying in our schools.

### **Q: How are harassment, intimidation and bullying defined?**

A: The anti-bullying law defines bullying as any act based on race, religion, disability or any other characteristic, which disrupts the orderly operation of the school or causes physical and/or emotional harm to the victim. Bullying involves a difference of power between parties, usually happens repeatedly, is intentional and can happen in-person or electronically. Bullying can be in the form of taunts, insults, threats, humiliation, exclusion from a group and teasing. It can also be in the physical form of hitting/pushing, tripping or aggressively approaching another student.

### **Q: What are the student behavioral expectations in a bullying-free environment?**

A: Students are expected to:

- Report any act of that is harassing, intimidating or bullying to a school staff member immediately.
- Respect the right of all students to be educated in an environment free of harassment, intimidation and bullying.
- Respect the property of others.
- Implement upstander strategies taught throughout the school counseling curriculum.
- Refrain from participating in any act that a reasonable person would perceive to believe:
  - is intimidating of others.
  - excludes others for the purpose of humiliation.
  - is a physical activity that would intimidate another student (hitting, tripping, pushing, etc.).
- Not make any false accusations against other students regarding incidents of harassment, intimidation or bullying.

### **Q: How should a student report bullying?**

A: If a student is being bullied, he or she must report the incident to any school District staff member immediately. All staff members are trained to know where to bring information regarding the incident. The student reporting the incident will be asked to fill out an incident statement, as will the staff member who either witnessed the incident or received the report from a witness or the victim. An HIB reporting form may be found on LPS website.

## HARASSMENT, INTIMIDATION AND BULLYING

Once the statement is given to the anti-bullying specialist in the school, all parents of the students involved will be notified of the incident. Should an investigation be warranted it will be initiated no later than the following day and the investigation will be completed within 10 days. Parents will be notified if the District found any evidence of harassment, intimidation or bullying no later than five days after the LBOE has acknowledged the report in the next regularly meeting of the LBOE meeting following of the completion of the investigation.

**Q: Are there immediate actions that I can take if I am bullied?**

A: Yes. These actions include:

- Report the incident immediately to a school staff member.
- Keep written notes of dates, times, places, witness names and other information.

**Q: What should I do if the bullying continues?**

A: Immediately report the incident to a school administrator or other school staff member. It is important to tell your parent/legal guardian that the bullying is continuing.

**Q: What is cyber-bullying?**

A: Cyber-bullying is the use of electronic information and communication devices, to include but not be limited to, email messages, instant messaging, text messaging, cellular telephone communications, internet blogs, internet chat rooms, social networking websites, internet postings, and defamatory websites that:

- Deliberately threatens, harasses, intimidates an individual or group of individuals.
- Places an individual in reasonable fear of personal harm or damage to the individual's property.
- Has the effect of substantially disrupting the orderly operation of the school.

**Q: What are the consequences for acts of intimidation, harassment or bullying?**

A: Factors such as the age of a student, the degree of harm, severity of the behaviors, past history and patterns of behavior, and the relationship between parties involved will be taken into account when consequences are administered. If the findings of an investigation result in a student requiring consequences for his/her behavior, the principal or designee, in conjunction with any information found in the student handbook (in grades 6-12), will assign a consequence as deemed appropriate.

## HARASSMENT, INTIMIDATION AND BULLYING

**Q: What are ways to remediate after an act of harassment, intimidation or bullying has occurred?**

A: Efforts to develop strategies to remediate behaviors that lead up to acts of harassment, intimidation or bullying must also be implemented to prevent further incidents. Remedial measures also help the victim of incidents to cope and be able to know what to do in future encounters of harassment, intimidation or bullying. Steps will also be taken to help students who are believed to have harassed, intimidated or bullied other students, so they understand appropriate social interaction and how other students feel when they are harassed, intimidated or bullied. Remedial measures may include one or more of the following:

- Counseling and/or;
- Education or Advisement and/or;
- Restitution

**Q: What are the rights of parents to appeal consequences?**

A: Parents have the right to appeal the decision of the LBOE. A hearing before the LBOE shall be granted with 10 days of the request or at the next scheduled meeting of the LBOE. A decision in writing by the Board will be made within five business days of the hearing. A final appeal can be made to the Commissioner of Education no later than 60 days after the LBOE's decision. All appeals must be in writing.

## SUBSTANCE ABUSE POLICY

Please refer to LBOE policy [#5530](#).

## LIVINGSTON BOARD OF EDUCATION POLICY REFERENCES

Acceptable Use of Computers	#2361
School Sponsored Publications	#2432
Electronic Communication between Teaching Staff & Students	#3283
Attendance	#5200
Administration of Medication	#5330
Promotion and Retention	#5410
Harassment	#5512
Remotely Activated Communication Devices	#5516
Substance Abuse	#5530
Smoking	#5533
Passive Breath Alcohol Sensor Device	#5535
Code of Conduct	#5600
Suspension and Expulsion	#5610
Smoking on School Grounds	#7434
Alcoholic Beverages on School Premises	#7435
Electronic Monitoring on School Grounds	#7441
Vandalism	#7610
Reporting Violence/Vandalism	#8461
Weapons	#8467
Civility	#9131



**Livingston**  
PUBLIC SCHOOLS

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